

CEPSA, SAU
Torre Cepsa
Paseo de Castellana, 259-A
28046 Madrid, España

Brussels, 21.02.2022

Att: Maarten Wetselaar, CEO

REGARDING EXPORT OF PETROLEUM PRODUCTS TO WESTERN SAHARA

Dear Mr. Wetselaar

Western Sahara Resource Watch (WSRW) is privileged to write to you. We are writing with regard to continuous exports of petroleum products from what we believe are your refineries and terminals in Spain and Morocco to the cities of Dakhla and El Aaiún, Western Sahara. We are highly concerned that your company through such exports could be involved in a controversial support to Morocco's occupation of the territory.

We wish to recall you of the previous contact between your company and our organisation relating to these transports:

Email from WSRW to Cepsa 02.06.2014

https://wsrw.org/files/dated/2014-06-06/wsrw-cepsa_02.06.2014.jpg

Letter from WSRW to Cepsa 15.06.2017

https://wsrw.org/files/dated/2020-05-07/wsrw-cepsa_15.06.2017.jpg

Letter from WSRW to Cepsa 30.10.2018

https://wsrw.org/files/dated/2020-06-23/wsrwe-cepsa_30.10.2018.png

Letter from Cepsa to WSRW 08.11.2018

https://wsrw.org/files/dated/2020-06-23/cepsa-wsrwe_08.11.2018.png

Our three letters raised question relating to these petroleum transports, whereas your answer on 08.11.2018 fails to embark on that question.

As trade with interests in the territory involves several political, ethical and legal concerns, our association would like to hear your company's opinion on such matters. WSRW has observed such transports of petroleum products from what we believe are your terminals in Carteya-Guadarranque, Huelva, Tenerife and Jorf Lasfar. WSRW has followed trade in and out of occupied Western Sahara for several years, including from the above-mentioned locations.

As you probably know, Morocco illegally annexed part of Western Sahara by military force in 1975 in violation of the basic right to self-determination of the people of Western Sahara. This military invasion was condemned by the United Nations General Assembly and to this day, Western Sahara remains listed by the UN as a Non-Self-Governing Territory, pending a decolonization process. On international rankings, such as by Freedom House, Western Sahara scores lowest in the world on political freedoms. Leading human rights defenders from Western Sahara, including the general-secretary of the association that would normally take part in monitoring foreign controversial business operations on their land, are currently serving life-time sentences in Moroccan jails.

In line with the International Court of Justice, the Court of Justice of the European Union has outlined, in five separate rulings, that the Government of Morocco does not have any legal basis, sovereignty or international mandate to administer the territory. The recent court rulings of the Court of Justice of the European Union have also made it clear that in the event of an entity undertaking business in Western Sahara, consent must be obtained from the people of Western Sahara. It stated that the two territories of Morocco and Western Sahara are 'separate and distinct'.

The imports of petroleum products by Moroccan interests in Western Sahara fundamentally contribute to entrenching the Moroccan occupation through critical industries and Moroccan settlers on the ground.

On 13 November 2020, the Moroccan army broke the 29-year ceasefire between itself and the Western Sahara's liberation movement, the Frente Polisario. Occupied Western Sahara, including its maritime area, is now a war zone.

We would appreciate a response to the following questions:

1. Is Cepsa involved in exporting petroleum products from Carteya-Guadarranque to Western Sahara?
2. Is Cepsa involved in exporting petroleum products from Huelva to Western Sahara?
3. Is Cepsa involved in exporting petroleum products from Tenerife to Western Sahara?
4. Is Cepsa involved in exporting petroleum products from Jorf Lasfar to Western Sahara?

If yes to one or more of the above questions,

5. Which are the importing companies/institutions in Western Sahara?
6. Is the export part of any form of long term supply contract with such client(s)?
7. As a corollary of the internationally recognized right to self-determination of the people of Western Sahara, and given the legal requirement of obtaining the free and genuine consent of the people of Western Sahara with regard to activities or projects in their land – as put forth by several UN Treaty bodies and the EU Court of Justice – what steps, if any, has Cepsa taken to

obtain the consent of the people of Western Sahara prior to exporting petroleum products to the territory?

8. Will Cepsa guarantee that no further exports will be made to Western Sahara?

We are convinced that it is not in the interest of Cepsa to become associated with continued occupation and war in Western Sahara, and urge your company to immediately take all measures to prevent further export incidents.

WSRW is going to publish an overview of the petroleum exports into Western Sahara approximately 10 March, and looks forward to a response from your company prior to 3 March 2022.

Looking forward to hearing from you.

Kind regards

Erik Hagen

Western Sahara Resource Watch

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