

**EUROPEAN PARLIAMENT
6 OCTOBER 2025
HEARING IN THE EUROPEAN PARLIAMENT'S INTERNATIONAL TRADE
COMMITTEE (INTA)**

Exchange of views with the Commission on the Conclusion, on behalf of the European Union, of the Agreement in the form of an exchange of letters on the amendment of the Agreement in the form of an exchange of letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to 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.

Agenda:

https://www.europarl.europa.eu/meetdocs/2024_2029/plmrep/COMMITTEES/INTA/OJ/2025/10-06/1328793EN.pdf

Video (starts at 19:38:11): https://multimedia.europarl.europa.eu/en/webstreaming/inta-committee-meeting_20251006-1900-COMMITTEE-INTA

Speakers: Bernd Lange, Lynn Boylan, Kathleen Van Brempt, Juan Ignacio Zoido Álvarez, Thierry Mariani, Nicholas Bay, Marie-Pierre Vedrenne, Vicent Marzà Ibáñez, Carmen Crespo Díaz, Céline Imart, Javier Moreno Sánchez, Lukas Sieper, Saskia Bricmont, Udo Bullmann, Mireia Borrás Pabón, Ana Miranda

For the European Commission: Valeria Miceli, Head of Unit International Custom Unit in DG TAXUD. Isabel García Catalán, Head of Unit Rules of Origin in TAXUD, and Florian Ermacora, Head of Unit DG MENA.

Bernd Lange, Chair of the European Parliament's International Trade Committee (S&D, Germany):

"The last point on our agenda is the exchange of views with the Commission on its proposal for a Council decision on the conclusion of the agreement with Morocco in form of an exchange of letters on the amendment of Protocol 1 and 4. And we discussed on the 2nd of December last year the situation as it is, because, as you know, on the 4th of October 2024, the European Court of Justice made a ruling on the implementation of the agreement in the Western Sahara. And this was not the first ruling. We had a lot of rulings, and I remember quite well that this whole process started, I guess, in 2009, round about. We once, as Parliament, also rejected an agreement, and then, I guess, there were three rulings of the European Court of Justice, so that on the substance, the court said always there has to be a consent of the people of the Western Sahara to the agreement, and it has to be also clear that, for example, tomatoes or whatever coming from the Western Sahara have to be declared as product from the Western Sahara.

Unfortunately, the Commission was not really able to fulfil the ruling of the court, so that we discussed this, and by sudden, I got the information 10 days ago that there is now an agreement with Morocco, and I looked in the SharePoint, and we got some, in September, some documents, but without any explanation. And in this telephone call I got Friday, 10 days ago, I heard that there was an agreement, and I got the information a little bit how this agreement was constructed.

I had some doubts if this is really reflecting the ruling of the court, because it's still not a clear labelling of products come from the Western Sahara, and it's not a clear consent request for this agreement by the people of the Western Sahara. But beside that, I heard that the Commission requested by the Council a provisional application without consent of the European Parliament, and this is, of course, totally against all our commitments we had from, I guess, the last four Commissioners of Trade, and it's totally against the new framework agreement, which was quite recently agreed by the Commission and the European

Parliament, and where I was the negotiator of the European Parliament. So I was really, really shocked that this process is really undermining the truth, the spirit and everything which we developed in the last years. And therefore, I was quite clear that we should discuss this here in the Committee immediately, and this was the first occasion now where we can discuss this, and I will give first the floor to the Commission and then to the political groups to present the so-called agreement and also give us a little bit of an explanation why this procedure happened.

So once again, the ruling of the Court was one year ago, and until end of September, no clear indication of the Commission was what they are doing. So one year without any information to the Parliament, and then by such an example which is really giving mistrust to the work of the Commission. So having said that, I give now the floor to Ms. Maria Isabel García Catalán, Ms. Valeria Miceli and Mr. Florian Ermacora for 10 minutes to gather the floor. Please.”

Valeria Micheli (EU Commission, DG TAXUD, Head of International Customs Unit):

“Thank you, Mr. Chair, honourable members. Thanks for giving us the opportunity to sit in this meeting. I'm Valeria Miceli, Head of Unit International Custom Unit in DG TAXUD. Isabel García Catalán, Head of Unit Rules of Origin in TAXUD, and Florian Ermacora, Head of Unit DG MENA. I will start presenting the process we follow as European Commission for this file, and my colleagues will follow presenting the content of the agreement and of the declaration.

So let's start with process. On 4 October 2024, as we all know, the European Court of Justice, with their rulings, annulled the Council decision on the conclusion of the agreement in the form of an exchange of letter between the European Union and the Kingdom of Morocco of 2018, but maintained its effect for another year.

So during this year, the agreement continued to apply. And during this year, the European Commission undertook a thorough legal analysis of the implications of the court rulings and studied potential options to comply with those rulings. In July 2025, we got the political signal that Morocco was open for negotiations.

