

Date received: 2nd of August 2019

From: Gareth Richards Group Communications Manager

Kia Ora Salma

We don't produce fertiliser in the non-self governing territory of Western Sahara. We have a longstanding commercial relationship with a phosphate mining company called OCP. They report on their track record of social development so you'd probably have to ask them about any issues on the ground.

It may be useful to understand the background to the trade.

Below is a short answer for the reason New Zealand needs phosphate rock in bold (and then a longer answer by way of background because as you know, this is a complex political dispute involving several different countries / interested parties...)

This is a complex geopolitical dispute that needs to be resolved at a government level via the UN. It remains our position that we are trading legally; operating within UN expectations.

We're not immune to the humanitarian dimension of the situation. We have been exploring alternatives and this remains a challenge due to New Zealand's particular environmental and agronomic requirements.

OCP assure us that all funds from the phosphate mine are invested in local programmes that benefit the Saharawi people in the non-self-governing territory. It is unclear how closing the mine and jeopardising those local people's livelihoods will help the situation on the ground.

We do our due diligence of all suppliers on dozens of attributes – from health and safety, to corruption, to employee rights, to renewable power and monitor their performance closely. OCP score highly on a large range of these measures and have been a reliable partner over time.

All plants need phosphate to grow and NZ soils tend to be deficient in sulphur – another essential element. Our pastoral system is virtually unique in the world but does require the soil's extracted phosphate and sulphur to be replaced. This tends to be in the form of a superphosphate granule applied via a truck or an aircraft.

When it comes to superphosphate's manufacture and application, there is currently no alternative that comes without significant environmental impacts, processing costs, miscellaneous supply risks and other human rights implications at the source.

As a farmer-owned co-operative, our duty is to ensure we do not pass these risks on to farmers without careful investigation and deliberation. For New Zealand, the long-term implications of any potential ceasing of import from that part of the world are extremely significant especially since the area contains 70% of the world's known reserves.

We acknowledge this is a complex issue with humanitarian dimensions and that the main parties continue to seek a political solution – most recently at the March meetings convened by the UN Envoy.

We are satisfied to continue to purchase from an entity in keeping with the framework of, and progress made by, the UN. If or when there is any change to the arrangements flowing from the UN process, we would look to respond to that possible change and establish a relationship with a new entity.

We work to keep abreast of the positions of the UN Security Council and New Zealand's trading partners in this space. As you know, recently, the European Union has taken a decision to agree a preferential trade arrangement with Western Sahara after careful consideration of the legal, social and economic implications of potential trade.

As a co-operative on the other side of the world, we cannot easily weigh claim and counter claim by the parties to the dispute. Instead we focus on the guidance that has been given by the UN, and the direct operation of the mine from which we import. The UN and OECD guidance tells us to give due care when it comes to considering the mine's operation. In terms of the mine itself, we visit regularly and we seek regular updates from OCP on employment practice, benefits to local people and investment in health, education and social programmes.

I hope this helps.

Kind regards



Gareth Richards
Group Communications Manager

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From: Salma Huerbi [<mailto:huerbi@business-humanrights.org>]
Sent: Thursday, 1 August 2019 6:54 p.m.
To: Gareth Richards <Gareth.Richards@ravensdown.co.nz>
Cc: Marti Flacks <flacks@business-humanrights.org>
Subject: Reminder Ravensdown in our Weekly Update - Deadline to Respond-

Dear Gareth,

I am writing to follow up on my email below to see whether **Ravensdown** plans to respond to the allegations that the company's fertilizer production in Western Sahara contributes to human rights violations.

The deadline to respond is 5pm ET Monday 5th of August. If we do not hear from you by that time, we will indicate on our website and Weekly Update that **Ravensdown** did not respond.

Please do let me know if you have any questions or if you are interested in responding and need additional time. We look forward to hearing whether **Ravensdown** will submit a response.

Best,



Salma Houerbi
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Business & Human Rights Resource Centre
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From: Salma Houerbi <houerbi@business-humanrights.org>

Date: Monday, 29 July 2019 at 14:35

To: "gareth.richards@ravensdown.co.nz" <gareth.richards@ravensdown.co.nz>

Cc: Marti Flacks <flacks@business-humanrights.org>

Subject: Ravensdown in our Weekly Update - Invitation to Respond

To: Gareth Richards – Ravensdown

From: Salma Houerbi & Marti Flacks – Business & Human Rights Resource Centre

Dear Gareth,

Greetings from Business & Human Rights Resource Centre. We are writing to invite Ravensdown to respond to an allegation that it contributes to human rights violations in Western Sahara following a call from the indigenous Saharawi community to raise their concerns that companies producing fertilizers in the internationally contested area of Western Sahara props oppression.

We would like to give you the opportunity to respond to this letter before we draw international attention to it in a forthcoming issue of our Weekly Update newsletter.

1. About the Resource Centre

[Business & Human Rights Resource Centre](#) is an independent non-profit organization that promotes greater awareness and informed discussion about human rights issues relating to business. Our website covers over 9000 companies. It links to reports about positive initiatives by companies as well as reports about concerns that have been raised by civil society. For further details, please see the "[About us](#)" section of our website.

2. Invitation to respond

Our free Weekly Update is sent via email to over 18,000 opinion leaders worldwide, including people in the media, business, investment firms, the United Nations and other international organizations, governments and NGOs. For our Weekly Update on Wednesday, 7th of August, we plan to add the letter below to our website:

�. [“No time to ignore Blood Phosphate”](#), Otago Daily Times, 15th of July 2019

We believe that it is important to give Ravensdown the opportunity to respond when human rights concerns are raised about it, so that our readers have access to the company’s perspective. Please note that we are not affiliated with the authors.

We would be able to add your full response in our Weekly Update if we receive it by **Monday 5 August 2019 at 5 pm (London time)**. We can link to responses in the form of a PDF, Word document or web-link, and would be grateful if the date is clearly indicated on it. As this letter and report pertain to two separate instances, you can send separate responses for each or include in one document.

If Ravensdown does not provide a response, we will indicate in the Weekly Update that we invited it to respond, but that it did not do so. Your response or non-response will be permanently registered in all relevant sections of our website.

A chart featuring past company responses in our Weekly Updates can be accessed [here](#). Over 73% of the companies invited to respond have done so. We indicate at the top of each company section on our website the company’s response rate to human rights concerns – your company’s response or non-response to this invitation will be included in calculating the rate at the top of [your company’s section on our site](#).

Please do not hesitate to get in touch if you require any further information or if you need additional time to respond.

Yours sincerely,
Salma Huerbi (MENA Regional Researcher) & Marti Flacks (Deputy Director, North America)

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