



6 May 2008

Mr David Ford

Chief Executive Officer, Impact Fertilisers Australia and chairman of FIFA

P O Box 294, Moonah, Tasmania 7009

[ifa@impactfert.com.au](mailto:ifa@impactfert.com.au)

### **Regarding shipment of phosphate rock from Western Sahara to Hobart**

Dear Mr Ford

We are writing with respect to the phosphate rock, which Impact Fertilisers imports from Morocco sourced in occupied Western Sahara. A ship named Niki T is currently in port discharging such a cargo at Risdon berth, in the port of Hobart, 5-9 May 2008.

On 24 July 2006 our former chair, Nick O'Neill wrote to you on behalf of AWSA on this matter and we believe it is time we heard back from you. I attach his letter, which covers all the background to the problem of trading in the resources of a non-self-governing territory such as Western Sahara, without the consent of the indigenous people - the Saharawis - nor for their benefit.

The UN legal counsel, Hans Corell makes it clear (<http://www.arso.org/UNlegaladv.htm>) that the trade in phosphate rock from Western Sahara contrary to international law. It also gives credibility to an illegal and brutal regime. No country in the world recognizes Morocco's claim to sovereignty over the territory. Following their invasion of Western Sahara in 1975 Morocco has maintained control by military force, at first during open warfare. In the 1980s a wall was built, dividing the country from north to south and from east to west along its border with Mauritania. Millions of landmines for hundreds of metres on each side of this wall are constantly causing damage to livestock and to herdsmen and their families. The Saharawi population is divided by this wall, with over half living in harsh conditions in refugee camps near Tindouf in south west Algeria, having fled from the invading forces and attacks of napalm and cluster bombs. The rest suffer daily human rights abuses under Moroccan occupation – something which is widely documented in numerous reports by international human rights organisations. Although the United Nations proclaims their right to self-determination, Saharawis suffer torture and imprisonment if they express such sentiments in the occupied zones.

We therefore believe your use of this phosphate is not in keeping with your own company commitments "...we attempt to behave, day by day, with true fairness, integrity and social responsibility. ... **Legal provisions and standards must not remain unfelt obligations**, but must be lived daily and accompanied by a sincere care and respect for people: our employees, our suppliers, our customers and everyone else we deal with. (from <http://www.ameropa.com/social.html>. Our emphasis)

The Australia Western Sahara Association, which works for justice for the Saharawi people is a member of an international solidarity network campaigning for the protection of the natural resources of Western Sahara. Tomorrow, Wednesday 7 May at

1600 hours we propose to publish this letter on their website: <http://www.wsrw.org/>. If we have it, we can publish your reply too.

We also appeal to you in your role as chair of FIFIA, the Fertiliser Industry Federation of Australia, whose role it is "to maintain public consent for the responsible contribution of [the fertilizer] industry to the growth of Australian agriculture...", to address our concerns which have also been expressed to other importers of phosphate rock from the Bou Craa mine in Western Sahara. If all Australian importers acted together, their action would help Morocco realize it must allow the referendum to determine the sovereignty of Western Sahara, it cannot do it by *fait accompli*.

In the meantime we recommend seeking alternative sources of phosphate rock and also approaching the Saharawi authorities in order to establish rights following independence, as in the case of oil and gas exploration (see: <http://www.sadroilandgas.com/>)

Accepting a phosphate rock shipment from Moroccan authorities in the occupied Western Sahara is a serious violation of fundamental ethical norms and international law. It gives the impression of political legitimacy to a brutal occupation, and undermines the UN peace process to find a solution to the conflict. Please put further importations on hold until the conflict in Western Sahara is settled.

Yours sincerely,

Cate Lewis

Cate Lewis, Secretary  
Australia Western Sahara Association (Victoria)  
inc no: A0047692T  
post: P O Box 164, Clifton Hill 3068  
[info@awsa.org.au](mailto:info@awsa.org.au)  
web: <http://www.awsa.org.au/>