And therefore, on 22 July 2025, the Commission adopted a recommendation for a Council decision to open negotiations with Morocco. And the European Commission transmitted this recommendation to both co-legislators in line with the inter-institutional framework. On 10 September 2025, the Council adopted a decision to open negotiations with Morocco.

And, starting then immediately after, the European Commission negotiated with Morocco the new agreement. On 18 September, the European Commission was able to adopt a proposal, several proposals: one on Council decision for the signature and provisional application of this agreement, and another one for the conclusion of the agreement. And all those proposals were again transmitted to both co-legislators, to the European Parliament and Council. On 23 September, the Commission held an information meeting with the INTA-Monitoring Group for Maghreb.

And on 25 September, the Commission did the same, an information meeting with Council, the MAMA and CUG groups. On 2 October, the Council adopted the decision on provisional application and signature of this agreement, and on 3 October, the signature took place and the agreement started to apply on a provisional basis.

We now understand that the proposal on the conclusion of the agreement is still with Council. I now give the floor to my colleague Isabel García Catalán.”

Maria Isabel García Catalán (EU Commission, DG TAXUD, Head of Unit Rules of Origin): “Thank you very much, honourable members. So we would like now to focus on the documents, legal documents that need to be connected in relation to this agreement. First of all, we have the Council decision on the signature and provisional application of the agreement. We have also the Council decision on the conclusion of the agreement. But we have also a Council decision on the EU position of the EU-Morocco Association Council that is needed to implement part of the agreement, customs elements. And we will have in the future also a modification, an amendment of the delegated act relating to labelling of fruit and vegetables. Now I will centre my comments in relation to the content of the agreement.

There are two main elements that need to be considered in line with the Court of Justice ruling of 4 October 2024. First, what we can say is some trade customs labelling elements, according to which Western Sahara

originating products need to be identified in labelling and customs documents. And there is a need to consider Morocco and Western Sahara as two separate territories.

What there is in the agreement in relation to this? First, preferences are granted to all Western Sahara originating products, being industrial or being agricultural products. The preferences to be granted are those that are granted to Morocco under the EU-Morocco Association agreement. The way to define Western Sahara originating products will be established through the rules of origin in the EU-Morocco Association agreement.

But, and this is what is new now in this agreement, there is a commitment by the parties to identify Western Sahara products by referring to the region of production. And this will be done in the proofs of origin, certificates of origin, invoice declaration and in the labelling. Precisely, when I was referring to this EU Council decision on the EU position in the EU-Morocco Association Council, the specificities, how the certificates of origin and invoice declaration will be filled in, are detailed there. So, by a reference to two regions, Dakhla and Laayoune. There is also in the agreement the possibility to authorise Moroccan authorities to issue conformity certificates for Western Sahara products.

Now, there is also in the agreement an evaluation exercise for which there is a commitment of the parties to exchange information. The modalities of this exchange of information will be developed through a decision of the EU-Morocco Association Committee. And there is a second part, and it is referring to what is the consent of the Sahrawi people and the benefits. For this second part, I give the floor to my colleague."

Florian Ermacora (EU Commission, DG MENA, head of unit for Morocco, Algeria, Tunisia and Libia):

"Thank you. So, indeed, any new trade agreement with Morocco covering the territory of Western Sahara needs to have the consent of the people of Western Sahara, the consent, which according to the court could be an explicit consent or an implicit consent. And the court is very precise in its ruling as regards the conditions under which implicit consent, a consent, could be presumed of the people of Western Sahara, which basically says that any such new agreement does not impose obligations for those people.

Secondly, that such agreement provides the Saharis with a, and I quote, specific, tangible, substantial, proportional and verifiable advantage from the exploitation of the territory's natural resources proportionally to the degree of that exploitation, which must be carried out consistently with sustainable development principles. And the court also says that this needs to be verified, those conditions, that they are met through a regular control mechanism. Now, with the new agreement, those conditions of the court are met through a declaration or we refer to those conditions through a declaration to address those advantages.

And in this declaration, the European Union is committing to support the region, meant the Western Sahara region, through the financing of projects in key sectors, such as water, energy and others. This should give the benefit then in proportion to the Saharis still living in Western Sahara. The declaration secondly refers to the intention of the European Union to continue the humanitarian support to those Saharis who are still at the Tindouf camps in Algeria. And thirdly, the declaration commits the EU to support adequate programmes in sectors such as education skills and culture aimed at the people of Western Sahara who are neither in Western Sahara nor in Tindouf. And as requested by the court, the commission will put in action a control mechanism which will regularly monitor that those benefits have arrived and are arriving at the Saharis to presume consent. Giving back the floor, I think, or we leave it to this? Okay, that's our presentation. Thanks."

