

WorleyParsons Ltd  
Level 17, 141 Walker Street  
North Sydney  
NSW 2060  
Australia

To the attention of Mr Andrew Wood  
Chief Executive Officer of WorleyParsons Ltd

9 December 2019

**Re. WorleyParsons Ltd's business activities in occupied Western Sahara**

Dear Mr. Wood

Western Sahara Resource Watch is privileged to present you with our greetings. We are writing to inquire into WorleyParsons Ltd's views on undertaking business activities in occupied Western Sahara, following the recent acquisition of Jacobs Energy, Chemicals & Resources division, and as such, a 50% stake in Jacobs Engineering S.A. (JESA) – a joint venture with OCP SA.

As you know, JESA has a regional office in El Aaiun, Western Sahara. The company has been commissioned by OCP to plan what they refer to as 'a sustainable city' and an 'academic Technopole' near El Aaiún. OCP's vision of the Technopole is one of an innovative driving force for the further "development" of the "southern regions" – the epithet used by Moroccan authorities to refer to the areas of Western Sahara that are held under Moroccan military occupation. It would appear that through the take-over of JESA, WorleyParsons has inherited these projects.

Western Sahara, often referred to as the last colony in Africa, is a Non-Self-Governing Territory that is still to conclude the process of decolonization under UN auspices. In blatant violation of the Opinion of the International Court of Justice – establishing no ties of sovereignty between Morocco and Western Sahara - and Resolutions of the UN Security Council, Western Sahara was invaded in 1975 by Morocco. Morocco went on to annex large parts of the territory, until the UN was able to broker a peace agreement in 1991 between the two warring parties – Morocco and the Western Sahara liberation movement Frente Polisario.

To date, Western Sahara is partitioned by a 2500 kilometer military fortified wall, surrounded by some of the world's largest minefields, erected by Morocco. Half the people of Western Sahara, the Saharawis, have fled their homeland, and survive in dismal circumstances in refugee camps in the Algerian desert. The Saharawis still living in Western Sahara suffer the yoke of a brutal occupation: the grave human rights violations committed by the Moroccan authorities against Saharawis are well documented by reputable institutions and organisations such as the UN High Commissioner for Human Rights, Amnesty International, Human Rights Watch, etc. The direness of their situation has already resulted in calls for resumed armed conflict, particularly among younger Saharawi generations who are losing faith in the peacemakers of the world.

Since 2016, the Court of Justice of the European Union has issued four clear judgments concluding Western Sahara to be a territory that is “distinct and separate” from any country in the world, including Morocco. The Court set the legal requirement of obtaining the consent of the people of Western Sahara for economic involvement in the territory to be lawful. As such, the Court follows the UN Treaty bodies which have also stressed the need for “prior, free and informed consent” of the Saharawi people to any developmental projects and extraction operations in Western Sahara, when reviewing Morocco’s performance under the International Covenants.

In February 2018, the High Court of South Africa pronounced itself on a cargo of phosphate rock shipped from the territory and held under detention in Cape Town since 1 May 2017. The Court stated that Morocco had no ownership over and thus no right to sell the phosphate rock, of which “the Saharawi Arab Democratic Republic is the owner”. The Frente Polisario has since brought legal action against two private companies (in Spain and in France) and threatens more legal proceedings against economic operators that violate the Saharawi people’s right to self-determination.

Investors are becoming increasingly sensitive with regard to companies’ involvement in the protracted conflict in Western Sahara. In recent years, companies that are associated to the phosphate trade or oil industry have suffered substantial divestments by private investors and government pension funds.

In view of the above, we kindly ask you as new owner of JESA SA, to answer the following questions:

1. What is WorleyParsons’ policy concerning projects in Western Sahara?
2. What actions is WorleyParsons planning to undertake in relation to the projects it has acquired in Western Sahara?
3. Does WorleyParsons plan to realize more projects in Western Sahara?
4. What steps will WorleyParsons take to obtain the consent of the people of Western Sahara if it is to undertake further projects in Western Sahara?

We are convinced that it is not in the interest of an esteemed company such as WorleyParsons to become associated to the continued brutal occupation of the territory.

We’d be grateful for your answers to the above questions before 5 January 2020. To be transparent, we wish to inform you that we are in the process of writing a report on the 2019 phosphate trade from Western Sahara, and will feature WorleyParsons as an associate of OCP and Phosboucraa. We’d wish to ensure that your views on the above raised issues are correctly reflected in that report.

We thank you beforehand for your consideration of our letter and look forward to your response. Naturally, we remain at your disposal should you have any further questions.

Sincerely,

Sara Eyckmans  
Coordinator  
Western Sahara Resource Watch  
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