Question for written answer E-002225/2024
to the Council
Rule 144
João Oliveira (The Left)

Subject: Recent decision by the Court of Justice of the European Union on EU-Kingdom of Morocco trade agreements

On 4 October 2024, the decision of the Court of Justice of the European Union (CJEU) in joined cases [C-778/21P and C-798/21P] and [C-779/21P and C-799/21P] was announced. The decision dismissed appeals lodged by the Commission and the Council against the judgments of the General Court (EU-T-2021-640 and EU-T-2021-639 respectively) concerning trade agreements between the European Union and the Kingdom of Morocco, particularly regarding fishery and agricultural products. The decisions deemed the trade agreements null and void because, among other reasons, the Sahrawi people and their legitimate representatives, the Polisario Front, had not given their consent.

The relevant legal consequences must follow the CJEU judgment, which upheld the General Court's decision.

In the light of these decisions:

1. What measures will the Council take to ensure that products originating in Western Sahara are not imported into the EU under the aforementioned agreements or agreements negotiated in the future?

2. What compensation will be provided for the damage caused by the illegal importing of products from Western Sahara in recent years under these two agreements, particularly as regards customs duties illegally not charged, among other issues?

3. Does the Council intend to open talks with the Polisario Front, which the UN considers the legitimate representative of the Sahrawi people?

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