Bernd Lange:

"Yeah, thanks a lot. Perhaps can you explain to me why you didn't ask for the consent of the European Parliament before requesting the provisional application, which is foreseen in the framework agreement and was a clear commitment of four trade commissioners so far?"

Maria Isabel García Catalán:

"So in relation to the provisional application, the main reason why this was requested, obviously, is the tight deadline in order to meet the date of 4th of October in relation to the end of the effect of the agreement of 2018. It is understood also, and we understand that the Court of Justice, by prolonging for one year, this effect was referring to the importance for trade flows, for operators, and for the continuity of trade, of not interrupting abruptly the trade. This is why it was important to meet this deadline.

As my colleague was referring, negotiations proceeded very quickly once there was a political sign-up to enter into these negotiations. And this is the reason why the Commission requested this provisional application.”

Bernd Lange:

“Without asking the Parliament, yeah, I understood. But the reasons you explained are not valid. I remember we had also the agreement with the United Kingdom where we got the consent of the Parliament in two days. So the time pressure is not an explanation for not respecting the framework agreement, to make this crystal clear. Regarding the contents, we will discuss this. This procedure by the Commission is, for me, totally unacceptable, and I'm reflecting now perhaps we could not accept the framework agreement if the Commission is not really accepting what the framework agreement is foreseen. So now we have the rapporteur. Where is she? Ah, oh, for three minutes, please.”

Lynn Boylan (Ireland, The Left):

“Thank you, Chair, and as you said, a standing rapporteur for the Maghreb region, I have to say I agree with you that I'm deeply uncomfortable with how the Commission has handled the process and their failure to keep the Parliament informed about the negotiations with Morocco. We wrote to the Commission in March of this year to invite them to participate in a monitoring group, and the invitation was declined then, and the rationale for that declining of the invitation was that the Commission said, and I quote, do not have any further information to share on the next steps concerning the Western Sahara file.

So I do welcome that the guests have now come in to the recent monitoring group that we've had, but that was only last week. So my questions really today, now that we're in a public format, is to ask about the timeline. The negotiating directives were approved by Council on the 10th of September, and the proposed amendments, the agreement then concluded we are led to believe with Morocco on the 18th of September, so with a proposal for Council decision and signature being published that day.

So I have to ask, colleagues, how it is so possible that amendments arising from complex case law were negotiated and agreed in such a short period of time? And I would like to hear on the record what contact did the Commission have on this matter with the Moroccan authorities prior to the negotiating directive being agreed on September 10th? Why was the Parliament not informed if there was contact with the Moroccan authorities on these negotiations? And if there is a second round, I would appreciate that you would come again to get to the substance of the amendments themselves, which are also very problematic.

I also want to discuss just the annex of the agreement. The unilateral declaration attached by the annex by the EU outlining a commitment to provide funding for the region is incredibly problematic. We know that Western Sahara is an occupied territory. And by not applying a policy of differentiation between Saharawis and Moroccan settlers, the Commission could find itself in the awkward position of actually incentivising occupation and the continued denial of self-determination. So I would like to ask the Commission, have you carried out any impact assessment on how this will impact the EU's longstanding commitment to the UN referendum process? And did you use the leverage that you have due to the Court of Justice ruling to put the UN referendum process back on the agenda?”

Bernd Lange:

“Thanks a lot. Mr. Pascal de la Parte had to leave. Who will replace them? Mr. Zoido? OK.”

Juan Ignacio Zoido Álvarez (EPP, Spain) (spoke in Spanish, transcribed official translation from Parliament):

“Thank you very much, Chair. Indeed, it was time to address this provisional situation that has been extended now for a year, after two judgements handed down by the Court of Justice. The agreement that we are discussing involve huge changes when it comes to labelling, for example, and that allows us to overcome the shortcomings identified by the Court. It is, undoubtedly, a necessary step forward in the right direction.

However, the agreement introduces the term region of origin. Perhaps this is not sufficiently explicit in line with the content of the judgement. I'd like to remind you that any agreement must be based on mutual trust and transparency in order to be solid, this is something that we have missed from the Commission's side during the negotiations. In the spirit of transparency, we want to call on the Commission to closely monitor the market of specifically susceptible products, such as tomatoes, and on cross border areas, that's particularly important. We need to make sure that this is rigorously complied with so that we can protect our producers.

Ladies and gentlemen, Morocco can be trusted partner for the European Union as a whole, and particularly for Spain. Well-managed trade agreements are important, they need to be based on trust and shared prosperity. As such, European farmers cannot turn into victims of policies that are completely far away from them. We need to do this to guarantee good cooperation with Morocco on solid foundations, it needs to be balanced and beneficial for both parties. Muchas gracias.”

Bernd Lange:

“Muchas gracias. Now, for the S&D, it's Kathleen Van Brempt.”

