

**Question for written answer E-000820/2018
to the Commission**

Rule 130

Bodil Valero (Verts/ALE), Javier Couso Permuay (GUE/NGL), Neoklis Sylikiotis (GUE/NGL), Renata Briano (S&D), António Marinho e Pinto (ALDE), Brando Benifei (S&D), Ivo Vajgl (ALDE), Jytte Guteland (S&D), Marita Ulvskog (S&D), Isabella Adinolfi (EFDD), Sergio Gaetano Cofferati (S&D), Norbert Neuser (S&D), Miguel Urbán Crespo (GUE/NGL), Jean Lambert (Verts/ALE) and Ana Gomes (S&D)

Subject: Moroccan authorised importers based in Western Sahara

According to Article 11(1) of Regulation (EC) No 854/2004, 'products of animal origin shall be imported only from a third country or a part of third country that appears on a list drawn up and updated in accordance with the procedure referred to in Article 19(2)' of that regulation.

On 21 December 2016, the Court of Justice of the European Union (CJEU) ruled in Case C-104/16 P — Council v Front Polisario, that no trade or association agreement between the EU and Morocco may be applied to Western Sahara, as the territory is 'separate and distinct' from Morocco.

On 31 January 2017, in response to a written question, Commissioner Cañete stated that the Commission would henceforth act 'taking due account of the separate and distinct status of the territory of Western Sahara under international law'.

Since the CJEU's decision, the Commission has not drawn up a separate list of authorised importers from Western Sahara and continues to list importers based in the occupied territory of Western Sahara under a list of Moroccan importers.

Can the Commission explain why it does not consider the territory of Western Sahara as separate and distinct from Morocco, when implementing Article 11(1) of Regulation No 854/2004 in relation to importers based in Western Sahara?