CARRIERS OF CONFLICT

The shipping companies behind the phosphate rock transports from occupied Western Sahara, 1 January 2016 to 15 June 2017.
For 45 days now, the large motor vessel NM Cherry Blossom has been detained in Port Elizabeth, South Africa. On 15 June 2017, the High Court in the country found that the ship, carrying conflict minerals from occupied Western Sahara, is to remain there until a trial concludes on the real ownership of the cargo.

The decision will have to be followed closely by the companies mentioned in this report. They all take part in the transportation of phosphate rock out of the territory which the United Nations treats as the last colony in Africa, but currently under Moroccan occupation.

Concerns have been expressed by governments, parties, trade unions and organisations internationally regarding the global purchases of such rock from the Moroccan government. Institutional investors have blacklisted the importers for contributing to undermine international law and the UN peace process and several fertilizer companies have halted the imports after being aware of the controversy. But which are the shipping companies involved in the transports?

This report is the first ever effort to systematically outline the owners and operators of the vessels that transport the phosphate from Western Sahara to clients overseas. The report’s annex refers to around 100 shipping companies that took part in such trade from 1 January 2016 to 9 June 2017.

The operator which is most heavily involved is Ultrabulk A/S from Denmark, accounting for 8 of 46 shipments during the period. 13 of the 46 vessels mentioned in the report are Greek owned or operated. A key player in the overall trade, and with an important stake in the shipment currently detained in South Africa, is the German/UK company Furness Withy, until 2017 part of the frozen pizza conglomerate of Dr. Oetker, but from later this year sold to Maersk in Denmark.

WSRW calls on all companies involved in the transports to immediately halt all shipments of Western Sahara phosphates until a solution to the conflict has been found. Investors are requested to engage or divest unless action is taken.

Most companies mentioned in this report were contacted shortly prior to publication. Answers we might receive can later be found on our website. Further information about the role of clients of the rock can be found in the WSRW report “P for Plunder 2016”.

WSRW wishes to thank the anti-Apartheid group Shipping Research Bureau for our past meetings which later led to the methodology used for this report. Segments of this report are heavily inspired by “Fuel for Apartheid – Oil Supplies to South Africa” (1990).

Do you have corrections or input to this report? Help us make it better for next year’s edition. Send tips to shipping@wsrw.org.
Morocco’s claim to sovereignty over Western Sahara is not recognised by any state, nor by the UN. Its arguments to claim the territory were rejected by the International Court of Justice in 1975. This conclusion was confirmed in 2016 by the Court of Justice of the EU.

The UN Legal Office has analysed the legality of phosphate extraction from Western Sahara, a resource extraction activity – one now in exploration stages – that is of a similar nature to the one of phosphates. The UN concluded that ‘if further exploration and exploitation activities were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the international law principles applicable to mineral resource activities in Non-Self-Governing Territories’. Drawing on the subsequent judgment of the Court of Justice of the European Union and the Legal Opinion of the Office of Legal Counsel of the African Union, international law actually places the consent of the people of Western Sahara as the prerequisite for any activity in relation to the occupied territory, even without it being necessary to determine whether such activity is likely to harm or on the contrary benefit the people.

Yet, only weeks after the 1975 invasion of the territory, the phosphate deposits of the Bou Craa mine in Western Sahara was being exported to fertilizer companies in the region, making Western Sahara the largest source of phosphate revenue for Morocco. Phosphate de Bucraa, S.A., also known as Phosboucraa, was the largest private player in the phosphate market, exporting phosphate ore to more than 50 countries. The company was a subsidiary of OCP (Société des Phosphates SA), which later became known simply as OCP, Morocco’s national phosphate company.

The discovery of phosphate reserves in Western Sahara was confirmed in 1947 by the Court of Justice of the EU. The UN Legal Office has analysed the legality of phosphate extraction from Western Sahara, a resource extraction activity – one now in exploration stages – that is of a similar nature to the one of phosphates. The UN concluded that ‘if further exploration and exploitation activities were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the international law principles applicable to mineral resource extraction activities in Non-Self-Governing Territories’. Drawing on the subsequent judgment of the Court of Justice of the European Union and the Legal Opinion of the Office of Legal Counsel of the African Union, international law actually places the consent of the people of Western Sahara as the prerequisite for any activity in relation to the occupied territory, even without it being necessary to determine whether such activity is likely to harm or on the contrary benefit the people.

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The Controversy

The Moroccan take-over of the Bou Craa mine

1947: Western Sahara’s phosphate reserves are discovered 130 kilometres southeast of El Aaiun in a place called Bou Craa. The discovery of phosphate reserves is the first potential source of mineral revenues for the colonial power, Spain.

1956: The company is renamed Fisfafas or Fos Bucraa.

1972: Spain starts to operate the mine. Many Spaniards find employment in the mine as did the Saharawis, the native population of the Spanish Sahara as the territory is known at the time.

1975: Montjoïu international pressure to decolonise forces Spain to come up with a withdrawal strategy from Spanish Sahara.

1979: Mauritania withdraws its withdrawal strategy from Spanish Sahara. A UN mission that was sent to Spanish Sahara in view of an expected referendum predicts that Western Sahara could very well become the world’s second-largest exporter of phosphates. Hence, Spain’s decision to claim and occupy the territory.

1980: From Mauritania, Morocco, supported by Spain, invaded the territory. Spain and Mauritania, while retaining a 75% share of the Bou Craa mine. No state in the world the UN nor the people of Western Sahara recognises the transfer of authority from Spain to the two states. Mauritania withdraws in 1979, admitting it had been wrong to claim and to occupy the territory. At the same time in 1975, recouping his authority after two failed coups d’état, Morocco’s King Hassan II orders the Moroccan army to invade Western Sahara. The King may have hoped that this would give Morocco as much leverage to determine world phosphate prices as OPEC has over oil prices.

1 January 1976: The Madrid Accords come into effect and after a transition period of 16 months OCP would take over the management of the mines.

2002: Spain sells its 35% ownership of Bou Craa.


2017: Morocco continues to operate the mine in occupied Western Sahara, earning over US $200 million annually from a mine which is not theirs.

Half the people of Western Sahara were forced to flee when Morocco occupied the territory. They earn nothing from Morocco’s illegal phosphate production. Morocco has no right to exploit the minerals of the land it occupies. The refugees in the picture depend on humanitarian aid. New Zealand is the second biggest importer of their national wealth.
From 1 January 2016 to 1 June 2017, 46 vessels shipped 2.36 million tonnes of phosphates rock.
The Danish shipping company Ultrabulk A/S is the company which most frequently appears in the data collected by WSRW in this report. 8 of the 46 vessels are operated by Ultrabulk.

For the 17-month period covered by the report, the Danish shipping company transported 420,840 tonnes of rock out of the territory, for a value of €63 million US dollars.

