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E-004233/2025

Answer given by High Representative/Vice-President Kallas
on behalf of the European Commission
(19.2.2026)

The EU Declaration on the Agreement in the form of an Exchange of Letters between the EU and the Kingdom of Morocco ('the Agreement')¹, signed on 3 October 2025, forms part of the legal relationship between the EU and Morocco. It sets out a series of measures to be taken by the EU in order to provide specific, tangible, substantial and verifiable benefits for the group of beneficiaries referred to in the judgment of 4 October 2024². It fully meets the requirements defined in that judgment and is in conformity with Article 21(1) of the Treaty on EU as interpreted and applied by the Court of Justice (CJEU).

The Agreement fully meets the conditions set out by CJEU in the aforesaid judgment, including with respect to the identification of products originating in Western Sahara and the presumed consent of the beneficiaries of the Agreement.

The legal and political situation of Western Sahara differs in nature from that of other territories. It is recognised by the UN as a 'Non-Self-Governing Territory', whose final status remains to be determined in accordance with the relevant UN Security Council resolutions and within the framework of the UN-led political process. This is consistent with the long-standing position of the EU, which fully supports the efforts of the UN Secretary-General to achieve a just, lasting and mutually acceptable political solution.

No strategic and comprehensive partnership has been concluded yet. Once discussions are taken forward, it will be designed to address all issues of mutual interest, within the overall framework of the EU-Morocco Association Agreement and in full alignment with the principles and objectives guiding the EU's external action³.

¹ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202502025.

² Joined Cases C-779/21 P Commission v Front Polisario and C-799/21 P Council v Front Polisario, paragraph 153.

³ As laid down in Articles 3(5) and 21 of the Treaty on EU.