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EU-Morocco fisheries agreement/Western Sahara

MEPs seek to have controversial agreement referred to ECJ for legal opinion

A cross-party group of MEPs is calling for the controversial EU-Morocco fisheries agreement to be referred to the European Court of Justice (ECJ) to assess its compatibility with the EU treaties and international law. The initiative has been taken by Catalan Green MEP Raül Romeva, together with Liberal MEP Andrew Duff, and has been signed by 77 MEPs in total and means the European Parliament will vote on a resolution to seek a legal opinion (1).

The EU Commission is seeking to renew the EU-Morocco fisheries agreement, which would again give the EU the right to fish in Western Saharan waters despite the fact the government of Morocco has no right to trade the resources of Western Sahara (2) under international law. With the previous agreement having expired in February this year, the Commission has proposed a temporary extension. The revised agreement requires the consent of the European Parliament before being concluded, however, and today's initiative aims at ensuring the EP seeks a legal opinion from the ECJ before commencing such a process, with a view to ultimately ensuring the agreement is revised.

Commenting on the initiative, **Raül Romeva** said:

"The EU-Morocco fisheries agreement is possibly the most odious of all the EU's neo-colonial fisheries agreements. It is nothing short of scandalous that the EU is wilfully seeking to extend this agreement, under which the Moroccan government grants fishing rights to the EU fishing fleet to fish in the waters of Western Sahara, where it has no right to do so.

"Politically, it is a blot on the EU's foreign policy, but its compatibility with international law is also highly questionable. For this reason, we are seeking an opinion from the European Court of Justice on the legality of this agreement. With the consent of the European Parliament required to conclude this agreement, it would be irresponsible to proceed without such legal certainty.

"Ultimately, the only responsible course of action for the Commission is to revise this agreement with a view to excluding the waters of Western Sahara for which the government of Morocco has no responsibility."

(1) The EP will now be required to debate and vote on a resolution to seek a legal opinion from the European Court of Justice - this is the first time this initiative has been used since its creation by the Lisbon Treaty. The debate will hopefully take place at the October plenary session of the European Parliament. A negative opinion of the ECJ would clearly make it very difficult for the EU Commission to proceed with the EU-Morocco fisheries agreement as currently conceived.

(2) Western Sahara is recognised by the United Nations as a non-self-governing territory.

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