Ultrabulk has through its transport agreement assisted the Canadian company Agrium in becoming the biggest funder of the illegal occupation.

The Danish association Afrika Kontakt has on a number of occasions requested Ultrabulk to stop its involvement. CEO Per Lange told Afrika Kontakt in an email on 22 May 2017 that there are "neither trade sanctions nor an embargo and there is thus nothing illegal in this kind of business." Also the Danish Shippers' Association has refused taking a stance on the issue, even though the Danish parliament request Danish enterprises to abstain from such business operations.

Ultrabulk in 2011 announced that it had entered into an agreement to transport 9 million tonnes of phosphates "from Morocco to West Coast Canada." However, "Morocco" was not entirely true. The overwhelming part of the phosphate rock is confirmed to have come from occupied Western Sahara. The first shipments were observed in 2013, to the client Agrium Inc. which from that time became the largest importer of phosphates from the occupied territory.

Agrium, in turn, refuses to answer questions relating to what it has done to obtain the consent of the people of the territory.

Eight Ultrabulk operated vessels appear from this report: Ultra Rocanville (April 2016), Ultra Saskatoon (August 2016), Ultra Daniela (August 2016), Ultramer (September 2016), Albatross (October 2016), Ultra Largs (November 2016), Ultra Integrity (November 2016) and Ultra Innovator (April 2017).

The vessel Ultra Daniela, interestingly has connections to the controversial phosphates and the Danish company Ultrabulk is the company shipping it to them.

The Committee for Protection of Natural Resources in Western Sahara demonstrating in front of a court house in Rabat, 5 June 2017. The organization’s secretary-general is sentenced to life-time in jail for protesting the plunder and marginalisation of the Subaraws in the territory. Canadian fertilizer company Agrium is the main client of the Moroccan government for the controversial phosphates and the Danish company Ultrabulk is the company shipping it to them.

"Stop Danish transports of stolen natural resources." Saharawis protesting in front of the premises of the Danish Shippers’ Association in Copenhagen in September 2016. The association has defended its members’ operations in the occupied territory. From 2017, Maersk is going to buy into one of the most heavily involved companies in the controversial trade.
The nationalities behind the shipments

<table>
<thead>
<tr>
<th>Registered owner home country</th>
<th>Number of vessels</th>
<th>Volume of cargos</th>
<th>Value of cargos</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>1</td>
<td>627,000</td>
<td>68,688,000 S</td>
</tr>
<tr>
<td>Japan</td>
<td>1</td>
<td>430,840</td>
<td>46,296,320 S</td>
</tr>
<tr>
<td>China</td>
<td>3</td>
<td>299,000</td>
<td>32,480,000 S</td>
</tr>
<tr>
<td>Turkey</td>
<td>1</td>
<td>113,000</td>
<td>12,176,000 S</td>
</tr>
<tr>
<td>Taiwan</td>
<td>3</td>
<td>182,000</td>
<td>19,544,000 S</td>
</tr>
<tr>
<td>Bahamas, Greece, Isle of Man, Turkey</td>
<td>2 each</td>
<td>182,000</td>
<td>19,544,000 S</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Operator home country</th>
<th>Number of vessels</th>
<th>Volume of cargos</th>
<th>Value of cargos</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
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<tr>
<td>Liberia</td>
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</tbody>
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The case of the looted goods

On May 1, 2017, the bulk vessel NM Cherry Blossom was detained in Port Elizabeth by a court order on the application of the Saharawi Arab Democratic Republic (SADR). The vessel had only planned a brief visit in order to take on fuel for the long journey from Western Sahara to New Zealand. But a short time after it entered port, SADR made application to the South African High Court, claiming the cargo was illegally mined and exported from Western Sahara by the Moroccan government.

On June 16, a judge of the High Court in Port Elizabeth confirmed the acceptability of the order of May 1. The judge did not consider the merits of the complaint—meaning it did not conclude on the ownership of the conflict minerals on board—but decided that the case is now to continue to trial.

It is not clear how long such a trial will last or when it will start. The central legal issue is the question of rights to the cargo. Who owns it, and could the New Zealand importer have acceptable purchased it after being warred over the years by Saharawi authorities? By 19 July, the vessel containing the conflict minerals had been 45 days at anchor. It is the first such case against the pillage of the territory’s resources and illustrates the increased legal and financial risk of companies taking part in the Moroccan’s illegal plunder. This risk particularly increased after the judgment of the Court of Justice of the EU in December 2016.

At stake is a judgment: the first of its kind against companies involved in the phosphate pillage. And the ownership of the 54,000 tonnes of phosphate rock aboard the NM Cherry Blossom. The current value of that cargo is around 5.5 million USD. It equals around ten percent of all humanitarian aid given annually to the refugee camps in Algeria, whose inhabitants are the real owner of the rock.

While waiting for the legal case to proceed, the charterer complained to the court about the financial loss caused to the shipping company for the delay. From what WSRW has obtained from court records, the firm Furness Withy Chartering alleges that the costs of the vessel’s detention amount to 500,000 USD every day. In other words, according to the charterer: the 45-day pause has so far cost the company 46,500 dollars. The costs related to the interruption of the sailing schedule probably comes on top of that. The amount is rather small compared to the goods on board taken out of the territory in violation of the wishes of the people of the territory. By making this demand on the Saharawi Republic (as plaintiff), among other parties, the companies involved probably hope to put pressure to have the case dropped.

The stop-over in South Africa was a one-off incident for the New Zealand-based importer Balance Agri-Nutrients. New Zealand has two farmer co-operative owned companies behind the imports, taking in around 3 vessels each year. In 2016, that placed New Zealand as the second biggest importer of phosphate rock from the territory. All New Zealand-bound vessels normally travel westwards via South America and the Pacific. To WSRW’s knowledge, ships to New Zealand have never before travelled via South Africa and the Indian Ocean. Yet, South African ports are regularly used for provisioning of vessels heading from Western Sahara to India and Australia.

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OCP SA is a Moroccan state-owned company which since 1975 has been in operation of the mine in Western Sahara through its subsidiary Phosphates de Boucraa S.A. It is OCP which is defending the cargo in the South African court. Funded by the USD 5 200 million plunder from Western Sahara every year, OCP has contracted a large troop of global law firms and PR firms to defend their case and help to manage perceptions of their operations. 11

SADR

The Saharawi Arab Democratic Republic (SADR) represents the people of Western Sahara in the court. SADR is not recognized as a UN member state, but is a full-fledged member of the African Union. The republic represents both the people of Western Sahara that fled after the Moroccan invasion, and those who still live under Moroccan illegal occupation. The state’s structure overlaps with that of the Frente Polisario which the UN recognizes as the national liberation movement of the territory.

