

EN
E-004255/2025
Answer given by Mr Šefčovič
on behalf of the European Commission
(15.1.2026)

On 10 September 2025 the Council adopted a Decision authorising the Commission to open negotiations with Morocco¹. The Council informed the European Parliament of its Decision in accordance with Article 218(10) of the Treaty on the Functioning of the European Union (TFEU). After negotiations, the Commission adopted a Proposal for a Council Decision on the signature and provisional application of the Agreement on 18 September 2025. The Parliament and Council were both informed of this Proposal.

Article 218(5) TFEU allows for provisional application before entry into force if necessary. On 23 September 2025, the Commission presented its proposal to the International Trade (INTA) Monitoring Group for the Maghreb. As explained at this and subsequent meetings with the INTA Committee, provisional application of the Agreement was necessary to provide legal certainty for traders and ensure compliance with the ruling of the Court. Provisional application was therefore legally, economically and politically necessary. On 2 October 2025, the Council adopted a Council Decision on the signature and provisional application of the Agreement².

The Agreement signed on 3 October 2025 fully meets the requirements defined in the judgment in Joined Cases C-779/21 P and C-799/21 P³.

As explained in the 2023 Report on the impact and benefits for the population of Western Sahara of the extension of tariff preferences to products originating in Western Sahara⁴, the jobs generated under the application of the 2018 Agreement represent over 18% of the territory's active population in Western Sahara. There is no statistical data available allowing further estimations.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32025D2053&qid=1759502035328>.

² https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202502022.

³ <https://eur-lex.europa.eu/eli/C/2025/1510/oj/eng>.

⁴ https://taxation-customs.ec.europa.eu/report-impacts-and-benefits-eu-morocco-agreement-extending-tariff-preferences-products-originating_en.