

Bygging Uddemann AB
Gustavslundsvägen 145
SE-167 51 Bromma
Sweden

Brussels/Stockholm
23.02.2022

REGARDING PARTICIPATION IN PORT CONSTRUCTION IN OCCUPIED WESTERN SAHARA

Dear Mr Magnusson,

Western Sahara Resource Watch and Emmaus Stockholm present you with our compliments. We are writing to you regarding the work your company is undertaking in occupied Western Sahara. We have a few questions and hope to hear from you regarding the matter.

The information about your company's involvement appears on your website and social media.

- a. A website article posted 25 November 2021, Bygging Uddemann writes that the work started in November 2021 for the company Achirodon Group NV. <https://www.bygging-uddemann.se/en/project-update-laayoune-new-phosphate-port/>
- b. A project update published this morning, 23 February 2022, on the "Laayoune project". <https://www.bygging-uddemann.se/en/project-update-laayoune-project/>
- c. A picture gallery on your website informs that the supply has been made to "Laayoune New Phosphate Port, Morocco", <https://www.bygging-uddemann.se/en/slipform-gantry/#303>
- d. An undated company presentation named 'Gantry Slipform and IP-CCV Transfer System' mentions that the work is taking place in "Laayoune" in "Morocco". <https://docplayer.net/216843817-Gantry-slipform-and-ip-ccv-transfer-system.html>
- e. Posts on your Facebook pages and LinkedIn pages dated 25 November 2021 explain that "New project in full swing in Morocco!".

We have found no examples on your information channels in which your company has presented the correct location of your operation.

The exports of phosphate rock from Western Sahara is highly controversial. 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, the latest verdict on the issue came as late as 29 September 2021,¹ Morocco has no sovereignty over or international mandate to administer the territory. The Government of Sweden, the EU and the UN, is clear that Western Sahara is not part of the Moroccan

¹ <https://www.wsrw.org/en/news/court-orders-halt-to-eu-deals-in-occupied-ws>

territory. Nevertheless, Morocco continues to militarily control three-quarters of the territory, including the Bou Craa phosphate mines which are operated by Phosboucraa, a subsidiary of the Moroccan state-owned company OCP SA.

The company that you work for, Archirodon Group, is remaking the port for this Moroccan state-owned entity.

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. Saharawi who live under the yoke of Morocco's occupation are victims of serious human rights violations that have been reported by the Swedish Ministry of Foreign Affairs², UN Human Rights Committee, in addition to credible international organisations such as Human Rights Watch, Amnesty International, and others. In July of 2021 the UN Special Rapporteur on the situation of human rights defenders urged Morocco to cease to target human rights defenders and journalists and expressed deep concern about the use and threat of physical and sexual violence against women.³ The UN Special Rapporteur specifically mentioned the fate of the president of the League for the Defense of Human Rights and Protection of Natural Resources in Boujdour. She has been under house arrest for over a year, and raped by police. She is an outspoken opponent of the plunder that your company is facilitating. The Secretary-General of the President of the Saharawi Committee for Protection of Natural Resources is sentenced to life-time in jail, and has so far served 12 years.

Several large fertilizer producers/traders which previously imported phosphate rock from the territory, have ended this relationship with the Bou Craa mine, due to matters of international law and human rights. Those companies are described in our annual report on the phosphate exports from the territory, P for Plunder. Find our latest issue here: <https://wsrw.org/en/news/report-reveals-clients-of-western-saharas-conflict-mineral>

The Swedish Government Pension Fund and all large Swedish banks and asset managers have excluded from the portfolios both the exporter OCP and all those stock-exchange registered companies that take part in the purchase of the product from Western Sahara.

Also suppliers to the mine have terminated their involvement. Last year, Epiroc announced that it had stopped supplying drilling equipment to the mine, while Continental AG abstained from continuing a supply agreement the Bou Craa conveyor belt. Numerous of the two companies' investors engaged with Epiroc and Continental over several years, particularly among the Swedish asset managers and banks.

Based on this, WSRW and Emmaus Stockholm have the following questions to Bygging Uddemann:

1. Is the work by Bygging Uddemann still being carried out at the port? If yes, when is it estimated to be completed?
2. What, exactly, has your company committed to deliver?
3. Does Bygging Uddemann have further contracts for work in the occupied territory?

² <https://www.regeringen.se/rappporter/2020/06/manskliga-rattigheter-demokrati-och-rattsstatens-principer-i-vastsahara/>

³ <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=27244&LangID=E>

4. What has Bygging Uddemann done, if anything, to seek and obtain the prior consent from the recognized legal representative of the Saharawi people, Polisario Front?
5. Will Bygging Uddemann ascertain not to conclude any further agreement in the territory without first having obtained consent from the representative of the people of the territory?
6. Has Bygging Uddemann received export credit guarantees from the Swedish government in relation to this delivery?
7. Why does Bygging Uddemann refer to the project location as being in Morocco?
8. Does your contract specify that the location of the operation is in “Morocco”?
9. Will Bygging Uddemann rectify its website and information channels to clearly clarify that the project is not in Morocco, but in occupied Western Sahara?

Our organisations are convinced that it is not in the interest of Bygging Uddemann to become associated with the continued colonization and occupation of Western Sahara. Constructing infrastructure in Western Sahara on behalf of the Government of Morocco risks to help legitimize the Moroccan military occupation of the territory and will thus hinder the peace process.

Based on the lack of awareness of which country you are working in, suggests that your company has fundamentally failed in undertaking a basic due diligence.

Our organisations condemn your company’s clear support – both in action and in statements – to the occupation of the territory and urge the company to immediately and unconditionally halt all operations in the territory and abstain from further involvement.

WSRW will inform the public about the information of your company’s involvement in the occupied territory in an article on the WSRW website and/or include it in the upcoming P for Plunder report that we are publishing in March/April. **We look forward to a response from your company prior to 1 March 2022.** A response can be sent to coordinator@wsrw.org

Looking forward to hearing from you,

Kind regards

Sara Eyckmans
coordinator@wsrw.org
Western Sahara Resource Watch

Juan Obregon
juan.obregon@emmausstockholm.se
Emmaus Stockholm

A copy of this letter is sent to the Swedish Ministry of Foreign Affairs