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FURNESS WITHY CHARTERING and MAERSK

The charterer of the transport to New Zealand is Furness Withy, a London/Melbourne based dry cargo ship operating and broking company which is part of German company Hamburg Sud. This entity is in turn wholly owned by the Oetker Group, particularly known internationally for its Dr Oetker frozen pizza. But its shipping branch has seemingly been responsible for chartering vessels from Western Sahara for many years, probably via its subsidiary in Australia which deals in Australia-Europe box cargoes. 22 WSRW has identified around 20 probable - but not confirmed - Furness/Oetker shipments over the past decade. Upon the arrival of the vessel Furness Kribimba in Australia in 2018, representatives of The Maritime Union of Australia boarded the vessel to hand over a letter to the captain of the vessel, protesting the trade in Saharawi phosphate rock. The letter was also sent to the companies involved in the transport, as well as to the local importer. 22

On 14 March 2017, the Oetker Group announced an agreement to sell its subsidiary Hamburg Sud to Danish company Maersk. The Danish company confirmed to WSRW in a mail on 13 June 2017 that Furness Withy will be part of the package. "Until the final agreement has been concluded (which we expect to take place at fourth quarter in 2017) Hamburg Sud runs as totally independent company. This means that there is no way for us to exchange sensitive information or in any way influence the business until the transaction is completed" , Maersk wrote to WSRW.

Panama court released vessel

On 17 May 2017, a maritime court in Panama ordered the detention of the vessel Ultra Innovation, carrying rock from Western Sahara to Agrium in Canada, through the Port of Vancouver. 25 hours later, a bond was placed for the release of the ship by the shipping company. On 6 June, the maritime court in Panama decided - without organising a formal hearing - that the matter could not be dealt with by that court. From what WSRW understands, the Saharawi authorities have appealed the decision and are considering the use of the country’s commercial courts for future legal actions, against both ships and shipping interest. The Ultra Innovation is set to dock at the port in Vancouver on 17 June.

Ballance Agri-Nutrients

Ballance Agri-Nutrients, a co-operative from New Zealand is the probable current owner of the cargo. But has not stated so in public. Ballance has admitted to New Zealand media that they are the end consignee of the cargo.

Ballance Agri-Nutrients Limited manufactures, markets and distributes fertilizers and related products in New Zealand. Ballance and the plants that the company as acquired over the years, have been purchasers of Bou Craa phosphates for decades. The firm signed a long-term agreement with OCP in 1999, requiring OCP to supply phosphates to Ballance. 23

From 1 January 2016 until 19 June 2017, Ballance received three shipments of phosphate rock illegally excavated in the territory. The cargoes have a projected combined volume of 161,000 tonnes worth around US $18.5 million.

On 6 May 2017, Ballance wrote to WSRW that it had ‘taken care to abide by international rulings while parties concerned resolve their issues’ and that the UN ‘does not prohibit trade in resources from Western Sahara’. Nor does such trade contravene a United Nations legal opinion. 24

In statements to New Zealand media, the company has alleged that locals benefit, something which the people of Western Sahara themselves reject. The Court of Justice of the EU has found the ‘benefit argument’ invalid, as the people need to consent for it to be legal. The UN opinion which Ballance falsely refers to also underlines that consent is a prerequisite. WSRW contacted Ballance in 2015, 2016 and 2017 regarding Ballance’s misreading of the UN document, but did not receive an answer. 25

15 days after the detention of the NM Cherry Blossom, a new vessel Callan Common Spirit departed from El Aaiun with a replacement cargo. That vessel was at the time of publication of this report completing its voyage through the Strait of Magellan. Over the course of the five years WSRW has monitored the shipments. Ballance has never received two vessels in such short time period. Surely the vessel was a replacement from the one detained. It is not clear who the current owner of that cargo is, or whether Ballance had to pay anything for it.
The exports in number

<table>
<thead>
<tr>
<th></th>
<th>2016</th>
<th>Jan-June 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exported amount of phosphate</td>
<td>1,858,000 tonnes</td>
<td>502,840 tonnes</td>
</tr>
<tr>
<td>Value of exported phosphate</td>
<td>$215.7 million</td>
<td>$49.3 million</td>
</tr>
<tr>
<td>Value of largest single shipment from the territory</td>
<td>$8.325 million</td>
<td>$7.35 million</td>
</tr>
<tr>
<td>Value of smallest single shipment from the territory</td>
<td>$1.725 million</td>
<td>$1.66 million</td>
</tr>
<tr>
<td>Number of ships that departed with phosphate from the territory</td>
<td>37</td>
<td>9</td>
</tr>
<tr>
<td>Average amount of phosphate exported in each ship</td>
<td>$4,000 tonnes</td>
<td>$5,800 tonnes</td>
</tr>
<tr>
<td>Average value of phosphate exported in each ship</td>
<td>$5.6 million</td>
<td>$5.5 million</td>
</tr>
<tr>
<td>Average annual phosphate price of Bou Craa rock (per tonne)</td>
<td>$112</td>
<td>$98</td>
</tr>
</tbody>
</table>

**Methodology**

This report is made from data gathered through continuous vessel tracking. Phosphate prices were obtained from the commercial commodities pricing website ‘Index Mundi’ and checked against other sources. The amounts of phosphate loaded into ships were ordinarily calculated to be 95% of the ship’s overall cargo and bunker fuel and stored capacity expressed in deadweight tonnes (DWT). In cases where ships were less than 40,000 DWT the 95% factor was used to account for a higher relative amount of fuel and provisions and occasionally heavy weather likely encountered on route to destination ports. Ships were tracked and confirmed to have arrived at stated destinations where possible. Estimated loaded amounts were checked against shipping documents, including bills of lading and port arrival receipts.

WSRW believes that it has detected, tracked and accounted for all vessels departing from El Aaiun harbour for 2016 and to date in 2017. However, WSRW cannot exclude a possibility that one or more vessels have gone undetected.

A general weakness of the report is that WSRW possesses limited knowledge about which companies have chartered the different vessels. A charterer is a company that reaches an agreement with the manager or owner/manager of a ship for the use of that ship. This report only considers bulk vessels transporting phosphate rock. However, the shipping industry is deeply involved also in other businesses. A fleet of reefer transports frozen fish mostly to the African, European and Middle Eastern market. General cargo vessels transport fish meal, meal chemical tankers ship fish oil while smaller bulk vessels transport salt and sand to European winter roads and summer beaches. All contribute to the Moroccan strategy to colonise the territory – and to the continued occupation. The shipping industry is also involved in transports of infrastructure elements and petroleum products into the territory. Some of the exports of fish oil, sand and salts out of the territory have caused large media exposure in different European countries. None of these sectors can be found in this report – for more about such transports consult the WSRW website.

