



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 22 February 2013 (25.02)
(OR. fr)**

6771/13

**JUR 96
RELEX 166
PESC 214
COMEM 43
CONOP 29**

INFORMATION NOTE

from: Legal Service

to: COREPER II

Subject: Case before the General Court of the European Union:

- Case T-512/12 (Frente Popular de Liberación de Saguía-el-Hamra y Río de Oro (Front Polisario) v. Council of the European Union)
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1. By application notified to the Council on 6 February 2013, the Frente Popular de Liberación de Saguía-el-Hamra y Río de Oro (Front Polisario) has brought before the General Court an action for annulment of Council Decision 2012/497/EU of 8 March 2012 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco concerning reciprocal liberalisation measures on agricultural products, processed agricultural products, fish and fishery products, the replacement of Protocols 1, 2 and 3 and their Annexes and amendments 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.
2. In support of its action, the applicant sets out the following grounds:
 - lack of sufficient justification;
 - failure to respect the principle of consultation;
 - infringement of fundamental rights;

- infringement of the principle of Union policy consistency, through failure to respect the principle of sovereignty;
- infringement of the European Union's founding values and of the principles guiding the Union's external action;
- failure to comply with the objective of sustainable development;
- conflict with the principles and objectives of the Union's external action in the field of development cooperation;
- conflict with a number of agreements concluded by the EU (Association Agreement with Morocco, United Nations Convention on the Law of the Sea);
- infringement of the origin criterion deriving from the United Nations Convention on the Law of the Sea;
- conflict with general international law.

3. The Director-General of the Legal Service has appointed Ms Sophia KYRIAKOPOULOU, Mr Álvaro DE ELERA-SAN MIGUEL HURTADO and Ms Andrea WESTERHOF LÖFFLEROVÁ, legal advisers in the Council Legal Service, as the Council's agents in this case.