Kathleen Van Brempt (S&D, Belgium):

“Thank you very much. Can I say I completely align with our Chair and the rapporteur on the full frustration on the timing and the sidelining of the European Parliament, and both of them go hand in hand. I don't know whether you remember, Chair, that before the annulment of the Court, we knew what was going to happen. We, and many others, asked several times, but please, what is your plan B? What is plan B? And you always said, no, no, no, we cannot talk about plan B. We wait until the Court makes their judgement.

And I always hoped and I believed that there was a plan B, but of course you didn't want to tell us. But there was no plan B, was it? There was no plan B. You needed a year, a full year, except for a few weeks, to make a full analysis of the judgement, really, and then come up in a few weeks' time with a mandate and a conclusion and an agreement with the Moroccan authorities. And where was the time to involve the European Parliament? And where was the time to do what you needed to do to get the consent of the Sahrawi people? Because I don't see it over there.

And the question is now, is this an agreement that can carry through any other judgement? Because other judgments will come. So please, if you could ask, please answer the questions on the timing, because the timing is completely unreliable. And I don't think anybody in this Parliament believes that the timing is the right timing. Can you also give us some proof of the fact that there is a truly secured consent of the Saharawi people on what is in front of us? Can you prove us to that? What sort of methodology did you use? And maybe you should put that in writing.

Also an enforcement. Enforcement was also a very peculiar thing. While the new text includes updated labelling and reiterates monitoring commitments, the practical implementation mechanism appears largely unchanged compared to the 2018 agreement, raising again legitimate questions about compliance with the court's standards. And I think you need to come up with real decent answers to this Parliament, because otherwise I think you will have a problematic situation.”

Bernd Lange:

“Thanks, Thierry.”

Thierry Mariani (PfE, France):

“Thank you, Mr. President. Let's be crystal clear: this is not a technical debate. This is a political debate. The Commission and Council so quickly reacted following the 4th of October rulings from the court. I of course would have preferred the Parliament be consulted as well. But in any case, this judgment handed down in 2024 by the Court of Justice requires consent from the Saharawi people. The critical aspect here is about ensuring the stability of our shared interests. We need to say that this is a Moroccan region, managed by Morocco, the guarantees of protection of stability are given by its government. There are arguments of the Polisario Front behind this, this is not a legitimate actor. It is an armed militia, piloted by Algeria that uses the Western Sahara as a political lever against Morocco. We are talking about groups involved in trafficking, terrorist attacks, we saw one of those in 2023, is linked to Al-Qaeda and Islamic Maghreb. That is the reality.

These amendments to the EU-Morocco Association Agreement we think are heading the right direction. They include Western Saharan products under Moroccan control, while complying with EU standards.

Of course, I also want to speak about our farmers, and French cherry tomato producers. Morocco says it is ready to stick to quotas, timelines and European standards. Moroccans are very clear on this point. They say that they do not want to destabilise our market. Indeed we do need to protect our farmers. Our farmers are facing challenges. That's not because of Morocco but because of the piling up of EU standards, our bureaucracy and expensive inputs. We need protection mechanisms during key-seasons when tomatoes are being grown. Quotas and timelines and standards are good, and Morocco is a stable and reliable ally, it's a key partner in the fight against terrorism, against illegal immigration and for cooperation with Africa.

And if we continue to distrust our allies and side with our adversaries, we will be powerless. And that's why we want to call on you not to be trapped by certain Islamist groups. Thank you."

Bernd Lange:

"Merci, Nicholas Bay?"

Nicholas Bay (ECR, France) (Spoke in French, official translation from Parliament transcribed):

"Thank you Chair. I broadly support what was said at the beginning of the meeting about the European Commission and how systematically they are sidelining the Parliament and sometimes Member States in trade agreements. We had an example this summer with the US trade agreement. The conditions are unacceptable and the terms are unacceptable.

I'm going back to our Moroccan agreement. There's a 2018 agreement on fisheries and agriculture that showed how useful it is. 43 billion, that's the trade balance we're talking about between the EU and Morocco. 63% of Moroccans' transactions were carried out with the EU in 2023 and that shows the importance and how solid this partnership is. This is the only country in the region that we can have such a privileged, close relationship with.

We're talking about this waste of time, this scandalous ruling from the Court of Justice that gave into EU, to leftist demands and to arguments put forth by the Polisario Front, which is funded by Algeria. There's a contrast between Western Sahara that has been developing economically. There are ports there. And then on the other side, total middle age, poverty, torture, different links with Islamist militia in the Sahel, as well as the misuse of EU and humanitarian funds. There is a contrast here. We need to address Morocco as a key trustworthy partner and not to say that it is a dictatorship and corrupt and so on.

Morocco is showing goodwill and it is showing a commitment to standards on labelling, indicating the territory of origin as the Western Sahara. And we've heard this said by the left here, which is undermining the territorial sovereignty of Morocco and its claim to the Western Sahara. Thank you."

Bernd Lange:

"Thanks. Marie-Pierre."

