



Minister of Trade

08 SEP 2008

Noel Peterson
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Dear Noel Peterson

Thank you for your email of 18 July 2008 on trade with Morocco. As the Minister responsible for trade issues I am also responding on behalf of the Minister of Foreign Affairs.

I appreciate you drawing my attention to the email you sent on 27 January 2008. All correspondence received by my office is usually forwarded to me. On this occasion, I unfortunately did not receive your email. Please allow me to respond to each of your questions now.

1 Can you confirm that New Zealand is interested in a fisheries partnership with Morocco?

New Zealand and Morocco have looked positively at the issue in the past. In 2001 New Zealand and Morocco signed a Memorandum of Conversation to give formal expression to our interest. More recently, in a Joint Statement I agreed with my Moroccan counterpart in January of this year, it was stated that we welcomed the prospect of New Zealand companies' possible involvement in the "...research and development of Morocco's deepwater fisheries resources".

2 Has it clearly been stated - or will it be clearly stated - to the Moroccan authorities that any fishery cooperation would only have to take place within the borders of Morocco that are internationally recognised?

As noted above, the Joint Statement welcomed the prospect of New Zealand's involvement in the "...research and development of *Morocco's* deepwater fisheries resources".

3 Has the Minister during the visit to Morocco received any evidence proving your suggestion that the New Zealand phosphate imports is indeed in line with international law?

I have authoritative legal advice that New Zealand companies break no laws in importing phosphates that may be extracted from the Western Sahara.

Extraction of the phosphates by Morocco does, however, give rise to considerations of the international legal principles involved in the administration of non-self-governing territories. These are issues for Morocco to consider.

4 Did the Minister for instance meet with any representatives of the Sahrawi people while in Morocco?

The New Zealand Government supports the right of the Sahrawi people to self-determination in line with the relevant UN resolutions and negotiations between Morocco and the Polisario Liberation Front (PLF) to achieve a peaceful resolution of the dispute. When I was in Algeria, which has long supported the cause of the PLF and acts as a base for its government in exile, I discussed the issue with Algerian counterparts, and the UN representative based in Algiers. My mission as Minister of Trade was not, however, to go deeply into matters such as the Western Sahara issue.

5 Does the Minister agree that it would be a true support to the UN peace process if all New Zealand business activities in the territory are frozen until the dispute over the land has been settled?

It is important to note that without a UN Security Council resolution requiring third parties to cease trading in these resources with Morocco, any move by New Zealand to prevent its companies from doing so could be in breach of the Most Favoured Nation obligation in the General Agreement on Tariffs and Trade, which prohibits trade discrimination such as an import prohibition on a product originating in one country.

Yours sincerely



Hon Phil Goff
Minister of Trade