

Scania AB
SE-151 87 Södertälje
Sweden

Att: Mr. Erik Bratthall, Corporate Public Relations Manager

Berlin/Stockholm, 12.07.2023

REGARDING SCANIA AB OPERATIONS IN OCCUPIED WESTERN SAHARA

Dear Mr. Bratthall

Western Sahara Resource Watch (WSRW) and Artikel2 (formerly Emmaus Stockholm) wishes to thank you for your email to us on 25 June 2023 in response to our letter to Scania of 14 June 2023.

Thank you for the clarification that “All Scania trucks in the region are sold for unmilitary/civil use.” We have taken it for granted that Scania would not sell trucks to the Moroccan government for military use, neither within nor outside of Morocco’s internationally recognized borders.

Indeed, IHL clearly draws a distinction between military and civilian purposes. However, civilian use of Scania trucks might obviously contribute to the violation of IHL. In this regard, Scania has not responded to three fundamental questions in the previous letter, and we would appreciate a clarification on these particular points:

1. Are there any limitations as to what sort of activities its clients can use the trucks for in occupied Western Sahara?
2. Is Scania aware of the usage of the trucks to transport natural resources from Western Sahara across the international borders into Morocco or Mauritania?
3. Is Scania aware of the usage of the trucks for the purpose of facilitating the Moroccan government’s infrastructure projects that are built in violation of IHL?

In addition, based on your response, we have a couple of supplementary questions.

4.

As mentioned in our previous letter, the UN refers to the territory as a “Non-Self Governing Territory”. This territory is “separate and distinct” from Morocco, according to the European Court of Justice. Morocco’s claims to the territory are rejected by international courts. It is separated from Morocco with clear international borders.

Your email twice uses the rather vague word “region”, – e.g. “Scania in Morocco is conducting business in the region” – but it is unclear what that word refers to.

When using the word “region”, do you mean that Scania in Morocco is conducting business in several countries in the “region” of North-West Africa, such as Algeria, Mauritania, Western Sahara, Morocco? Or is the reference to “region” meant to describe the territory of Western Sahara?

It should be noted that Morocco uses the word “region” when it comes to Western Sahara, but this terminology is not in line with the terms used by the UN.

5.

You write that “Scania recognises international humanitarian law and business and human rights standards”. We take it for granted that what is really meant with this sentence is not merely that Scania “recognises” the existence of these, but is in fact “committed to respect” it (as formulated in the Scania human rights policy

<https://www.scania.com/content/dam/group/sustainability/sustainability-at-scania/policies-and-documents/scania-human-rights-policy.pdf>)

a) Do we understand that right?

-If yes, does this commitment to respect human rights include the right to self-determination?

-If yes, does this commitment to respect human rights include the right to permanent sovereignty over natural resources?

b) Has Scania obtained a permit from the legal representative of the Saharawi people to operate in the territory?

6.

Thank you for the clarification about Scania having a workshop in Dakhla.

a) How many staff do you have in Dakhla?

b) From which country is the workshop’s staff?

c) In which country – if any – is Scania and its staff in occupied Western Sahara paying taxes?

d) What is the role of your branch in El Aaiún that is enlisted on your website (we notice that your company has spelled this city’s name in the Moroccan way, “Laâyoune”)?

<https://www.scania.com/ma/fr/home/admin/misc/dealer/dealer-details.html?dealer=af6994do-45ae-4caa-8921-26cf616e2eed>

Based on your response, and based on our wish to include your answers to our questions, we have decided to postpone the publication of our article. We’d be grateful for an answer to the questions above prior to 10 August 2023. A copy of this email is sent to Volkswagen.

Looking forward to hearing from you,

Kind regards

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