

Press release

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Members of the European Parliament Intergroup on Western Sahara calls for clarification of the territorial application of the EU-Morocco Aviation Agreement

Members of the Bureau of the Intergroup on Western Sahara of the European Parliament urge the European Commission to clarify the territorial application of the EU-Morocco Aviation Agreement, which is put to the vote in plenary today in Strasbourg.

Namely, the MEPs insist on receiving clear guarantees from the Commission that this Aviation Agreement only applies to the territory of Morocco within its internationally recognised borders and not to the territory of Western Sahara, which Morocco illegally occupies since 1975.

The exclusion of Western Sahara would be strictly in line with the landmark ruling of the Court of Justice of the European Union (CJEU) of 21 December 2016 *POLISARIO vs. Council*. CJEU ruled that the territory of Western Sahara is to be considered as a “separate and distinct territory” from the Morocco and that the application of any bilateral agreement with the EU would require the prior consent of the people of Western Sahara.

The Members of the Intergroup are seriously concerned that the Agreement might in fact apply to Western Sahara, which has been fully integrated by the occupying power into its domestic aviation space. If so, the Commission would be enabling the further entrenchment of Moroccan control over the territory - a non-self-governing territory still to be decolonized according to the United Nations - and would risk exposing the European Union once again to a humiliating defeat in front of the European courts.

It is mindboggling to see the continued contradictions of the EU policy towards Western Sahara; as a response to the CJEU ruling of last December, the Commission is currently negotiating an extension of the EU-Morocco Trade Liberalization Agreement to that territory, yet it would be ignoring the CJEU when it regards aviation.

Members of the Intergroup are keen to have the Commission reassure them as regards this worrisome file and urge all European stakeholders to act constructively towards a just and sustainable solution to the Western Sahara conflict, which upholds the right to self-determination of the people of Western Sahara and overcomes the protracted impediments to a strengthening of relations with the region.

Jytte Guteland (S&D), chair of the Intergroup for Western Sahara

Bodil Valero (Greens/EFA), vice chair

Ivo Vajgl (ALDE), vice chair

Paloma López Bermejo (GUE/NGL), vice chair