

EU court was wrong to overturn Morocco trade pact: lawyer

An EU trade deal with Morocco was wrongly quashed and the decision should be overturned, a lawyer said to the bloc's top court on Tuesday, 13 September 2016, about a case which soured ties between Brussels and Rabat.



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Morocco suspended links with Brussels early this year after the General Court of the EU, the bloc's second top court, annulled the deal on the grounds that it illegally applied to the Western Sahara.

The Polisario Front, a group which seeks independence for the Western Sahara, had challenged the 2012 trade deal. The EU in turn had appealed against the court's decision to quash the pact.

Western Sahara is a former Spanish colony now controlled by Morocco.

On Tuesday, the top legal advisor to the European Court of Justice, the EU's top court, said that in his opinion the original deal with Morocco did not in fact apply to Western Sahara, making the original objection to it moot.

The ECJ's advocate general Melchior Wathelet believes that the top court should "set aside the judgement of the General

Court which held that those agreements apply to that territory".

"Neither the EU-Morocco Association Agreement nor the EU-Morocco Agreement on the liberalisation of trade in agricultural and fishery products apply to Western Sahara," he said.

This was because the EU and its member states had never actually recognised Western Sahara as part of Morocco, making the issue irrelevant.

Opinions by the ECJ's advocate generals are not binding but in most instances the court follows their recommendations.

The 28-nation EU had pushed the trade accord with Morocco as a way to improve ties with the key North African country.

The Polisario Front has fought for Western Sahara's independence for decades, backed by Algeria.

Morocco took control of most of the territory in 1975 when Spain pulled out, sparking a war that lasted until 1991.

A UN-brokered ceasefire between Morocco and the Polisario has held since then but UN efforts to organise a referendum on the territory's future have been resisted by Rabat.

Source: AFP via I-Net Bridge

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