**Peak P**

Phosphate is a vital component of the fertilizers upon which much of the global food production and food security depends. For some time, there has been concern about the world population’s reliance on a finite supply of phosphorus and the implications of this for agricultural productivity, food prices and nutrition in particular in developing countries. The term ‘peak phosphorus’ has joined the concept of ‘peak oil’ in the lexicon of 21st century scarcity. There are no substitutes for phosphorus in agriculture.

Morocco, including Western Sahara or not, controls the world’s biggest phosphate reserves and is the third largest producer of phosphates in the world.

The increasing global need for phosphate rock and fertilizers was a contributing factor in the oddly fluctuating market price of the commodity in 2008. As global food demand and food prices have increased, there has been an added demand for phosphate. In this report, the average price of phosphate in 2016 is calculated at an average of US $98/tonne while the average for 2017 is set at US $95/tonne.

**“Being headquartered in Asia, we confess we knew nothing about Western Sahara. We have only had this one charter ... but now that we understand the issue we will not directly contract any more business out of there”**

Jinhua Shipping to South China Morning Post regarding a New Zealand-bound shipment. 2008

**“We have a separate clause excluding trade in Western Sahara”**

Seven Seas Carriers, 2009

**“An unfortunate mistake”**

Uglands Rederi regarding a transport done by a chartering company in 2015

**“We do not want our vessels to be used in Western Sahara”**

Wagle Chartering, 2009. after revelation

**At the time of publishing this report, the bulk vessel NP Cherry Blossom has been detained in South Africa for 45 days for carrying phosphate rock from occupied Western Sahara.**
In February 2016, and after several years of correspondence, the parent company of the Lithuanian phosphate importer Lifosa wrote to WSRW that “the Group does not intend to purchase phosphate rock from Western Sahara in 2016 or at any time over the foreseeable future.”

On 8 October 2016, eight months later, the bulk vessel SBI Flamenco (IMO 9710579) arrived at the port of Klaipeda, with rock from Western Sahara. Lifosa admitted to Lithuanian media that the cargo was destined for them.38 The vessel, owned and operated by the Monaco company Scorpio Commercial Management, contained an estimated 75,000 tonnes of rock.

Vipha Naree (IMO 9722027) seen arriving Geelong, Australia, in June 2016 with an estimated 35,000 tonnes of phosphate rock. The vessel is owned and operated by the Thai company Precious Shipping PCL.

Doric Samurai (IMO 9425899) seen arriving in Vancouver, Canada, in May 2016 with an estimated 55,000 tonnes of rock. The vessel is owned by the Greek company Mercury Ocean SA which in turn is part of the Japanese company Abo Shoten Ltd. The operator is Chios Navigation Hellas Ltd, while the charterer might be the Canadian company Norvic Shipping North America Inc.

The Panama flagged vessel Topflight (IMO 9278882) seen departing after having discharged parts of its 50,000 tonnes cargo of phosphate rock in Napier, New Zealand in November 2016. Its registered owner is Azalea Shipping SA in Japan, with Japanese company Nitta Kisen Kaisha Ltd as group owner. The vessel is operated by Oldendorff Carriers GmbH & Co from Germany.
Malta flagged Hako (IMO 9691814) sailed into the docks of Vancouver, Canada, on 1 June 2017, with approximately 60,000 tonnes of phosphate rock. It is registered, owned, and controlled by GSD Holding in Turkey.

Spar Shipping, a sister company of the Sparkjøp supermarket chain in Bergen, Norway, has again transported phosphate rock out of Western Sahara, on board the Spar Lyra (IMO 9289013) in February 2017. The value of the cargo was around $4.9 million.

The Ultrabulk operated vessel Ultra Rocanville (IMO 9476965) seen arriving at the docks of Vancouver, Canada, in June 2016, with 55,000 tonnes of phosphate rock. The vessel is owned by a company called Youth Ship Holdings SA in Singapore, which is in turn part of the Japanese group Mitsubishi Logistics Corp. The vessel is under the technical management of a Singapore subsidiary of the Norwegian company Belships ASA while Ultrabulk is handling the commercial management. Ultrabulk is by far the most involved company among the operators and owners in WSRW’s data material.

On 17 March 2016, the vessel F.D. Angelica (IMO 9668893) departed Western Sahara with approximately 75,000 tonnes of phosphate rock. The vessel is operated by the Napoli company d’Amato Fratelli SpA and owned by the Tsuneishi Group in Japan.
Companies involved in the imports

Eight known companies have been involved in the imports of Western Sahara phosphates during the 17 month period covered by this report. The scope, history and involvement of these purchasers were elaborated in the report ‘P for Plunder 2016’ published on 25 April 2017. There are no new companies involved in such purchases during the first five months of 2017 which were not covered in that report. Requests for comments were sought of all the clients - and in some cases obtained. Those statements are to be found in the mentioned report.

The involved importers are:

- **Agrium Inc**
  - Canadian stock exchange registered company importing into Vancouver, Canada. In 2016, taking in 11 vessels, of an estimated 579,000 tonnes, at a value of around 66.6 million USD.

- **Paradeep Phosphates Ltd**
  - Indian company, subsidiary of Moroccan exporter OCP and the Indian government, importing into Paradip, India. In 2016, taking in 6 vessels, of a projected 344,000 tonnes, at value of around 12.1 million USD.

- **Potash Corporation of Saskatchewan Inc**
  - Canadian stock exchange registered company importing into Portland, Australia. In 2016, taking in 3 vessels, of a projected 126,000 tonnes, at value of about 14.5 million USD.

- **Ravensdown Fertiliser Ltd**
  - New Zealand co-operative owned company importing into New Zealand. In 2016, taking in 4 vessels, of an estimated 161,000 tonnes, at a value of around 18.5 million USD.

- **Ballance Agri-Nutrients Ltd**
  - New Zealand co-operative owned company importing to New Zealand ports in New Zealand. In 2016, taking in 4 vessels, of an estimated 287,000 tonnes, at value of around 33 million USD.

- **Incitec Pivot Ltd**
  - Australian stock exchange registered company importing into Portland, Australia. In 2016, taking in 5 vessels, of an estimated 205,000 tonnes, at value of around 21.1 million USD.

- **Lifosa AB**
  - Swedish/Russian private owned company registered in Switzerland, importing into Lithuania. In 2016, taking in 1 vessel, of an approximated 66,250 tonnes, at value of roughly 7.8 million USD.

- **Agrium Inc**
  - Canadian stock exchange registered company importing to Louisiana, USA. In 2016, taking in 4 vessels, of an approximated 287,000 tonnes, at value of around 33 million USD.

- **Ravensdown Fertiliser Ltd**
  - New Zealand co-operative owned company importing into New Zealand ports in New Zealand. In 2016, taking in 3 vessels, of a projected 126,000 tonnes, at value of about 14.5 million USD.

