

To

Groupe Anima

France

Att Mr. Grégory Cebrian, president

Brussels, 12.11.2025

REGARDING SALES OF PRODUCTS FROM OCCUPIED WESTERN SAHARA

Dear Mr. Cebrian

Western Sahara Resource Watch (WSRW) is privileged to present you with our compliments. We are writing to inquire about some aspects in relation to sourcing and selling products from occupied Western Sahara.

The background for our request is that we see from your website that your company is sourcing products from the territory. See screenshots from your website in the annex.

We are publishing an article on the matter on our website www.wsrw.org in the nearest future, and would appreciate your company's assessment on the matter. Any response from your company to the questions below will be reflected on our website.

Allow us to first contextualise our query. The United Nations consider Western Sahara to be a non-self-governing territory without an administering power in place. The International Court of Justice has confirmed that Morocco, that occupies the majority of Western Sahara since 1975, has no sovereignty over the territory, and that the people of Western Sahara have a right to self-determination – the right to determine the future status of the territory.¹ In 1988, the UN was able to broker a ceasefire arrangement between Morocco and the Western Sahara liberation movement, Polisario, in which both parties agreed to hold a referendum on self-determination.² To that goal, a UN mission (MINURSO) has been deployed to the territory, but it has not been able to organise a referendum as Morocco continues to block any effort that offers a choice beyond integration. In November 2020, the ceasefire collapsed after the Moroccan army seized a section of the UN buffer zone to break up a Saharawi protest.³

While well over a hundred of UN Resolutions, and rulings by the International Court of Justice, the European Court of Justice⁴ and the African Court on Human and People's Rights⁵, all underline that Morocco has no sovereignty or administering mandate over Western Sahara, Morocco continues to militarily control about three-quarters of the territory. Incentivized by its exploitation of the territory's resources, Morocco has little interest to genuinely take part in the UN-mediated peace process. Meanwhile, the lingering conflict continues to have a high human and humanitarian cost: over 170,000 Saharawis are stuck in refugee camps in neighbouring Algeria, surviving in harsh desert conditions and dwindling humanitarian aid. Saharawis who live under the yoke of Morocco's occupation are victims of serious human rights violations that have been reported by the UN Human Rights Committee, UN Working Group on Arbitrary Detention, the UN Special Rapporteur on Human Rights Defenders, in addition to credible international organisations such as Human Rights Watch, Amnesty

¹ International Court of Justice, Western Sahara, <https://www.icj-cij.org/case/61>

² The "settlement proposals" are included in the Report of the UN Secretary General on Western Sahara of June 1990, available here: https://minurso.unmissions.org/sites/default/files/unsrg_report_18_june_1990.pdf

³ WSRW, 19.11.2020, Saharawi gov calls for halt of all activity in Western Sahara over war, <https://wsrw.org/en/news/saharawi-gov-calls-for-halt-of-all-activity-in-western-sahara-over-war>

⁴ The Rulings for cases T-512/12, T-180/14, C-266/16, T-275/18 and combined cases T-344/19, T-356/19 and T-279/19 can be accessed at the site of the EU Court of Justice, <http://curia.europa.eu>.

⁵ African Court on Human and People's Rights, 22.09.2022, Ruling on Application N° 028/2018 <https://www.african-court.org/cpmt/storage/app/uploads/public/632/e0f/3ad/632e0f3ad580e748464681.pdf>

International, and others. In 2023, the UN High Commissioner for Human Rights lamented the fact that his Office has not been allowed to visit Western Sahara for the last eight years.⁶

The status of the territory comes with repercussions for business activities. As established in 2002 by the UN Legal Counsel at the request of the Security Council, any economic activity in the territory would be in violation of international law if not undertaken in accordance with the wishes and the interests of the people of the territory.⁷ We also refer to the conclusions of the UN Treaty Body on Economic, Social and Cultural Rights⁸ and of the UN Human Rights Committee⁹, which have both emphasized the need of obtaining the Saharawi people's "consent to the realization of developmental projects and [resource] extraction operations".

