



Adala UK Statement on Morocco's Hyperscale Data Centre and OCP Operations in Occupied Western Sahara: A Clear Violation of International Law and Human Rights

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Adala UK expresses its deep concern regarding Morocco's latest announcement to construct a 500-megawatt hyperscale data centre in Dakhla, a coastal city located in the Non-Self-Governing Territory of Western Sahara. Presented as a step toward digital innovation and green energy leadership, this project in reality underscores a dangerous and escalating trend: the exploitation of occupied land and resources in clear violation of international law, without the consent of the indigenous Saharawi people.

At the same time, the Moroccan state-owned OCP Group is seeking international recognition and commercial gain through environmental certifications for phosphate-based fertilizers that originate, in part, from this same illegally occupied territory. Together, these developments illustrate a pattern of unlawful economic activities and deliberate efforts to entrench Morocco's de facto control over a territory whose political status remains unresolved under international law.

Western Sahara: A Non-Self-Governing Territory Under Occupation

Western Sahara is listed by the United Nations as a **Non-Self-Governing Territory**, and its status remains that of a territory awaiting decolonisation. The **International Court of Justice**, in its 1975 Advisory Opinion, concluded that there were no legal ties of territorial sovereignty between Western Sahara and the Kingdom of Morocco that would affect the application of the right to self-determination. This right codified in **Article 1 of the UN Charter** and both the **ICCPR** and **ICESCR** remains the inalienable entitlement of the Saharawi people.

Despite this, Morocco has maintained a military occupation of over 80% of the territory since 1975. The **United Nations**, the **African Union**, the **European Union Court of Justice (CJEU)**, and numerous **international legal authorities** have rejected Morocco's claim of sovereignty over the territory. Ten CJEU rulings since 2016 have confirmed that Western Sahara is "*separate and distinct*" from Morocco and that **any economic activity involving its resources requires the express and genuine consent of the Saharawi people**.

The Dakhla Data Centre: A Facade of Progress on Occupied Land

The newly announced data centre in Dakhla described as one of the largest in Africa will reportedly rely on renewable energy and serve as a hub for artificial intelligence and digital



infrastructure connecting Europe and Africa. While Morocco celebrates this as a step toward digital sovereignty, it is, in truth, an unlawful project being developed on occupied land, without the consent of its lawful inhabitants.

Such an initiative constitutes a **serious breach of international law**, including:

- **The Fourth Geneva Convention**, which prohibits the exploitation or irreversible alteration of occupied territories for the benefit of the occupying power;
- **Customary international humanitarian law**, which affirms the protection of the natural resources of occupied peoples;
- **The UN Guiding Principles on Business and Human Rights**, which impose a duty on companies to avoid contributing to human rights abuses in conflict-affected and high-risk areas.

Infrastructure of this magnitude requiring roads, power lines, data cables, and expansive construction represents not only economic exploitation but also a political strategy to further integrate the occupied territory into Morocco's national and economic frameworks. This undermines both the territorial integrity of Western Sahara and the Saharawi people's right to determine the future of their land and resources.

Corporate Responsibility and the Risk of Complicity

International companies and investors, including those linked to Nvidia, Naver Cloud, Nexus Core Systems, Lloyds Capital, and TAQA, are reportedly involved in this and related projects. If these corporations proceed without robust due diligence and without securing the *free, prior, and informed consent* of the Saharawi people, they risk becoming **complicit in serious breaches of international law**.

Investing in occupied territory without legal safeguards not only undermines human rights it exposes companies to significant legal, ethical, and reputational risks. The precedents set by the **CJEU**, **UN bodies**, and civil society monitoring groups are unequivocal: **international business activities in Western Sahara must not aid or legitimise Morocco's occupation**.

OCP and the Question of Resource Legitimacy

At the same time, Morocco's state-owned **OCP Group** has secured the "Low Cadmium Labelled" certification for fertilizers exported to the European Union marketed as a sustainable and health conscious innovation. However, this certification cannot obscure the



reality that **a significant portion of OCP's phosphate operations are based in Western Sahara**, where resource extraction is conducted without the consent of the Saharawi people.

This practice is also in violation of the **CJEU's rulings**, which explicitly prohibit the inclusion of Western Sahara's resources in trade agreements between Morocco and the EU without Saharawi approval. International law is clear: **natural resources in an occupied territory must be used only in the interests and with the consent of the local population**, as reiterated in numerous **UN General Assembly resolutions** and legal commentaries.

No degree of environmental branding or certification can legitimise the commercialisation of stolen resources.

Human Rights Abuses and the Silencing of Saharawi Voices

Meanwhile, the Moroccan occupation continues to be marked by **systematic human rights violations**. Saharawi activists, journalists, and civil society leaders face **arbitrary arrests, torture, and prolonged detention**. Peaceful demonstrations are violently suppressed, and independent observers are routinely barred from entering the region.

These violations form the context in which economic “development” is taking place development that silences, marginalises, and displaces the indigenous people while rewarding the occupying power and its corporate allies.

Adala UK's Call to Action

Adala UK urges the following:

To Governments and International Institutions:

- Reaffirm the legal status of Western Sahara as a Non-Self-Governing Territory and uphold the Saharawi people's right to self-determination.
- Condemn and prohibit economic and infrastructural projects that proceed without Saharawi consent.
- Enforce trade and investment policies that respect international law and human rights in Western Sahara.

To Corporations and Investors:

- Refrain from engaging in projects in occupied Western Sahara unless Saharawi consent is clearly documented and independently verified.



- Conduct heightened due diligence in accordance with the UN Guiding Principles on Business and Human Rights.
- Recognise the legal and reputational risks of operating in an occupied territory.

To Civil Society and Media:

- Raise public awareness about the unlawful exploitation of Western Sahara.
- Advocate for justice, accountability, and meaningful Saharawi participation in all decisions affecting their land and future.

Conclusion: Innovation Must Not Come at the Expense of Justice

The pursuit of artificial intelligence, green energy, and digital transformation cannot justify the erosion of international law and fundamental human rights. No data centre, wind farm, or certified fertilizer can conceal the illegality of Morocco's occupation, nor can they replace the voice of a people whose sovereignty is being systematically denied.

Adala UK stands firmly with the Saharawi people in their legitimate struggle for self-determination, justice, and the rule of law. We call on the international community to ensure that technological progress is not built on the foundations of dispossession and impunity.

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Adala UK is a UK-based human rights organisation committed to defending the rights of the Saharawi people and promoting justice and accountability in Western Sahara.