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“Western Sahara has been under Moroccan occupation since 1975 and is on the United Nations’ list of non-self-governing territories that should be decolonised. The UN’s legal counsel stated in January 2002 that exploration of mineral resources in Western Sahara without local consent would be in breach of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.”

Swedish government pension fund AP-Fonden, upon exclusion of PotashCorp and Incitec Pivot from its portfolios.

“Agrium’s purchase of phosphates from Western Sahara by means of a long-term contract with OCP constitutes an unacceptable risk of complicity in the violation of fundamental ethical norms, and thereby contravenes KLP’s guidelines for responsible investment.”

Norwegian insurance company KLP regarding its divestments from Agrium Inc.

“Illegal exploitation of natural resources”

Fonds de Compensation commun au régime général de pension Luxembourg. 15 November 2014, upon blacklisting of all involved phosphates importers.

“Human rights violations in Western Sahara”

PGB Pensioenfonds, the Netherlands. third quarter of 2015. upon excluding the exporter OCP SA from its portfolios.

“The Council does not believe that the company has been able to show that the business is consistent with the interests and wishes of the local population. Based on an assessment that further dialogue will not be productive, the Council has recommended that the AP Funds divest Agrium.”

Swedish Ethical Council. 9 April 2015, explaining why all Swedish government funds have now divested from Agrium Inc.

“Companies buying phosphate from Western Sahara are in reality supporting Morocco’s presence in the territory, since the phosphate is sold by the state-owned Moroccan company OCP and it must be assumed that the revenues generated by the operation largely flow to the Moroccan State. In its present form, OCP’s extraction of phosphate resources in Western Sahara constitutes a serious violation of norms. This is due both to the fact that the wishes and interests of the local population are not being respected and to the fact that the operation is contributing to the continuance of the unresolved international legal situation, and thus Morocco’s presence and resource exploitation in a territory over which it does not have legitimate sovereignty.”

Council of Ethics of the Norwegian government’s pension fund upon blacklisting Innophos Holdings Inc. in January 2015.

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Council of Ethics of the Norwegian government’s pension fund upon blacklisting Innophos Holdings Inc. in January 2015.
Recommendations

To the Government of Morocco:

— To respect international law and immediately terminate the production and exports of natural resources in occupied Western Sahara until a solution to the conflict has been found.
— To accede to the UN Declaration on the Granting of Independence to Colonial Countries and Peoples.
— To ensure that all goods coming from Western Sahara are imported under the ISO code EH and not MA.
— To create a UN administration to oversee or otherwise administer Western Sahara, through cooperating with the UN for a referendum for the people of the territory.
— To compensate the Sahrawi people for the benefits that it has accrued from the sales of natural resources from the illegally occupied territory.
— To immediately end all carriage of natural resources illegally exported from Western Sahara.

To the shipping companies behind the trade, including ship owners, charterers, and ship managing firms:

— To apply the precautionary principle towards vessels coming from occupied Western Sahara.
— To create a UN administration to oversee or otherwise administer Western Sahara, through cooperating with the UN for a referendum for the people of the territory.
— To ensure their conformity with international and European law.
— To engage with the mentioned companies, and divest unless action is taken to halt the purchase.

To the United Nations:

— To create a UN administration to oversee or otherwise administer Western Sahara’s natural resources and revenues from such resources pending the self-determination of the Saharawi people.
— To create a UN administration to oversee or otherwise administer Western Sahara, through cooperating with the UN for a referendum for the people of the territory.
— To engage with the mentioned companies, and divest unless action is taken to halt the purchase.

To the EU institutions and its Member States:

— To comply with the CIEU ruling on Western Sahara of 21 December 2016, notably by treating Morocco and Western Sahara as separate and distinct territories and ensuring that any economic activity with the latter has the consent of the Sahrawi people.
— To comply with the CIEU ruling on Western Sahara of 21 December 2016, notably by treating Morocco and Western Sahara as separate and distinct territories and ensuring that any economic activity with the latter has the consent of the Sahrawi people.
— To apply the precautionary principle towards vessels coming from Western Sahara and carefully examine official documents in order to ensure their conformity with international and European law.

Recommendations to the EU Member States:

— To work closely with the European Commission in identifying and inspecting cargos of suspicious origin.
— To ensure that all goods coming from Western Sahara are exported under the ISO code EH and not MA.
— To monitor and report the volume of goods originating in Western Sahara that enters their territory, in order to allow statistical data to be available at EU-wide level.

Notes

1 WSRW.org, 15.06.2017, Company responses to the report Carriers of Conflict. http://www.wsrw.org/pa53x3908
6 OCP SA. Prospects – 20 April 2015. p.91
7 Ibid. p.98
8 Ibid. p.91
9 Ibid. p.123
11 OCP SA. Prospects – 20 April 2015. p.91
12 OCP SA. Prospects – 20 April 2015. p.91
14 Tindouf. 1983. Western Sahara. The Roots of a Desert War.
16 OCP SA. OCP inaugural bond issue to the amount of 185 billion US dollars in two parts with a maturity of 10 years and 30 years. http://www.ocpgroup.ma/sites/default/files/communiques/CP%20OCP%201.55%20billion%20dollars_20050425_V1.2_EN-GB.pdf
17 Business Wire. 15.04.2015. OCP successfully prices a US $1 billion offering with a 10.5 year maturity at a 4.4% coupon.
20 http://www.ae-marketing.com
22 OCP SA. OCP 1.55 billion, dollars, 20050425, VFR 2.201504.pdf
23 Business Wire. 15.04.2015. OCP successfully prices a US $1 billion offering with a 10.5 year maturity at a 4.4% coupon.
25 Africa dz. 06.06.2017. Ultrabulk fortsetter sjælden med konfliktminerale fra Vest-Sahara.
27 WSRW.org, 01.02.2019. Danish pension funds exclude companies accused of contravening international conventions.
29 Maritime Union of Australia. 03.08.2008. Statement from the Maritime Union of Australia - Concerning the Shipment of Phosphate from the ‘Karunama’.
33 OCP SA. Prospects – 20 April 2015. p.91
34 South China Morning Post. 11.05.2008. ‘A line in the sand’. http://www.scmp.com/article/307272/line-sand
39 WSRW particularly considers possible Oetker/Furness link to coalition minerals. http://www.wsrw.org/a105x3908
40 AP Funds, 30.09.2013. Swedish AP Funds exclude four companies accused of contravening international conventions.
43 Sしたもの：30.03.2010, Firm remembered with name of “Furness” http://www.scmp.com/article/307272/line-sand
44 Swedish National AP Funds, Ethical Council, Annual Report 2015, p.126
45 WSRW.org, 01.02.2019. Danish pension funds exclude companies accused of contravening international conventions.
Annex 1: Terminology

**Charterer**: A company that reaches an agreement with the manager or owner/manager of a ship for the use of that ship.

**Deadweight (DWT)**: the weight (in metric tonnes) that the ship can carry. 90-97% of this is the actual cargo capacity. The remaining is accounted for by bunker fuel stores, water etc.