Recent years have witnessed an emerging body of law pertaining to Morocco's claim to the territory. Since 2015, in ten (!) consecutive rulings, the Court of Justice of the European Union (ECJ) has concluded on the following points as settled:

- The territory of Western Sahara constitutes a separate and distinct territory from that of the Kingdom of Morocco.¹⁰
- Morocco has no sovereignty¹¹ or administering mandate¹² over Western Sahara.
- Consequently, the waters adjacent to Western Sahara cannot be regarded as part of the Moroccan fishing zone, territorial waters, exclusive economic zone, or any other notion used to describe Morocco's role vis-à-vis the waters off Western Sahara.¹³
- The people of Western Sahara are to be regarded as a third party to the EU's agreements with Morocco, and that as such, no agreement can affect their territory without their consent, as a corollary of the right to self-determination.¹⁴
- The Court is clear that the right to consent resides with the *people* of Western Sahara, and not with the *population* of the territory. The Court stipulates that "a majority of the population of Western Sahara is not part of the people holding the right to self-determination, namely the people of Western Sahara. The Court adds that "there is a difference in that regard between the concept of the 'population' of a non-self-governing territory and of the 'people' of that territory. The latter refers to a political unit which holds the right to self-determination, whereas the concept of 'population' refers to the inhabitants of a territory."¹⁵
- The Court has firmly established the position of Front Polisario, the UN-recognised representation of the people of Western Sahara to be able to bring cases before EU Courts on behalf of the Saharawi people, and that it has access to the Court to defend their right to self-determination.¹⁶

The last series of these rulings stem from October 2024, when the ECJ annulled the amendments to the EU-Moroccan trade and fisheries agreements that included the territory of Western Sahara in the scope of the agreements' application without the consent of the Saharawi people (joint court cases C-779/21 P, C-799/21 P)¹⁷

⁶ OHCHR, 07.03.2023, Global update: High Commissioner outlines concerns in over 40 countries, <https://www.ohchr.org/en/statements-and-speeches/2023/03/global-update-high-commissioner-outlines-concerns-over-40-countries>

⁷ UN Security Council, 12.02.2002, Letter dated 29 January 2002 from the Under-Secretary-General for Legal Affairs, the Legal Counsel, addressed to the President of the Security Council, S/2002/161, <https://undocs.org/S/2002/161>

⁸ UN Economic and Social Council, 22.10.2015, Concluding Observations on the fourth periodic report of Morocco, E/C.12/MAR/CO/4*, §6, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fMAR%2fCO%2f4&Lang=en

⁹ UN Human Rights Committee, 01.12.2016, Concluding Observations on the sixth periodic report of Morocco, §10, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/MAR/CO/6&Lang=en

¹⁰ Judgment of 21 December 2016, EU:C:2016:973, §92, and reiterated in the Judgment of 27 February 2018, EU:C:2018:118, §62, Judgment of 4 October 2024, EU:C:2024:833, §163, Judgment of 4 October 2024, EU:C:2024:839, §85 and Judgment of 4 October, EU:C:2024:835, §134.

¹¹ Judgment of 10 December 2015, EU:T:2015:953, §241. Considered a settled matter in subsequent rulings.

¹² "Account must also be taken of the fact that the Kingdom of Morocco does not have any mandate granted by the UN or by another international body for the administration of that territory, and it is common ground that it does not transmit to the UN information relating to that territory, such as those provided for by Article 73(e) of the UN Charter." Judgment of 10 December 2015, EU:T:2015:953, §233. Considered a settled matter in subsequent rulings.

¹³ Judgment of 27 February 2018, EU:C:2018:118, §67-85. Considered settled in subsequent rulings.

¹⁴ Judgment of 21 December 2016, EU:C:2016:973, §104. Reiterated and refined in subsequent rulings.

¹⁵ Judgment of 4 October 2024, EU:C:2024:833, §180-181 and §158. Judgment of 4 October 2024, EU:C:2024:835, §152-153 and §129.

¹⁶ Judgment of 4 October 2024, EU:C:2024:833, §96-138, Judgment of 4 October 2024, EU:C:2024:835, §70-109.

¹⁷ <https://curia.europa.eu/juris/document/document.jsf?text=&docid=290677&pageIndex=0&doclang=IT&mode=lst&dir=&occ=first&part=1&cid=4049115>

and C-778/21 P, C-798/21 P¹⁸, respectively). The court laid out that application of the trade and fisheries agreements to the territory is to be ceased within a transition phase of one year, ending in October 2025.

