

*Dansk Marokkansk Raad*



*المجلس الاستشاري المغربي الدانمركي*

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**The Judgement delivered by the Court of Justice of the European Union  
( CJEU) on the Agricultural Agreement between Morocco and the European Union**

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By deciding in favor of the dismissal of the Polisario's appeal as « inadmissible », the Court of Justice of the European Union is consistent with the position of other institutions that this entity is not « concerned » by agreements concluded between the Kingdom of Morocco and the European Union.

The Court's ruling constitutes a setback for the Polisario which has failed to be recognised by any European countries. The Court made it clear that the Polisario does not have any legal authority to lodge a complaint at the European Court. The Court insisted that the Polisario had no standing to speak on behalf of the population of Sahara so this separatist movement is not entitled to defend the economic interests of all the local population. It also condemned the Polisario to pay all expenses generated by the judicial procedure at first instance and in this appeal.

The Court also decided to annul the decision of the Court of First Instance, delivered on 10 December 2015, which had been challenged by the Kingdom and was the subject of an appeal brought by the Council of the European Union, unanimously from its member states. By this decision, the CJEU corrects legal aberrations, rectifies erroneous political assessments and nullifies the unfounded conclusions of the Court of First Instance.

The Court stipulated that the Morocco-UE agreements do not violate international law. **There was no evidence of any exploitation of the natural resources of the Moroccan Sahara under this agreement.** The Court indicated that the application of the agreement in Sahara should only be explicitly mentioned in the agreements between Morocco and the EU. The Morocco-UE agreements are still valid.

It is only since Morocco has taken back this territory again that coastline cities such as Laayoune and Dakhla have seen significant economic and socio-cultural development. To develop the Southern provinces during the last four decades, the Moroccan government has been spending 7 additional dollars for each and every dollar it collected and re-invested locally, as officially stated by His Majesty King Mohammed VI in a recent speech.

The announcement of the ruling was an opportunity for Morocco and the EU to reaffirm their commitment to partnership and their readiness to work for its enrichment.

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The Kingdom of Morocco is fully confident that the European Union will continue to fulfill its commitments and all its obligations under the Agricultural and Fishery Agreement.

In this Context, the Kingdom of Morocco is ready to continue the discussion with the European partners, within the framework of the structures of the Morocco-EU Partnership. The Kingdom thanks the EU member States for their commitment to the Morocco-EU Partnership, in particular friendly countries which have been actively involved in the proceedings before the court of justice of the European Union.

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