

wsahara.org.uk

FRONTPAGE ABOUT THE CAMPAIGN SUPPORT US CONTACT US ACTION FORUM - MINURSO HELP US STOP THE THEFT

RECENT UPDATES
HUMAN RIGHTS
NATURAL RESOURCES
NEWSLETTERS
WOMEN
TAKE ACTION

XPRESSO

 Follow Western Sahara Campaign UK on Twitter

The Western Sahara Campaign UK is a member of:



High Court confirms European court ruling on Western Sahara

The High Court has now implemented the ruling by the Courts of Justice of the European Union (CJEU) which recognises the self-determination rights of Saharawi people of the Western Sahara.

Published: 08.04 - 2019 09:57

The CJEU **ruled, in 2018**, that the European Union, when entering into agreements with Morocco must respect the rights of Saharawi people to self-determination; that is the right of people to freely choose their own sovereignty. Any agreement or partnership between the EU and Morocco does not include the territory of, or indeed impact on any other rights of, the Saharawi people of Western Sahara.

The case has been going on for four years after beginning at the High Court in March 2015. It was then referred to the CJEU in early 2016 and the ruling by the CJEU has now been confirmed by the High Court in the UK.

Western Sahara Campaign UK argued that Her Majesty's Revenue and Customs Service (HMRC) would be acting unlawfully if it gave preferential treatment to products imported from Morocco which had in fact come from the Western Sahara. WSCUK argued that products originating in Western Sahara are being imported into the United Kingdom and treated as Moroccan for the purposes of the 'EU - Morocco Association Agreement'. Goods and products produced in West Sahara should not be treated as originating in Morocco for the purposes of preferential tariffs or any other benefits conferred upon Moroccan products by the Association Agreement.

In addition, they argued that Department for Environment, Food and Rural Affairs (DEFRA) could not lawfully grant fishing quotas to British fishing vessels in waters off Western Sahara. The CJEU ruled that Moroccan territorial jurisdiction does not extend to the territory of Western Sahara or to the territorial sea adjacent to Western Sahara.

John Gurr, Coordinator of WSCUK, said:

"The campaign obviously welcomes this judgement that confirms the status of the Western Sahara as a separate territory to Morocco under international law. For 40 years the international community has failed to uphold the rights under international law of the Saharawi people, so we are pleased to have won this case. We now expect our government to enforce the judgement so that no goods can be illegally imported into the UK from the Western Sahara under the pretence that they are from Morocco. Only once the Saharawi people has expressed its inalienable right to self-determination, will the UK be able to trade legally in goods produced in the Western Sahara. The UK government should now use this judgement as a basis to strongly support the UN supervised process of self-determination so the process of decolonisation in Africa is complete."

Rosa Curling, solicitor from the public law team at Leigh Day, said:

"Our client has fought, for many years, to achieve this important and decisive victory for the Saharawi people. No longer can the UK government ignore the rights of the people of Western Sahara in their dealings with Morocco. We hope this court victory will mark a change in approach by the UK government and European Union Member States more generally on this important human rights issue."

 Natural Resources:
Support our latest action
Natural Resources
High Court confirms European court ruling on Western Sahara
WSC communication with the European External Action Service
Polisario thank WSCUK for court case win
Victory for the Saharawi; Victory for WSCUK
EU Legal Adviser: EU-Morocco Fisheries Deal is Invalid
Western Sahara Trade Dispute to be

Search wsahara.org.uk

Advanced search



WESTERN SAHARA CAMPAIGN UK
The Western Sahara Campaign works in solidarity with the Saharawi people to generate political support in order to advance their right to self-determination and to promote their human rights. Our role is to lobby the UK Government and the EU. You can help us to ensure the UK does not ignore the voice of the Saharawi people.



Follow the news about EU's illegal fisheries in Western Sahara



The EU pays Morocco to fish in occupied Western Sahara.

Tweet

Top