

28 March 2013
Brussels

ECORYS Holding B.V.
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3067 GG Rotterdam
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The Netherlands

To the attention of Dr Julia Djarova
Managing Director of ECORYS International

Dear Dr Djarova,

Western Sahara Resource Watch has learned that ECORYS has recently been contracted by the European Commission to undertake a Sustainability Impact Assessment (SIA) of the proposed Deep and Comprehensive Free Trade Agreement (DCFTA) with Morocco, in order to assess the economic, social, human rights and environmental impacts of the envisioned agreement.

We understand that as part of the SIA, ECORYS will hold meetings with civil society stakeholders in Brussels, and will also organise local workshops for stakeholders in Morocco during a later phase. We anticipate that, in consultation with the EU Delegation in Rabat, you will be able to develop a list of stakeholders representing all parts of civil society likely to be affected by the DCFTA. The government of Morocco may suggest to your firm that it has authority in and a civil society to be considered within the territory of Western Sahara.

However, we would kindly request you recall that a large part of Western Sahara has been illegally occupied by Morocco since 1975. The United Nations organisation regards Western Sahara as a Non-Self Governing Territory which still awaits decolonisation, and one without a legally accepted administering power in place. Its people, the Saharawi, have been accorded the right to self-determination, a right restated in now more than 100 UN resolutions, but the exercise thereof is continuously being blocked by Morocco. The war between the Kingdom of Morocco and Frente Polisario has resulted in a military division of the territory and a ceasefire being monitored by the UN.

The EU's existing trade agreements with Morocco fail to explicitly exclude Western Sahara. As a result, the agreements have effect inside the territory and affect the Saharawi people. We are gravely concerned this may prove to be the case for the envisioned DCFTA.

In June 2012, 31 Saharawi civil society organisations from the territory occupied by Morocco and from the Saharawi refugee camps in southwest Algeria requested the European Commission to exclude their country from the geographical scope of the DCFTA. A copy of that letter is included for your ease of reference.

The United Nations' legal opinion on economic activities in Western Sahara notes that two legal prerequisites be fulfilled in order for trade activities inside or affecting occupied Western Sahara to be permissible under international law: they must be in accordance with the wishes and to the benefit of

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Western Sahara Resource Watch works to raise awareness of the illegal occupation of Western Sahara and to support the recognition of the Saharawi people's right to self-determination.

the Saharawi people. This means that the Saharawi people must be consulted, consent to, and subsequently benefit from, any commercial and export activity in respect of Western Sahara's abundant natural resources.

Accordingly, we respectfully request ECORYS to include the Saharawi people of Western Sahara as a stakeholder in its Sustainability Impact Assessment of the EU-Morocco DCFTA. We will be pleased to assist you with research in this regard and we note that the proper representative of the Saharawi people, as accepted by the United Nations, is the Frente Polisario governing organisation.

Please do not hesitate to contact us if you'd require further information or if a meeting would be useful to fully engage the matter. We'd be happy to oblige.

Thank you for your consideration and we look forward to hearing from you.

Sincerely,

Sara Eyckmans
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