In another case (C-399/22¹⁹), which specifically dealt with the labelling of products from Western Sahara, the Court again emphasised the separate and distinct status of the territory in relation to Morocco, and concluded that at the stages of import and sale to the consumer, the labelling of goods from Western Sahara must indicate Western Sahara alone as the country of origin of those goods.²⁰ Contrary to the two other rulings from 2024, this obligation is already in effect.

Since October 2025, the European Commission has sought to circumvent the Court's interpretation through a proposed regulation introducing alternative labelling rules for products from Western Sahara. Compliance with that proposed scheme would not constitute compliance with the Court's judgment in C-399/22.

Under EU food regulation, mandatory food information includes the "country of origin (...) in such a way as not to mislead the consumer".²¹

Instead of using the geographical country definition used by the United Nations, ICJ, ten rulings of the CJEU and the European Union, we notice that your website refers to the territory of Western Sahara as part of Morocco.

We have the following questions which we would appreciate your comments to.

1. Do you agree with the ICJ, CJEU, UN and the African Court on Peoples' and Human Rights that Western Sahara is not part of Morocco?
2. Do you agree with the ICJ²² that the right to self-determination of a people of a non-self-governing territory constitutes a fundamental human right?
3. Groupe Anima on its website, on several places, refers to production in Western Sahara as being in "Morocco". What is the background for Anima referring to the location as in "Morocco"?
4. Which country of origin does your company indicate for its Western Sahara product vis-à-vis its clients?
5. With respect to the ruling of the joined court cases C-779/21 P and C-799/21 P, will your company halt the trading/sale of all products from occupied Western Sahara that are produced and exported on permits from the Moroccan government, without the explicit permission from the Saharawi people, under an agreement whose application to Western Sahara has been found to be contrary to EU and international law by the ECJ? If no, why?
6. Your website's subpages on Philafrance, Saint Charles Primeur and Festival all refer to certifications of GLOBALG.A.P and BRCGS. Your website, through graphic design, suggests that those subsidiaries ("filiales") are sourcing agricultural products from Western Sahara. Can you confirm that these three subsidiaries are sourcing from Western Sahara? Which are the suppliers in Western Sahara, and which products do you source from these?
7. On 2 April 2025, GLOBALG.A.P. published a statement on its website, that was also sent to all its certification bodies. The statement reads that: "2.7 Origin of products grown in Western Sahara (New)

¹⁸ <https://curia.europa.eu/juris/document/document.jsf?text=&docid=290676&pageIndex=0&doclang=IT&mode=req&dir=&occ=first&part=1&cid=4034966>

¹⁹ <https://curia.europa.eu/juris/document/document.jsf?text=&docid=290679&pageIndex=0&doclang=IT&mode=lst&dir=&occ=first&part=1&cid=3946548>

²⁰ Judgment of 4 October 2024, EU:C:2024:839, §89.

²¹ COMMISSION IMPLEMENTING REGULATION (EU) No 543/2011

²² <https://www.icj-cij.org/sites/default/files/case-related/169/169-20190225-ADV-01-00-EN.pdf>

Our attention was recently brought to GLOBALG.A.P. certifications in Western Sahara. We would like to share the results of our evaluation related to identifying the origin of products grown in the area. According to Article 73 of the United Nations Charter, Western Sahara remains classified as a "non-self-governing territory", and recent European Court of Justice (ECJ) rulings have confirmed that trade agreements between the European Union and Morocco do not extend to Western Sahara without the explicit consent of the Sahrawi people. The ECJ has also ruled that products originating from Western Sahara must be explicitly labeled as such and must not be presented as Moroccan products."

6 weeks later, on 23 May 2025, BD Trading obtained a new GLOBALG.A.P certificate, with erroneous country information, issued by SYGMA Certification. Has Anima been informed by BD Trading that the certificate contains erroneous country information and/or that the products cannot be labelled as from Morocco?

8. Your company mentions on its website²³ to be having a GLOBALG.A.P. Chain of Custody certificate, issued in 2024, number 3760024650007.²⁴ Under the CoC-SC 3.2. it is expected that "Traceability records shall be accurate". How does your company assess the accuracy and validity of the certificates of the production companies in Western Sahara, considering that the Certifying Body has failed to reflect correctly which country they are located in on the certificates?
9. We notice that your company is referring to BRCGS on the subpages of Saint Charles Primeur and Philafrance. Which entity/entities in relation to this trade is BRCGS certified?
10. Can you send us copies of the BRCGS certificates relevant for your claim?

