

Repsol
c/Mendez Alvaro, 44
28045 Madrid, España

Brussels, 21.02.2022

Att: Josu Jon Imaz, CEO

REGARDING EXPORT OF PETROLEUM PRODUCTS TO WESTERN SAHARA

Dear Mr. Imaz

Western Sahara Resource Watch (WSRW) is privileged to write to you. We are writing with regard to continuous exports of petroleum and gas products from what we believe are your refineries and terminals in Spain 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.

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 and gas products from what we believe are your terminals in Cartagena and La Coruña, respectively. WSRW has followed trade in and out of occupied Western Sahara for several years, including from the above-mentioned locations.

As you 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 and gas 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 Repsol involved in exports of petroleum products from Cartagena to Western Sahara?
2. Is Repsol involved in exports of butane gas and/or other sorts of gas from La Coruña to Western Sahara?

If yes to one or more of the above questions,

3. Which are the importing companies/institutions in Western Sahara?
4. Is the export part of any form of long term supply contract with such client(s)?
5. 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 Repsol taken to obtain the consent of the people of Western Sahara prior to exporting petroleum and gas products to the territory?
6. Will Repsol guarantee that no further exports will be made to Western Sahara?

We are convinced that it is not in the interest of Repsol 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 overviews of the petroleum and gas 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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