

Question for written answer E-004255/2025

to the Commission

Rule 144

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Subject: Provisional application of the new EU-Morocco agreement to Western Sahara in contradiction with Court of Justice of the EU rulings and at the explicit request of Parliament

On 4 October 2024, the Court of Justice of the EU (CJEU) annulled the application of the EU-Morocco trade agreement to Western Sahara as the Sahrawi people did not give their consent, granting the EU one year to align its actions with international law.

Nevertheless, the Commission has negotiated a new agreement covering products from the occupied territory, contradicting 10 consecutive CJEU rulings and the principle of self-determination. The Commission now proposes to apply this agreement provisionally, bypassing Parliament and disregarding Parliament's explicit request of 5 July 2016¹ not to resort to provisional application of trade agreements before Parliament can give its consent. The agreement was also negotiated and signed in just five days, raising serious doubts about transparency, credibility and respect for judicial rulings. Furthermore, the Commission claims that the previous agreement created 49 000 direct jobs in Western Sahara, but has provided no evidence concerning how many of those jobs are actually held by Sahrawis.

In this context:

1. Why does the Commission resort to provisional application in contradiction with Parliament's explicit request?
2. How does the Commission justify disregarding binding CJEU rulings and international law on Western Sahara with negotiations concluded in only five days?
3. Does the Commission know what percentage of the alleged 49 000 jobs created in Western Sahara are actually held by Sahrawis?

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¹ Texts adopted, P8_TA(2016)0299.