

Cefertil – Cesari Fertilizantes LTDA
Att: Mr. Francisco Spina Borlenghi
Av. Engenheiro Plínio de Queirós,
S/N - Jardim das Industrias,
Cubatão - SP 11570-000, Brazil

Brussels, 18.01.2021

RE. POTENTIAL IMPORT OF PHOSPHATE ROCK FROM WESTERN SAHARA TO CEFÉRTIL

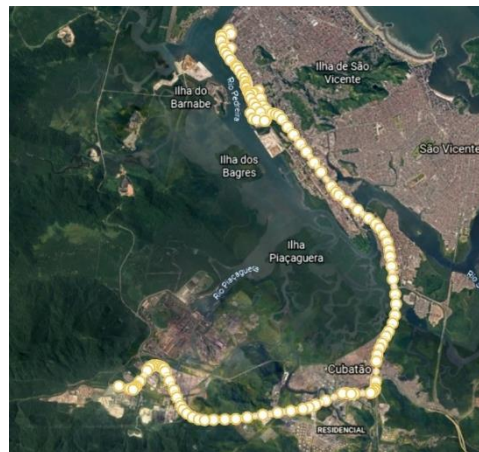
Dear Mr Borlenghi,

We at Western Sahara Resource Watch (WSRW) are privileged to present you with our compliments.

We are writing to inquire about potential deliveries of phosphate rock from Western Sahara to Cefertil (Cesari Fertilizantes). We would be grateful if you could respond to the questions included below, preferably before 15 February 2021.

Late December 2020, the bulk carrier *Regius* (Marshall Islands, IMO 9737113) arrived at the port of Santos, Brazil, carrying an estimated 30,000 tonnes of phosphate rock. Half a year before, In June 2020, the *Lalis D* (Liberia, IMO: 9613666) arrived at the same port with around 33,000 tonnes of phosphate rock. Our organization also observed shipments on board of the vessels *Golden Bonnie* and *Wulin*, arriving to Santos during the months of April 2020 and October 2019.

We have reason to believe that the cargoes aboard these vessels were destined for Cefertil. Our colleagues have physically tracked the trucks transporting the phosphate rock from the port of Santos to the gates of the Cesari industrial area via the route illustrated to the right. Different sources on the ground told us that the cargoes were destined for Cefertil/Cesari.



1. Can you confirm or refute whether some or all of the above-mentioned shipments were fully or partially destined for Cefertil?
2. If affirmative, what volume did Cefertil receive from Western Sahara during the calendar year 2020?
3. Which companies, other than Cesari Group, if any, are today part of the ownership structure of Cefertil?
4. The Cefertil subpage on Cesari Group's homepage, up until recently included a photo of a bag of fertilizer labelled as "Mosaic Fertilizantes". This was apparent on your website as late as 20 October 2020, perhaps later. See the Mosaic label on your website here: <https://web.archive.org/web/20201020093627/https://grupocesari.com.br/servicos/cefertil/> We also notice that in 2020, Cesari confirmed in a Brazilian court that it transports products for Mosaic. <https://www.jusbrasil.com.br/processos/175188025/processo-n-1000864->

6920175020252-do-trt-2/amp

- a. Are fertilizer products produced at your facilities in Cubatão carrying the Mosaic brand name?
- b. Can fertilizer products that are produced on your premises in Cubatão carry any other brand name(s) than Mosaic? If yes, which brand name(s)?

The Western Sahara phosphate trade 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 four 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 Bou Craa phosphate mines which are operated by Phosboucraa, a subsidiary of the Moroccan state-owned company *Office Chérifien des Phosphates*, OCP SA.

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.

Several large fertilizer producers/traders have stated that they do not wish to be associated with the phosphate production in occupied Western Sahara. Mosaic clarified for instance to Bloomberg that it has stopped such imports into the US "because of widespread international concerns regarding the rights of the Saharawi people". <https://www.bloomberg.com/news/articles/2021-01-15/norway-warns-of-vaccination-risks-for-sick-patients-over-80>

We would be most grateful for an answer to the above question before 15 February 2021. To be transparent, we wish to inform you that the shipments to Santos will be featured in our annual update report on the Western Sahara phosphate trade, which will be published in approx. April/May 2021. We believe that it is in the interest of your company that your relation to the trade is correctly reflected in that report, and that – if receipt of the cargoes is confirmed – your position on the matter is accurately described.

Please do not hesitate to contact us should you require any further information on the above-raised issue. We thank you in advance for your consideration and look forward to your response.

Sincerely

Sara Eyckmans

Coordinator, Western Sahara Resource Watch

coordinator@wsrw.org

A copy of this mail has been sent to:
Joc O'Rourke, CEO, Mosaic Co