WSRW has asked BRCGS a series of questions in relation to its standard. Regretfully, BRCGS has failed to respond. BRCGS is also not transparent in terms of what the standard entails, as the standard is not public. Since your company is marketing this standard on your website, we hope you will be able to clarify the following:

11. Does the BRCGS standard expect that the certified organisations comply with all applicable legal requirements in the countries where they operate? If yes, which country's laws apply to Western Sahara, according to BRCGS?
12. If national authorities are to be expected to have undertaken controls or sanitary checks as part of the standard, which legal validity does BRCGS believe that these government inspections or approvals or certificates have if they are issued to establishments based in the non-self-governing territory of Western Sahara by an entity of the neighbouring country of Morocco?
13. If BRCGS certificates expect that the Moroccan government's regulations, laws, checks or permits are legally valid even in Western Sahara, how does that match with the position of the ICJ and UN which do not regard Morocco as having sovereignty or an administering power capacity over Western Sahara, and as such do not consider Western Sahara to be part of Morocco?
14. Does the BRCGS Standard contain provisions (including to prevent food fraud) that require certificate holders to correctly reflect country of origin or country of production?

²³ <https://www.groupe-anima.com/nos-entreprises/sofruce/>

²⁴ https://vest-sahara.s3.amazonaws.com/wsrw/feature-images/File/2676/69123b06caf30_AnimaSofrue_COC_KIWA_GlobalGAP_2024.jpg

15. Does the BRCGS standard expect human rights in general to be respected? If yes, is the right to self-determination among those rights?
16. What information or guidance, if any, has BRCGS provided to your company to ensure that products sourced in your supply chain do not originate from Western Sahara, or are not incorrectly labelled regarding their country of origin?

We'd be grateful for your response, looking forward to hearing from you,

Sincerely,

Erik Hagen

Western Sahara Resource Watch

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groupe-anima.com/nos-entreprises/saint-charles-primeur/

LE GROUPE ▾ LES FILIALES ▾  CARRIÈRES ▾ ACTUALITÉS

 Tomates
  Agrumes
  Pastèques
  Melons
  Salades

AUTRES FRUITS ET LÉGUMES

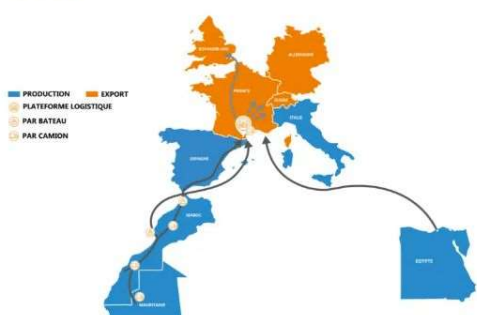
- Concombres
- Brocolis
- Pêches
- Nectarines
- Artichauts
- Fraises
- Salades
- Piments

CERTIFICATIONS





CHAMPS D'ACTION



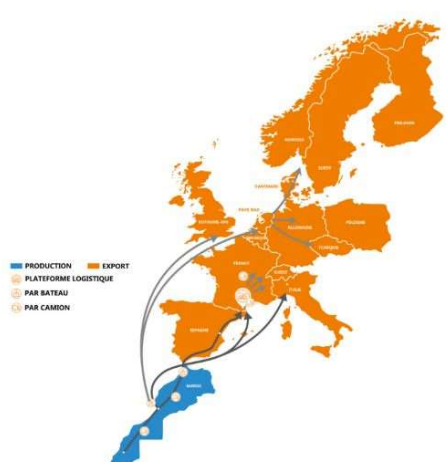
groupe-anima.com/nos-entreprises/philafrance/

LE GROUPE ▾ LES FILIALES ▾  CARRIÈRES ▾ ACTUALITÉS

CERTIFICATIONS




CHAMPS D'ACTION





Sofruche développe son expertise à travers sa **marque premium Sofresa**, dédiée aux fruits rouges de haute qualité. Produits issus de **ses propres cultures et de celles de ses partenaires**, ces fruits respectent un **cahier des charges exigeant**, garantissant fraîcheur et excellence.

