

To: [oisin@sanleonenergy.com](mailto:oisin@sanleonenergy.com)

CC: [philip@sanleonenergy.com](mailto:philip@sanleonenergy.com), [paul@sanleonenergy.com](mailto:paul@sanleonenergy.com), [johnb@sanleonenergy.com](mailto:johnb@sanleonenergy.com)

Att: Oisín Fanning, Chairman  
San Leon Energy plc

21 July 2011

## **Open letter re: San Leon's investments and activities in occupied Western Sahara**

Dear Sir,

Western Sahara Resource Watch, together with Western Sahara Action Ireland and Fundacja "Afryka Inaczej", have taken note of information provided in your company's reports and recent updates on your webpages regarding the development of your Zag Basin and Tarfaya licences in the Territory of Western Sahara.

More specifically, we note that, following San Leon's takeover of Island Oil and Gas in 2010, your firm and its subsidiaries have continued to undertake exploration activities, including through seismic surveys in the relevant licence areas.

As you are aware, the exploration licence areas in which you operate with ONHYM are mostly located within the Territory of Western Sahara. And as your firm probably is aware of, Western Sahara is not part of Morocco.

In 1975, the International Court of Justice emphatically rejected Moroccan claims of sovereign ties to the Territory, and instead confirmed that Western Sahara is a Non-Self-Governing Territory awaiting decolonization. More than 100 UN resolutions reaffirm the right of the people of Western Sahara to self-determination, and among them, their permanent sovereignty over the natural resources of the Territory. There is no basis in international law for Morocco to enter into agreements or arrangements with third parties in respect of the natural resources in Western Sahara.

In a legal opinion provided to the UN Security Council in January 2002 ([www.arso.org/Olaeng.pdf](http://www.arso.org/Olaeng.pdf)), the UN Under-Secretary General of Legal Affairs confirmed that further petroleum exploration and exploitation activities in Western Sahara would amount to a violation of international law if they were to proceed in disregard of the interests and wishes of the people of Western Sahara. This is also, as you surely know, been repeated several times by the Government of Ireland, in reference to your firm's operations.

The illegal occupation of Western Sahara by Morocco has resulted in enormous suffering and deprivation for the Saharawi people of Western Sahara, the rightful owners of the Territory's land and natural resources. As a result of Morocco's invasion of Western Sahara in 1975 and the hostilities that followed, approximately 165.000 Saharawis are languishing in refugee camps in the inhospitable Algerian desert near Tindouf. The Saharawi population remaining in the part of the Territory under Moroccan occupation is subjected to grave human rights violations, such as torture, forced disappearances and arbitrary detention. Most importantly,

however, Morocco has blocked the possibility of the Saharawi people being allowed to freely exercise their right to self-determination through a free, fair and transparent referendum. This right was established by UN General Assembly resolution 1514 (XV) (1960), and is a fundamental right under international law.

Western Sahara Resource Watch understands that your firm has not consulted, nor sought the consent of the Saharawi people or their internationally recognized representatives, the Frente Polisario. We understand that the Polisario brought your activities to the attention of the UN Security Council in a letter on 8 April 2009, and then wrote directly to you in protest on 25 June 2009. Your company is therefore well aware that your activities are not in accordance with the wishes of the Saharawi people, and therefore violate international law.

By collaborating with an illegal occupier in a Territory that is the subject of negotiations supported by the good offices of the UN Secretary-General, San Leon is acting illegally and irresponsibly, and is severely increasing the risk of further armed conflict, destabilisation and suffering in the Maghreb region.

San Leon's cooperation with the Moroccan government in the occupied area also lends legitimacy to the illegal Moroccan occupation of Western Sahara. This is made clear by your firm's repeated references in its public material to the licence area as "Moroccan", despite the fact that not one country anywhere in the world has recognised the Territory of Western Sahara to be part of Morocco.

We appeal to San Leon to demonstrate its commitment to international law and human rights by winding down its involvement in Western Sahara and undertaking not to renew activities until the dispute over Western Sahara is resolved. We urge your company to confirm this decision in a public statement in support of a solution which will provide for the self-determination of the people of Western Sahara, consistent with the mandate provided by the UN Security Council.

Western Sahara Resource Watch, Western Sahara Action Ireland and Fundacja 'Afryka Inaczej' look forward to your confirmation of receipt of this letter and would welcome an opportunity to meet with your representatives in Dublin or Warsaw as soon as possible to discuss these matters further.

Sincerely,

Sara Eyckmans, Brussels  
Western Sahara Resource Watch  
[coordinator@wsrw.org](mailto:coordinator@wsrw.org)

Mark McLoughlin, Dublin  
Western Sahara Action Ireland  
[loughlin.markmc@gmail.com](mailto:loughlin.markmc@gmail.com)

Pawel Sredzinski, Warsaw  
Fundacja "Afryka Inaczej"  
[p.sredzinski@afryka.org](mailto:p.sredzinski@afryka.org)