Marie-Pierre Vedrenne (Renew, France) (Spoke in French, official translation from the Parliament transcribed):

"Thank you, Chair. I'll speak on behalf of Benoit Kassar, who is a shadow on behalf of our political group, and I'll read the note that he gave me.

Colleagues, this proposal for an agreement based on exchange of letters takes into account the ruling from the 4th of October. The court validated the trade agreement between the EU and Morocco as a key tool for the Saharawi people. They need to have a verifiable benefit from this by the use of resources in Western Sahara.

In light of texts that have been submitted to us, we have to say that Western Sahara products will be labelled and they should benefit from the same preference given to other Moroccan products on the EU market. Saharawi people benefit from a proportionate benefit there when it comes to exporting their products. They will benefit from the tariff extension and those based in the camp will receive humanitarian aid and those who have been displaced will benefit from training programmes.

This agreement provides stability and security for economic stakeholders and strengthens our agricultural agreement. We need a clear framework. We need to extend tariff preferences for products coming from Western Sahara, taking into account proper labelling of Western Saharan products and noticing that this provides a benefit to the Western Saharan people.

Personally speaking, I need to say that it would be timely for the Commission not to overlook the Parliament's role in trade agreements. And by the way, I'm quite happy to see that French colleagues want to strengthen trade agreements and I hope that they can apply this elsewhere. Thank you, Chair."

Bernd Lange: "Merci. Vicent?"

Vicent Marzà Ibáñez (Greens/EFA, Spain) (Spoke in Spanish, official translation from the Parliament transcribed):

"Thank you, Chair. One year on from the ruling handed down by the Court, the Commission is bringing us an agreement that was only negotiated with Morocco, it was already in force and you've not brought it here for debate or vote. I want people out there to understand this.

And aside from that, if that weren't just enough, this is with the consent of the Moroccan government. The agreement talks about trade between the EU and Morocco and it's been said that it was partially illegal because the Saharawi people were not able to benefit from it, benefit from resources coming from their own land. So a ruling and one year on, you're bringing us an agreement that goes totally against what was handed down in the Court's judgement. You're using this term implicit consent and no one can understand this.

The judgement says, roughly, that there should be a control mechanism to identify a specific, tangible, substantial and verifiable benefit for the Saharawi people of the exploitation of their resources. Where is the mechanism? Where is it in the text and how will it be checked? Where are the checks and balances to make sure that this funding doesn't only go to Moroccan colonies and that it will actually benefit the Saharawi people? How can you bring to us an agreement that has already entered into force before any debate and that doesn't take into account what the Court said? How can you do all of this and think that it's the correct way to proceed?

Second issue, labelling. You talked about this region of origin. Let's be clear. Will it say Western Sahara? Will it say Western Sahara? Yes or no? Will EU consumers know where the product comes from? Yes or no? Imagine this. It's almost like we were saying, meat from Santa Isabel. Is it from Ecuador, Argentina, Guinea? Where is it from? The consumers need to know. That's why it needs to say Western Sahara on the label. And finally, this provisional application procedure is absolutely unacceptable and we hope the Commission doesn't make a habit of this because it's unprecedented. Are we going to continue in this vein? Listening to other colleagues, I think we need to make sure that we do not give consent to this. Thank you."

Bernd Lange:

"Thanks a lot, and I'm happy that the Chair of the PECH Committee is here with us. And I give Carmen the floor."

Carmen Crespo Díaz (EPP, Spain) (Spoke in Spanish, official translation from the Parliament transcribed):

"Thank you very much, Chair. Thank you, colleagues. For us, Morocco is a southern neighbour. It's a key partner for the EU. There's no doubt about that. Trade agreements need to be fair and balanced agreements.

What happened here? Well, the fisheries agreement came to an end in July 2023 and nothing else has been said. The Commission has never said what direction negotiations are heading in. And then the same can be applied to agriculture. Article 218 of the TFEU, I think you've missed that. You haven't complied with that because we see that we're being handed a fait accompli.

So over the course of five years, 50% of the quota was lost and 70% of the tomatoes quota went to Morocco. How is this checked? Is it with tariffs or without tariffs? Are there controls and balances at the border crossing points? What are we doing? Has the price been updated? 46 euros per 100 kilogrammes. That's the same price that hasn't been updated. And we're referencing the UK here. That's a market to which we've lost.

So we need trade agreements, but there needs to be automatic safeguard clauses. Reciprocity is important and there needs to be a clear, appropriate quota. As Europeans, we need to preserve food sovereignty because if not, we're going to end up depending on food coming from third countries.

What do fishermen and women do? And farmers throughout the EU want. They want fair agreements that do not undermine the sector. They have put in such great efforts and they want agreements to be enforced. We want tariffs, we want payments to be made, we want checks and balances and we want to be able to give our agreement as a parliament. Agreements with Morocco, which is a privileged key EU partner, is extremely important. Okay, but this cannot be done without working with the parliament and taking into account what is happening in the export sector, what is happening in farming and fishery sectors throughout the EU.