La gamme comprend des **fraises, framboises et myrtilles**, disponibles en différents formats :
Fraises : 8x250g, 10x500g, 10x500g
Framboises : 12x125g
Myrtilles : 12x125g

Sofresa offre également une **possibilité de conditionnement sur mesure**, répondant aux besoins

Pour répondre aux attentes des clients exigeants, Sofruche a créé la marque **Bélinda**, garantissant des fruits d'exception. Première référence de cette gamme, la **fraise Bélinda** est cultivée en Espagne selon un mode de **production intégrée et durable**, limitant l'usage de produits chimiques pour préserver la biodiversité.

Disponible en plusieurs variétés, elle est cueillie et conditionnée directement sur le lieu de production en colis bois de 1 kg, garantissant fraîcheur et qualité. Seuls les fruits répondant à notre cahier des charges strict sont sélectionnés, assurant fermeté et coloration uniforme.

À travers sa marque **SoTom**, Sofruche produit et met à disposition une gamme de **tomates**, idéales pour enrichir les rayons fruits et légumes. Ses **tomates rondes** se distinguent par leur **teinte rouge homogène**, leur **fermeté** et leur **excellente conservation**.

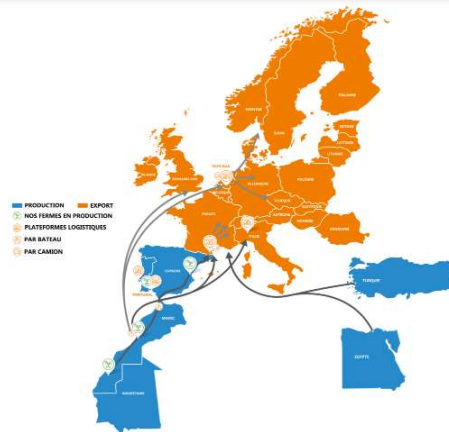
L'entreprise propose différents articles : **tomate cerise allongée & tomate cerise grappe**, appréciée en France et en Europe. Issues **intégralement de ses productions au Maroc**, ces tomates sont conditionnées selon les besoins du marché :
Tomate cerise allongée : 250g x12, 250g x16, 250g x32
Tomate cerise grappe : 250g x12, 250g x16, 250g x32

À travers sa marque **SoMel**, Sofruche met en avant son savoir-faire dans la production de **melons**, cultivés dans la région de **Dakhla, au Maroc**, sur **165 hectares** de terres bénéficiant d'un **ensoleillement exceptionnel** et de conditions climatiques idéales.

La gamme comprend les variétés **Sugar Kech** et **Magenta**, soigneusement sélectionnées pour leur **savoir et leur qualité**.

Le conditionnement est assuré dans la **station EasyFresh**, garantissant une **traçabilité totale**, du champ jusqu'à la livraison. Chaque étape est rigoureusement contrôlée afin d'offrir aux clients des

La marque **Étoile du Sud** propose l'emballage de deux types de produits : **les tomates et les melons**. Elle est commercialisée dans **toute l'Europe** sous divers formats d'emballage, **provenant directement des fermes de production** de Sofruche.



FERMES EN PRODUCTION



BO TRADING

- Production à Dakhla (Maroc)
- Tomates et melons
- Conditionnement dans notre station EasyFresh à Agade (Maroc)
- Centres GLOBALG.A.P. & GRASP



FMI

- Production à Dakhla (Maroc)
- Tomates et melons
- Conditionnement dans la station d'Agade (Maroc)
- Centres GLOBALG.A.P. & GRASP



GREEN VALLEY BERRIES

- Production à Villablanca (Espagne)
- Fraises et framboises
- Conditionnement dans la station Sofresa à Huelva (Espagne)
- Centres GLOBALG.A.P. & GRASP, BRCS & SPRING



FRUTAS PAPITO

- Production dans la province de Valencia (Espagne)
- Agrumes

CHIFFRES CLÉS

18 000

tonnes de fruits et légumes

7 M

litres de choco-beurre

07

pays à l'export

+05

collaborateurs

+20

ans d'expérience

PRODUITS PILIERS



Choco-beurre



Artichauts



Petits pois



Fruits à noyau

AUTRES FRUITS ET LÉGUMES

- Pommes
- Citronniers
- Châtaignes
- Lentilles

- Fèves
- Maïs

CERTIFICATIONS



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CHAMPS D'ACTION



FOURNISSEURS