**Flag**: A ship flies the flag of the country in which the ship is registered, which is often not the country in which the managing or owning companies are based. Many ships owned and managed by companies based in Western countries are registered in countries which have an "open registry." The ships are then said to fly "flags of convenience." There is no genuine link between these vessels and the flag of registry. The majority of the vessels in this report is flying such flags.

**Manager**: The company that manages the ship, technically and/or commercially. The manager may be different from the owner, although certain owners do manage their own ships.

**Registered owner**: the company which is at least the nominal owner of the ship. The problem is that a ship often has a registered owner whose total assets consist only of the ship in question. The company may well be owned by another company which also owns a number of other 'single-ship companies.' That company may in turn be owner by yet another company. The name and address of the company which is the registered owner of the ship are easily available. However, it is far more difficult to get to know details of the 'beneficial owner.' I.e., the company which is at the end of a chain of owners.

**P&I Club**: Protection and indemnity insurance: more commonly known as 'P&I' insurance, is a form of mutual maritime insurance provided by a P&I Club. A P&I Club provides cover for open-ended risks that traditional insurers are reluctant to insure. Typical P&I cover includes: a carrier's third-party risks for damage caused to cargo during carriage; war risks; and risks of environmental damage such as oil spills and pollution.

Annex 2: The shipping companies behind the controversial phosphate transports, 1 January 2016 to 9 June 2017

WSRW has contacted operators representing 38 of the 46 vessels. Letters from WSRW and answers are found on http://www.wsrw.org/a105x3908.