Bernd Lange:

“Muchas gracias, Céline.”

Céline Imart (EPP, France) (Spoke in French, official translation from the Parliament transcribed):

“Thank you, Chair. Member States approved on last October the written procedure to adopt the revised version of the EU-Morocco agreement. Morocco is an ally, a key partner, is a credible partner for France and for Europe. Its territorial sovereignty cannot be undermined.

However, when we're talking about farming exports, then this partner becomes a competitor. Between 2012 and 2024, there's been a 55% increase in exports from Morocco to France. That makes France the number one destination for Moroccan exports. 76% of tomatoes imported into France came from Morocco in 2024. This agreement will promote greater flow trade influxes and it will destabilise the agricultural sector at the EU level.

Commission, are you aware that this agreement could exacerbate the massive influx of tomatoes into the EU? And what measures do you have in mind to protect farmers and to prevent trade distortions within the EU? Tariffs, quotas, safeguard clauses, as mentioned by Ms. Crespo-Diaz. I call on you to be transparent and to give me some precise, pragmatic, clear answers backed up by figures. Thank you.”

Bernd Lange:

“Merci, Javier?”

Javier Moreno Sánchez (S&D, Spain) (Spoke in Spanish, official translation from the Parliament transcribed):

“Thank you. Good evening, everyone. It's already been said. We're talking about relations with a strategic partner. It's a neighbour, not just for France and Spain, but for the whole EU. And we're looking at how we can continue fostering trade relations with this hugely important partner while respecting international law. The court handed down a judgement. We need to comply with it. The commission is saying that with this agreement, this reform, the rights and benefits of the Saharawi people in Western Sahara will be taken into account.

My questions are, will you shoulder your responsibility? Will we be able to hold you accountable? When will that happen? When will we be able to hear from you? And what aspects will you be checking? How are you going to check and measure the benefit to the Saharawi people, given that their resources are being used? You talked about key financial measures to bolster important sectors, such as the water sector, energy industry. What are these measures? How much money are we talking about? Moreover, humanitarian aid that will be given to the Tindouf camps. Can you go into greater detail on that? I want to underscore the fact that we need to continue moving forward with this key partner while complying with international law.”

Bernd Lange:

“Gracias. Lukas.”

Lukas Sieper (NI, Germany):

“Thank you, Mr. Chair. I remember the meeting that we had around about one year about this topic because it was one of the first meetings that I ever had in my life as a member of a committee of a parliament. And I remember that I asked the commission some questions that were also in the direction of a possibility of a plan B and I didn't get an answer. So I asked the same question again and I didn't get an answer. Then I'm not sure if I asked a third time, Mr. Chair, maybe you know that, but I'm pretty sure I didn't get an answer. And I thought to myself, okay, maybe I'm just too inexperienced. Maybe I got an answer, but I don't understand it. And then I went to you, Mr. Chair, and I asked you if I got an answer and I will not share your reply now. I think that's something you should do.

But I think what is clear here, regardless of the political implications, because in opposition to what my colleague here said, it is, of course, also a technical debate, not only a political debate that we are having here tonight, is that I urge the commission to try to understand that you are, while being on paper civil servants solely, you are de facto the government of the European Union. You are not only civil servants. You can call the commission president, commission president. You can call the group of commissioners college. But in the end, you are the government of the European Union. We are the parliament and we must work together. And we must be informing each other proactively and not only in regards to what's written down and what's the bare minimum that the rules of procedure force us to do, but beyond that.

And this not only in general, because also right now we have a crisis of legitimacy. The people lose trust in our institutions and the people lose even more trust in you, the commission, than in us, because at least we are in constant communication with the people. So my question is this, while you explain that you did everything right on a technical level, and I'm pretty sure you are convinced that is in fact true, do you think that the way that you did this during the last year is good or bad for the trust of the people in European institutions? Thank you."

Bernd Lange:

"Saskia."

Saskia Bricmont (Greens/EFA, Belgium) (Spoke in French, official translation from the Parliament transcribed):

"Thank you very much. I completely endorse what colleagues have said about the procedure.

I've been here for six years and I've been waiting for answers about the legality of the agreement and how it fits in with court of justice rulings as well as UN resolutions. It seems that the far right cannot read because if they could, they would see that there is a huge ongoing problem within the European commission that is about consulting the Saharawi people. So once again, how can you ensure the legal certainty of the agreement that you're tabling today? If on the one hand, the Saharawi people are not consulted. Secondly, how can you ensure that EU investments do not benefit colonising companies because that might be the case? And three, it was already mentioned, labelling. How will consumers know what they're buying if it doesn't explicitly say Western Sahara? We can't mention cities or towns that might be unfamiliar to people or that are in different countries.

