

(English version)

**Question for written answer E-003166/26
to the Commission**

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(29 July 2026)

Subject: Territorial scope of the amended EU-Morocco Agreement for scientific and technological cooperation concerning Morocco's participation in PRIMA

The proposed amendment to the Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco establishes the conditions for Morocco's participation in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA).

In its judgments concerning EU-Morocco agreements, the Court of Justice of the European Union (CJEU) has consistently held that Western Sahara is a territory that is separate and distinct from Morocco under international law. Consequently, agreements concluded between the EU and Morocco cannot apply to Western Sahara unless this is expressly provided for and subject to the applicable requirements under international law.

In the light of the above:

1. What legal and administrative safeguards has the Commission put in place to ensure that no projects, funding, research activities or infrastructure financed under PRIMA are implemented in Western Sahara through the participation of Morocco?
2. If research entities established in or operating in Western Sahara were to seek participation in projects financed under the Agreement, how would the Commission ensure compliance with the case-law of the CJEU and the EU's obligations under international law?
3. Has the Commission carried out a legal assessment of the territorial scope of the amended Agreement in the light of the CJEU's judgments concerning the applicability of EU-Morocco agreements to Western Sahara, and if so, will it make that assessment available to Parliament?

Submitted: 29.7.2026

Answer given by Ms Zaharieva on behalf of the European Commission
(6 October 2026)

The Commission wishes to clarify that the signature of the amending Exchange of Letters Agreement does not modify the territorial application of the EU-Morocco Partnership for Research and Innovation in the Mediterranean Area (PRIMA) Agreement signed in 2018 ⁽¹⁾.

The amending Exchange of Letters Agreement mainly extends the duration of the EU-Morocco PRIMA Agreement to enable Morocco's participation in activities of PRIMA funded under the current Horizon Europe programme.

The amended Agreement aligns Morocco's participation in PRIMA with the new terms introduced under Horizon Europe, notably as regards the provisions for the protection of the financial interest of the EU and the European Public Prosecutor's Office, ensuring compliance with the underlining legislative framework, including the Financial Regulation ⁽²⁾.

The terms and conditions are those set out in the PRIMA basic Act ⁽³⁾, as amended, and the EU-Morocco PRIMA Agreement will remain in force as long as the PRIMA basic act is in force.

Compliance with the territorial scope of the EU-Morocco Protocol Agreement ⁽⁴⁾ remains a requirement. Checks, audits or reviews may be initiated at any time during the implementation of the Horizon Europe funded project and even afterwards.

⁽¹⁾ Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA), (OJ L 106, 26.4.2018, p. 3, ELI: http://data.europa.eu/eli/agree_internation/2018/639/oj).

⁽²⁾ Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast), (OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>).

⁽³⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States, (OJ L 185, 18.7.2017, p. 1, ELI: <http://data.europa.eu/eli/dec/2017/1324/oj>).

⁽⁴⁾ Protocol to the Euro-Mediterranean Agreement on the general principles for the participation of the Kingdom of Morocco in Union programmes (<http://data.europa.eu/eli/prot/2012/176/oj>).

If a potential non-compliance issue is identified at project level, or if ethical or other concerns emerge, this may lead to any of the measures provided for in the grant agreement, including the termination of the project.

The amending Exchange of Letters Agreement does not modify the territorial application of the EU-Morocco PRIMA Agreement and thereby fully respects EU recent case law regarding Western Sahara (judgments of 4 October 2024 of the CJEU (C-778/21 P ⁽⁵⁾, C-779/21 P ⁽⁶⁾, C-399/22 ⁽⁷⁾) ⁽⁸⁾).

⁽⁵⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62021CJ0778>.

⁽⁶⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62021CO0779>.

⁽⁷⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62022CJ0399>.

⁽⁸⁾ As regards the territorial scope of the Agreement, this is the one defined under Article 9 of the EU-Morocco Protocol Agreement, which provides: 'This Protocol shall apply, on the one hand, to the territories in which the Treaty on the Functioning of the European Union applies and under the conditions laid down in that Treaty, and, on the other hand, to the territory of the Kingdom of Morocco'. 'The territorial application of this Agreement shall be that established in the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part'.