

Organisation of Petroleum Exporting Countries

Att: HE Mohammad Sanusi Barkindo, Secretary General of OPEC

Helferstorferstrasse 17

A-1010

Vienna, Austria

Brussels, 15.12.2021

RE. OPEC'S POSITION ON FINANCING PROJECTS IN OCCUPIED WESTERN SAHARA

Your Excellency,

Western Sahara Resource Watch is privileged to write to you again. We are writing to enquire about the OPEC Fund for International Development's financial support to the Moroccan government for a study of the Nigeria-Morocco gas pipeline. We have several questions on the matter and would be most grateful for your views as it will allow us to accurately present OPEC's views on the matter.

On 15 September 2021, the OPEC Fund for International Development accorded the Moroccan government a US \$14.3 million loan that will "co-finance the survey works for the North Area (Senegal - Mauritania – Morocco) of the NMGP".¹ Remarkably, the description does not include the territory of Western Sahara, which is presumably part of the trajectory of the pipeline.

The United Nations consider Western Sahara to be a Non-Self-Governing Territory without an administering power in place. As stipulated by the International Court of Justice and repeated in five consecutive rulings by the European Court of Justice, Morocco has no sovereignty over or international mandate to administer the territory. Nevertheless, Morocco continues to militarily control three-quarters of the territory, including the coastal area. The people of the territory, the Saharawis, have an internationally recognized right to self-determination. A UN mission, MINURSO, is present in the territory with the single task of organizing a referendum that will allow the Saharawis to determine the future status of their homeland.

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, in addition to credible international organisations such as Human Rights Watch, Amnesty International, and others. Freedom House's 2020 update report on the status of civil and political rights in the world, ranked Western Sahara alongside Syria and North Korea. Since November 2020, armed conflict has been resumed in the territory following the halt of the ceasefire agreement between Morocco and the Frente Polisario.

While Morocco does not distinguish between its own territory, as internationally recognized, and the parts of Western Sahara that it has annexed, the UN continues to regard the conflict in Western Sahara as a case of unfinished decolonisation that is to be resolved through the exercise of self-determination.

It is thus remarkable that the OPEC Fund, whose Member Countries are all UN Members, should choose to provide financial backing to the Moroccan government for a project that hinges on being implemented in Western Sahara. At the same time, we note that this is not the first time that the Fund's name emerges in

¹ <https://opecfund.org/operations/list/nigeria-morocco-gas-pipeline-nmgp-front-end-engineering-study-feed-phase-ii-project>

connection to Morocco's occupation of Western Sahara, as detailed in our letter to OPEC in March 2018 – to which we cannot see having received a reply.²

We would be grateful for your answers to the following questions.

1. Does OPEC agree with the United Nations that Western Sahara is a Non-Self-Governing Territory?
2. What is OPEC's assessment of Morocco's status vis-à-vis Western Sahara?
3. Why does OPEC on its website omit reference to Western Sahara in its description of the project that it has decided to fund and that does list all other countries in the surveyed area?
4. What is OPEC's assessment of the legality of international infrastructure and survey operations in Western Sahara, such as the survey studies which it has agreed to co-finance and the gas pipeline that it considers financing?
5. Is OPEC aware that the pipeline trajectory will run through the territory of Western Sahara, and that the people of Western Sahara have not granted their consent to the project?
6. Given the non-consent of the people of Western Sahara, does OPEC consider it appropriate to finance a project that will be implemented in their territory?

We thank you in advance for your consideration of our letter. We think it is in the interest of OPEC to dissociate itself from this protracted conflict that comes with a high human cost. It is our conviction that OPEC would in not knowingly harm the UN's efforts to broker peace in Western Sahara, including through the funding of projects of the Moroccan government in the territory.

We remain at your disposal should you require any further information on this concerning matter. We take the liberty to publish this letter on our website today (www.wsrw.org). Your clarifications on the matter will be published upon receipt.

Sincerely,

Sara Eyckmans

Coordinator

Western Sahara Resource Watch

coordinator@wsrw.org

² https://wsrw.org/files/dated/2018-03-20/2018.03.20_wsrw-opec.pdf