For the remaining 8 vessels, WSRW has not had the relevant email addresses.
<table>
<thead>
<tr>
<th>№</th>
<th>Vessel Name</th>
<th>Flag</th>
<th>Departure from Western Sahara</th>
<th>Destination</th>
<th>Arrival</th>
<th>Vessel Details</th>
<th>Est. loaded cargo (tonnes)</th>
<th>Reg. owner</th>
<th>Reg. owner address</th>
<th>Reg. owner nationality</th>
<th>Group owner</th>
<th>Group owner registered nationality</th>
<th>Group owner nationality of controlling interest</th>
<th>Operator</th>
<th>Operator address</th>
<th>Operator nationality</th>
<th>Operator email</th>
<th>Operator website</th>
<th>P&amp;I Club</th>
<th>Comments</th>
</tr>
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<td>Fita Grace</td>
<td>Panama</td>
<td>Puerto Cabello</td>
<td>Venezuela</td>
<td>01/01/2019</td>
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<td>Unknown</td>
<td>Pittusia</td>
<td>Shipping SA</td>
<td>Athens</td>
<td>4/1 Tsdaros Street, Glyfada 166 75</td>
<td>Greece</td>
<td>North of England P&amp;I Assoc</td>
<td>New name and owner from October 2016</td>
<td></td>
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<td>2</td>
<td>Maratha Promises</td>
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<td>Napier/Christchurch</td>
<td>New Zealand</td>
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<td>India</td>
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<td>Unknown</td>
<td>Cheowgrale Steamship Ltd</td>
<td>4th Floor Bakkahwar</td>
<td>Namman Point.</td>
<td>4/1 Tsdaros Street, Glyfada 166 75</td>
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<td>The Steamship Mutual Underwriting Association (Bermuda Limited)</td>
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<td>3</td>
<td>Zeus I</td>
<td>Panama</td>
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<td>Unknown</td>
<td>Trident Shipping Ltd.</td>
<td>15th Floor Winconme. Center 33</td>
<td>Des Veux Road Central.</td>
<td>Hong Kong</td>
<td>China</td>
<td>North of England P&amp;I Assoc</td>
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<td>4</td>
<td>Star of Abu Dhabi</td>
<td>Panama</td>
<td>Geismar</td>
<td>United States</td>
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<td>Unknown</td>
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<td>11 F. Floor.</td>
<td>Cathay House. London. EC 1</td>
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<td>Japan Ship Owners &amp; Mutual P&amp;I</td>
<td>New owner and mutual P&amp;I owner from February 2017 but still under same beneficial ownership (group owner)</td>
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<td>5</td>
<td>Donc Samurai</td>
<td>Panama</td>
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<td>Agrium (Incr. 1)</td>
<td>01/01/2019</td>
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<td>Unknown</td>
<td>Unknown</td>
<td>Chos Navigation</td>
<td>Hillas Ltd</td>
<td>3 F. Floor.</td>
<td>185 36 Piraeus</td>
<td>Greece</td>
<td>The Britannia Steam Ship Insurance Association Limited</td>
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<td>6</td>
<td>Zagora</td>
<td>Greece</td>
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<td>Brothers Ltd</td>
<td>85 Akti Manua.</td>
<td>185 36 Piraeus</td>
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<td>New owner and operator from January 2017 - unknown if under same beneficial ownership</td>
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<td>Vipha Nanee</td>
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<td>Geelong, Australia</td>
<td>(Incinc Pivot Ltd)</td>
<td>01/01/2019</td>
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<td>Thailand</td>
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<td>Thailand</td>
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<td>7th Floor.</td>
<td>Cathay House.</td>
<td>8170.</td>
<td>SMU.</td>
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<td>SKULD - Oslo</td>
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<td>Hannon Trader</td>
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<td>Reg. owner nationality</td>
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<td>Switzerland</td>
<td>Massoel Ltd</td>
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<td>Naois Maritime Holdings Inc</td>
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<td>USA</td>
<td><a href="mailto:klemar@klemar.be">klemar@klemar.be</a></td>
<td><a href="http://www.klemar.com">www.klemar.com</a></td>
<td>The London Steam-Ship Owners' Mutual Insurance Association Limited</td>
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<td>17</td>
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<td>Vancouver, Canada (Agrium Inc)</td>
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<td>06/06/2016</td>
<td>IMO # 9333381</td>
<td>MMSI 653066442</td>
<td>24.483 DWT</td>
<td>Care of Sea Hawk Maritime SA</td>
<td>Greece</td>
<td>Unknown</td>
<td>Athens</td>
<td>Unknown</td>
<td><a href="mailto:seahawk@seahawkmaritime.com">seahawk@seahawkmaritime.com</a></td>
<td></td>
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<td>Panama</td>
<td>Vancouver, Canada (Agrium Inc)</td>
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<td>05/06/2016</td>
<td>IMO # 9460229</td>
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<td>Cypress Maritime Koyo Shizen</td>
<td>Japan</td>
<td>Shioi Kisen Kaisha Ltd</td>
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<td><a href="mailto:operations.pii@ultrabulk.com">operations.pii@ultrabulk.com</a></td>
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<td>Leo</td>
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<td>Tauranga, New Zealand (Ballanco Agri-Nutri-</td>
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<td>22/06/2016</td>
<td>IMO # 9544638</td>
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<td>56.581 DWT</td>
<td>Care of Technomar Shipping Inc</td>
<td>Greece</td>
<td>Unknown</td>
<td>Athens</td>
<td>Unknown</td>
<td><a href="mailto:safety@technomar.gr">safety@technomar.gr</a></td>
<td><a href="mailto:info@technomar.gr">info@technomar.gr</a></td>
<td>The London Steam-Ship Owners' Mutual Insurance Association Limited</td>
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<td>China</td>
<td>Fortune Ocean Shipping Ltd</td>
<td>China</td>
<td>China</td>
<td>newowner from January 2017, but still under same beneficiary ownership (group owner)</td>
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<td>№</td>
<td>Vessel Name</td>
<td>Flag</td>
<td>Departure from Western Sahara</td>
<td>Destination</td>
<td>Arrival</td>
<td>Vessel Details</td>
<td>Reg. owner</td>
<td>Reg. owner address</td>
<td>Reg. owner nationality</td>
<td>Group owner</td>
<td>Group owner - nationalty of controlling interest</td>
<td>Operator</td>
<td>Operator address</td>
<td>Operator nationality</td>
<td>Operator email</td>
<td>Operator website</td>
<td>P&amp;I Club</td>
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<td>Panama</td>
<td>Zararquenda (Monemoss S.A.)</td>
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<td>IMO # 3041306</td>
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<td>Turkey</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Aksan Denizcilik Tic Ltd St</td>
<td>Duran S. Kurt 2</td>
<td>Alphantz Is Merkezi</td>
<td>General Al Riza</td>
<td>Unknown</td>
<td>Unknown</td>
<td>The Britannia Steam Ship Association Limited</td>
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<td>Ince Biefelbey</td>
<td>Turkey</td>
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<td>22/08/2016</td>
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<td></td>
<td>Bogaçaci Deniz</td>
<td>Turkey</td>
<td>Ince A1</td>
<td>Turkey</td>
<td>Ince Denizcilik ve Ticaret AS</td>
<td>Karmal S. Kurt 2</td>
<td>Alphantz Is Merkezi</td>
<td>General Al Riza</td>
<td>Unknown</td>
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<td>Liberia</td>
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<td>8/08/2016</td>
<td>Vancouuer Canada (Agnm Inc)</td>
<td>Danveis Oostker Schiffahrts</td>
<td>Netherlands</td>
<td>Germany</td>
<td>All Schiffahrts mbH</td>
<td>Germany</td>
<td>Ultrabulk</td>
<td>Germany</td>
<td>Camilo Eiten House</td>
<td>America Rds, 38</td>
<td>2100 Copenhagen</td>
<td><a href="mailto:operations@ulrabulk.com">operations@ulrabulk.com</a></td>
<td><a href="http://www.ulrabulk.com">www.ulrabulk.com</a></td>
<td>North of England P&amp;I Assoc</td>
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<tr>
<td>25</td>
<td>Shandong Ying Wan</td>
<td>Hong Kong</td>
<td>Guoxian</td>
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<td>07/08/2016</td>
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<td></td>
<td>Hai Xue Shipping</td>
<td>China</td>
<td>China</td>
<td>China</td>
<td>Shandong Shipping Corp</td>
<td>Room 1306, 18, Xianggang Xlu. Shandong Shandong</td>
<td>China</td>
<td><a href="mailto:shipping@shdsingging.cn">shipping@shdsingging.cn</a></td>
<td><a href="http://www.shdsinching.cn">www.shdsinching.cn</a></td>
<td>The Shipowners Steam Ship Insur-ing Association</td>
<td>Marathon Islands</td>
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<td>25/08/2016</td>
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<td>SBI Flamenco Shipping Co</td>
<td>Monaco</td>
<td>Monaco</td>
<td>Monaco</td>