The UN recognised the Western Sahara as the last African territory to be decolonised. So I'd like to ask the commission, would you once again like to be in breach of international law? Yes or no?

And final question, looking ahead to a future DDAG, Domestic Advisory Group, will there be a seat for the Saharawi people in that group? Thank you."

Bernd Lange:

"Interesting question, the last question. Udo?"

Udo Bullmann (S&D, Germany) (Spoke in German, official translation from the Parliament transcribed):

"Thank you very much, Chair. I'm going to speak German to both the colleagues here in the room, but particularly to the ladies and gentlemen from the commission. I think we have a matter of principle to address here. We might have different assessments of the political situation. I have my own view.

I'm not going to repeat what other colleagues have already said. Even a legalistic assessment might be different. But there is one thing which for me is absolutely central and quite basic, where we can't have different opinions.

And that is whether a freshly signed agreement between the EU institutions applies or doesn't apply. Is being complied with or not? Or is it simply not worth the paper on which it's written? I'm talking about the framework agreement. This isn't the first time that we've had a flagrant violation of the Parliament's rights in this parliamentary term. But I do think it will have to be the last time. Who is going to explain to us what has happened? I've understood that you can't, or at least it's above your remit. But then someone, Chairman, has to come who can tell us."

Bernd Lange:

"I guess we will have a chat with the Commissioner also quite soon. Now we have two guests from the AGRI committee and from the PECH committee. And Mireia Borrás from the AGRI committee is the first."

Mireia Borrás Pabón (PfE, Spain) (Spoke in Spanish, official translation from the Parliament transcribed):

"Thank you, President. I'm going to speak in Spanish. Ladies and gentlemen, as people have been saying, this agreement is an affront to EU justice and is an attack on the intelligence of European people. We all know that this agreement does not comply with the ruling handed down in 2024. It makes fun of it. It was crystal clear when it annulled the agreement with Morocco because it had been applied illegally.

Despite that, the Commissioner has come back to the negotiating table behind closed doors, behind the backs of the Parliament. And then they're coming here to apologise for not asking for our opinion and not

consulting us because there wasn't enough time. Of course, they did this on purpose so that there wasn't enough time. And this is completely unacceptable. It shows an unacceptable lack of transparency. And they've come here to show us an agreement that completely contradicts the ruling handed down by the Court of Justice of the European Union.

Commission representatives, during the first four months of this year, Morocco exported 30% more than last year, talking about fruit and vegetables exports to Spain. In the same period, Spanish exports to Europe have been dropping suddenly. So this agreement is making our farmers suffer. It's being tolerated by Brussels, but you are welcoming it with this agreement. So I have some questions for you. Some of this has already been mentioned, but I think it's important to emphasise these points.

Labelling. Labels need to say Western Sahara, where they shouldn't mention any areas or towns. They need to say Western Sahara. Are you going to confirm that that will be the case, that the labels will say Western Sahara?

Second point, transparency and timeline. We need to know what the approval process will look like and what the timeline is following on from this agreement. Thank you."

Bernd Lange:

"And Ana Miranda from the PECH committee."

Ana Miranda: (The Left, Spain) (Spoke in Spanish, official translation from the Parliament transcribed):

"Danke schön. Good evening. I'd like to publicly condemn the fact that this agreement was negotiated during five years last year behind the back of the parliament behind the closed doors. We have an intergroup on the Western Sahara and that was very clear. It said that all agreements needed to be negotiated with the European Parliament. Moreover, there was a ruling handed down by the parliament's legal service as well as other EU rulings on fisheries and agriculture. They were clear.

The sentence from 2016 says that Western Sahara is a separate distinct territory from Morocco and any agreement struck must be endorsed and backed by the Saharawi people. And that needs to be done by their legitimate representative, the Polisario Front. You need to read into this.

It's being purported that this is a legal, a technical discussion, but it's a political debate. It's a hugely important and the European Commission needs to take into account the parliament's position. We're not an afterthought. We need to be consulted. It needs to be consulted on in INTA and PECH and other committees. But what happened the other day is unacceptable.

There was a legal vacuum for a year following the judgement and it turns out that member states are giving a green light via a fast-tracked, written consultation process to this agreement. This happened last month. This was intentional and it's unprecedented. Are there similar cases in such types of trade agreements? I don't think there are any other similar cases. Thank you."

Bernd Lange:

"Thank you. So, Commission, some questions for you."

Isabel García Catalán:

"Thank you very much for these questions. We will try to group the replies basically through three topics. We understand there is consent in relation to the negotiations, the timing of the negotiations, the procedure of the negotiations. Other questions related to the regions, how the labelling and how the mention of the regions will work. And there were also some elements related to trade sensitivities, trade flows and, of course, the maybe most relevant point on the consent and benefits.