<td>Scopros Commercial Management</td>
<td>Le Millenium, 9, Boulevard Charles III 98000 Monaco-VHS</td>
<td>Monaco</td>
<td><a href="mailto:info@scopros.mc">info@scopros.mc</a></td>
<td><a href="http://www.scopros.mc">www.scopros.mc</a></td>
<td>The Steamship Mutual Underwrit-ing Association (Bermudal Limited</td>
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<td>Jing Lu Hai Shipping</td>
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<td>COSCO Ocean Shipping Co Ltd</td>
<td>61 Xianggang, Shenzou Du Qingdao Qingdao</td>
<td>China</td>
<td><a href="mailto:info@coscoqc.com">info@coscoqc.com</a></td>
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<td>Panama</td>
<td>Puerto Cabello</td>
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<td>MMSI 352207000</td>
<td>20 028 DWT</td>
<td>Fantasy Shipping SA</td>
<td>Japan</td>
<td>ORIT Corp</td>
<td>Japan</td>
<td>Camilo Eiten House</td>
<td>America Rds, 38</td>
<td>2100 Copenhagen</td>
<td><a href="mailto:operations@ulrabulk.com">operations@ulrabulk.com</a></td>
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<td>52 544 DWT</td>
<td>Aitare Shipping SA</td>
<td>Japan</td>
<td>Nitta Kiso Kaisha Ltd</td>
<td>Japan</td>
<td>Oldendorff Carriers GmbH &amp; Co</td>
<td>Willy Brandt Allee 6 23854 Luebeck</td>
<td>Germany</td>
<td><a href="mailto:info@oldendorff.com">info@oldendorff.com</a></td>
<td><a href="http://www.oldendorff.com">www.oldendorff.com</a></td>
<td>Japan Ship Owners Mutual P&amp;I</td>
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<td>Vessel Name</td>
<td>Flag</td>
<td>Departure from Western Sahara</td>
<td>Destination</td>
<td>Arrival</td>
<td>Vessel Details</td>
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<td>Reg. owner nationality</td>
<td>Group owner</td>
<td>Group owner registered nationality</td>
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<td>Operator</td>
<td>Operator address</td>
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<td>Operator website</td>
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<td>Comments</td>
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<td>03/03/2016</td>
<td>Portland/Voelklingen, Australia</td>
<td>12/01/2016</td>
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<td>MMSI: 5212981 80 51 361 DWT</td>
<td>Jacmar Shipping Co Ltd</td>
<td>Monrovia</td>
<td>Liberia</td>
<td>Livnosti Group</td>
<td>Greece</td>
<td>Greece</td>
<td>Akin Bulker Ltd</td>
<td>Building 47-49, Ako</td>
<td><a href="mailto:mail@sparshipping.com">mail@sparshipping.com</a></td>
<td>GARD AS</td>
<td>New name, owner and operator from March 2017</td>
<td></td>
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<td>Ultra Lancer</td>
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<td>09/13/2016</td>
<td>Vancouver, Canada (Aqunm Inc)</td>
<td>12/01/2016</td>
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<td>MMSI: 75259400 80 54 012 DWT</td>
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<td>Tokyo Kisen Co Ltd</td>
<td>Japan</td>
<td>Japan</td>
<td>Ultrabulk Shipping AS</td>
<td>America Asia, Road 38, 2010 Copenhagen</td>
<td><a href="mailto:operations.cph@ultrabulk.com">operations.cph@ultrabulk.com</a></td>
<td><a href="http://www.ultrabulk.com">www.ultrabulk.com</a></td>
<td>Japan Ship Owners Mutual P&amp;I</td>
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<td>Paradip, India (Paradip Phosphates Ltd)</td>
<td>20/02/2010</td>
<td>IMO: 93546027</td>
<td>MMSI: 47020210 80 52 828 DWT</td>
<td>Milen Oceano Shipping Ltd</td>
<td>China</td>
<td>China</td>
<td>COSCO HK</td>
<td>Blok Floor, COSCO Tower</td>
<td>Parque de Armas, Road 30, 200 Berlin</td>
<td><a href="mailto:operations.cph@ultrabulk.com">operations.cph@ultrabulk.com</a></td>
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<td>Nuper New Zealand (Braavonsen Co-op Ltd)</td>
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<td>Hrysea Maritime SA</td>
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<td>Greece</td>
<td>Samos Steamship Co</td>
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<td>info@samosteamship-gr</td>
<td><a href="http://www.samosteamship-gr">www.samosteamship-gr</a></td>
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<td>22/05/2012</td>
<td>IMO: 93134283</td>
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<td><a href="mailto:enquiries@murship.com">enquiries@murship.com</a></td>
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<td>17/03/2007</td>
<td>Escomar, United States (DraikCorp Inc)</td>
<td>07/04/2007</td>
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<td>D’Amato</td>
<td>Fratelli Spa</td>
<td>Uni di Forlenii 2 81333 Naples NA</td>
<td><a href="mailto:operation@fratellidamato.com">operation@fratellidamato.com</a>, <a href="mailto:technical@fratellidamato.com">technical@fratellidamato.com</a></td>
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<td>Arrival</td>
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<td>Group owner - registered nationality</td>
<td>Group owner - nationality of controlling interest</td>
<td>Operator</td>
<td>Operator address</td>
<td>Operator nationality</td>
<td>Operator email</td>
<td>Operator website</td>
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<td>Marshall Islands</td>
<td>Bluff, New Zealand (Ballance Agri-Nutrients)</td>
<td>13/04/2017</td>
<td>Detained in South Africa</td>
<td>54000 NM Shipping SA</td>
<td>Care of AM Nomikos Transworld Maritime Agencies SA, Euroco Building 1, Alamanas Street, Marousi 151 25 Athens</td>
<td>Greece</td>
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<td>Greece</td>
<td>AM Nomikos Transworld Maritime</td>
<td>Greece</td>
<td><a href="mailto:amngr@nomikos.gr">amngr@nomikos.gr</a></td>
<td><a href="http://www.amnomikos.net">www.amnomikos.net</a></td>
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<td>UK P&amp;I Club</td>
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<td>28/04/2017</td>
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<td>58940 La Darden Navegacion SA</td>
<td>Care of Shou Kisen Kaisha Ltd 4-52 Kora-cho-l chomma Imabari-shi Ehime-ken 791-211</td>
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<td>Ultrabulk Shipping A/S, Amerika Plads 38, 2000 Copenhagen</td>
<td>Denmark</td>
<td><a href="mailto:operations.cph@ultrabulk.com">operations.cph@ultrabulk.com</a></td>
<td><a href="http://www.ultrabulk.com">www.ultrabulk.com</a></td>
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<td>North of England P&amp;I Assoc</td>
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<td>44</td>
<td>Jin Jing Hai</td>
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<td>Geismar, United States (PotashCorp Inc)</td>
<td>10/05/2017</td>
<td>GSM</td>
<td>72000 Jin Jing Hai Shipping Ltd</td>
<td>Care of China COSCO Bulk Shipping (Group) Co Ltd Building 24, Courtyard 1, Wuliqiao YiJi, Chaoyang Qu, Beijing</td>
<td>China</td>
<td>China</td>
<td>COSCO Shipping Corp Ltd</td>
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<td>COSCO Shipping Corp Ltd</td>
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<td><a href="mailto:operations.cph@ultrabulk.com">operations.cph@ultrabulk.com</a>, <a href="mailto:info@commonprogress.gr">info@commonprogress.gr</a></td>
<td><a href="http://www.commonprogress.com">www.commonprogress.com</a></td>
<td>The West of England Ship Owners Mutual Insurance Association</td>
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<td>15/05/2017</td>
<td>ETA</td>
<td>55020 Common Life Compania Naviera</td>
<td>Care of Common Progress Compania Naveira 44, Kifissias Avenue Marousi 151 25 Athens</td>
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<td>Common Progress Compania</td>
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<td><a href="mailto:ops@commonprogress.gr">ops@commonprogress.gr</a>, <a href="mailto:info@commonprogress.gr">info@commonprogress.gr</a></td>
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<td>46</td>
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<td>Turkey</td>
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<td>20/05/2017</td>
<td></td>
<td>77000 Dalida Dacotic vs Ticaret AS</td>
<td>Bestocka Saadettin Kaynak Sokak 2, Alburnuzade Mah, Uskudar 34662 Istanbul</td>
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“OCP and Phosboucraa do not claim to have mined the phosphate in Western Sahara with the consent of the people of the territory. They do not and cannot claim to do so on behalf of its people. Their claim to mine phosphate for the benefit of the people is disputed by the SADR and the [Polisario Front]: as most of the Saharawi people live to the east of the berm or in refugee camps in Algeria, those who may benefit from the mining of phosphate are not the ‘people of the territory’ but, more likely, Moroccan settlers.” (§ 48)

“The SADR and the [Polisario Front] have established on a prima facie basis that, to use the terminology of UN General Assembly resolutions, sovereignty over the cargo of phosphate is vested in the people of Western Sahara. In other words, the people of Western Sahara own the cargo.”(§ 51)

High Court of South Africa, in the case Saharawi Arab Democratic Republic and another v. OCP SA and others (the m.v. NM Cherry Blossom case), decision dated 15 June 2017, at paragraph 51.