I will start with the question on the timing of the negotiations. The framework for negotiating this agreement was extremely difficult. Not only we have a very short deadline but also was relating to a very sensitive political issue, that had connections with many other political elements. Some of the honourable members have made reference to the importance of Morocco as a key partner, trade partner, not only trade partner, for many other elements. And in this context, the contacts that were established between the Commission and Morocco, first of all, as we already announced to explain the effects of the rulings were at high level, politically high level. And we are all aware that this agreement have two legs, two elements, a political one but also technical one. It was difficult to have discussions on the technical elements given the politicisation at high level of the discussions.

In any case, we have been listening that there was a type of negotiations in a very short time and it was not credible that they were carried out in such a short period. We already announced when we were in December that we were carrying out a thorough technical analysis. We were considering all possibilities. You were referring to a plan B. We were considering all possibilities. We were considering a new agreement, different agreement, maybe autonomous trade measures. We were considering all the possibilities. But I repeat, there was a technical analysis that we were carrying out following different options but we were tied by the discussions at political level.

It was only in July that we understood there was a political willingness to proceed with the negotiation. The technical work was already done. Once there was the political willingness, we could proceed. The work was already there.

There have been some references to the fisheries agreements and about also why there is no further mention or further contact. It was the same. So basically, now that there is a political willingness in relation with this agreement that is very sensitive for Morocco, there are expectations to proceed now with the other agreement of fisheries. So one element is blocking others.

I would refer now to the elements in relation to the region and region of origin. The importance of this agreement is that contrary to the situation we have under the agreement of 2018, we will now be able to identify the products consignment by consignment, Western Sahara products consignment by consignment. This means that we will be able to have statistics about which is the import of Morocco, sorry, Western Sahara products separate from Morocco products. This is important, not only from the point of view of the statistics, this is also offering the possibility to identify these products, operators, for customs, and for consumers.

There were some references to the impact of this agreement providing trade preferences to Western Sahara products. Just, I'm going to give some numbers. Western Sahara products, according to the report that were carried out during these past years, represent 600 million euros when imported into the Union. 2,100 tonnes of products, most of them 500 million. From these 600 million in total, 500 million is fish. The rest is tomatoes and melons, basically. And of these, focussing on fruit and vegetables, 85% of the production of Western Sahara has as destination the European Union. So, putting things in context, we are, from the point of view of the impact on trade, the impact of this agreement is limited.

I now would give the floor to my colleague in relation to the benefits and the consent."

Florian Ermacora:

"Basically, this is about the point of legal certainty of the new agreement. As I mentioned, the court is clear on this. There's no explicit consent needed, so from that point of view in legal terms there is no need to show you now a paper declaring the explicit consent of all the Saharawis with there. But the Court provides the avenue to this implicit consent, which provides legal certainty. And the implicit consent could be assumed if the benefits deriving from that legal agreement arrive at their place, with the Saharawis. Now, basically we have a high number of Saharawis in Western Sahara itself. To share with them benefits, we need to take action in Western Sahara so that the Saharawis there can benefit from these agreements. And this is planned to be through the triggering of investments in infrastructure, in water, in energy, all the things which are to the benefit of the Saharawis.

The other part concerns Tindouf and the Saharawis who are living there. We have since the nineties programs of humanitarian aid, we are, as European Union, the ones who give most aid to these people and we continue to do this. This was on average around 9 million per year. And of course we have to see then, as regards the concrete needs in the Tindouf camps, and as I mentioned there is the diaspora on which we could have a grip, outside of Algeria and outside of Morocco, meaning the diaspora of Saharawis in Europe. And there we would launch a programs which protect and sustain those minorities great if you could be one of the programs there.

An important point is that for the legal certainty that we are able to prove that those benefits arrived. Obviously we cannot prove this yet because the benefits we are talking about will arrive in the future. These will be the benefits from the new trade agreement. But we have a very clear concept on how we will monitor and show that those benefits arrive with the Saharawis. This will be through a regular control mechanism which will quantify the natural resources and the equivalent benefits for the Saharawis which will name the sources of funding and action which will thirdly describe the distribution, the distribution of these benefits,

so like this we will be able to show what we are doing to share those benefits, and like this have the implicit consent of the Saharawis in line with Court rulings. There is no and there was no legal vacuum here because this new agreement enters into force at the time when the other agreement elapses. And voilà, from that point of view there is a very clear mechanism in line with the case law issued one year ago. Thanks.”

Valeria Miceli:

“If I may conclude, honourable members, the European Commission respects the role of this Parliament and we never meant to overlook its role, and indeed the proposal for the conclusion of the agreement will shortly be with the European Parliament for the conclusion of the agreement itself.”

Bernd Lange:

“Thanks a lot, for this try to explain the situation. Of course, if the legal proposal would come to the Parliament, we will continue, but you can transmit to the hierarchy that especially the Chair is totally unhappy about the procedure. On the content, you saw my colleagues as well. Thanks a lot, this is the end of the INTA meeting of today.”