



SECTIONS

Title
Documents in the Case
Legal analysis of the decision or of the case

Start printing



Judgment of the Court (Grand Chamber) of 27 February 2018
Western Sahara Campaign UK v Commissioners for Her Majesty's Revenue and Customs and Secretary of State for Environment, Food and Rural Affairs
Request for a preliminary ruling from the High Court of Justice (England & Wales), Queen's Bench Division (Administrative Court)
Reference for a preliminary ruling — Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco — Protocol setting out the fishing opportunities provided for by the agreement — Acts approving the conclusion of the agreement and of the protocol — Regulations allocating among the Member States the fishing opportunities set out by the protocol — Jurisdiction — Interpretation — Validity having regard to Article 3(5) TEU and international law — Applicability of that agreement and that protocol to the territory of Western Sahara and the waters adjacent thereto
Case C-266/16

Documents in the Case

Document	Date	Name of the parties	Subject-matter	Curia	EUR-Lex	Autres Liens
Judgment (OJ)	06/04/2018	Western Sahara Campaign UK	External relations			
Judgment ECLI:EU:C:2018:118	27/02/2018	Western Sahara Campaign UK	External relations			
Judgment (Summary) ECLI:EU:C:2018:118	27/02/2018	Western Sahara Campaign UK	External relations			
Application (OJ)	01/07/2016	Western Sahara Campaign UK	External relations			
Opinion ECLI:EU:C:2018:1	10/01/2018	Western Sahara Campaign UK	External relations			

Legal analysis of the decision or of the case

Reports of Cases

[published in the electronic Reports of Cases \(Court Reports - general\)](#)

Subject-matter

[Information not available](#)

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Citations of case-law or legislation

References in grounds of judgment

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Operative part

Interprets : TEU, Article 3 -P5
 Interprets : Agreement with Third Countries or International Bodies - 22006A0529(01)
 Validates : Regulation 764/2006
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Dates

Date of the lodging of the application initiating proceedings

13/05/2016

Date of the Opinion

10/01/2018

Date of the hearing

Information not available

Date of delivery

27/02/2018

References

Publication in the Official Journal

Judgment: OJ C 142 from 23.04.2018, p.3

Application: OJ C 260 from 18.07.2016, p.31

Name of the parties

Western Sahara Campaign UK

Notes on Academic Writings

1. Carlier, Jean-Yves ; Leboeuf, Luc: Droit européen des migrations, Journal de droit européen 2018 p.95-110 (FR)
2. Simon, Denys: Applicabilité des accords entre l'Union européenne et le Royaume du Maroc au territoire du Sahara occidental: Acte II, Europe 2018 avril n° 4 p.6-10 (FR)
3. Dubuisson, François ; Poissonnier, Ghislain: Pêche illégale des navires de l'UE dans les eaux du Sahara occidental, rendue « invisible » par la magie d'un arrêt du juge européen, Énergie - Environnement - Infrastructures 2018 n° 7 p.33-36 (FR)
4. González Vega, Javier A.: La guerra de los mundos: realidad versus formalismo jurídico o el poder de la interpretación (a propósito de la sentencia TJUE de 27 de febrero de 2018, Western Sahara Campaign UK, C-266/16), Revista de Derecho Comunitario Europeo 2018 n° 60 p.515-561 (ES)
5. Szepełak, Katarzyna: Możliwość powołania się na normy prawa międzynarodowego przy badaniu ważności umowy międzynarodowej zawartej przez UE z państwem trzecim, Europejski Przegląd Sądowy 2018 Vol. 12 (159) p.29-36 (PL)
6. Mensi, Andrea: The Case Western Sahara Campaign UK and the International and Institutional Coherence of European Union External Action. Opening Pandora's Box ?, European Foreign Affairs Review 2018 Vol.23 N° 4 p.549-564 (EN)
7. Ruiz Miguel, Carlos: L'Union européenne et le Sahara occidental : pas (seulement) une affaire de droits de l'homme, Cahiers de la recherche sur les droits fondamentaux 2018 n° 16 p.123-140 (FR)
8. Odermatt, Jed: Fishing in troubled waters, European Constitutional Law Review 2018 Vol.14, Issue 4 p.751-766 (EN)
9. Infante, Ilaria: Pesca sostenibile, Unione europea e Marocco: la sentenza della Corte di giustizia e le conseguenze per il popolo 'Saharawi' e la sua autodeterminazione, Diritti umani e diritto internazionale 2019 p. 403-409 (IT)
10. Andriantsimbazovina, Joël: 52. Accords internationaux - Contrôle de validité - Contrôle de compatibilité Contrôle a posteriori - Normes de référence. CJUE, qr. ch., 27 févr. 2018, n° C-266/16, Western Sahara Campaign UK, Les grands arrêts de la Cour de justice de l'Union européenne. Droit

Procedural Analysis Information

Source of the question referred for a preliminary ruling

High Court of Justice (England & Wales), Queen's Bench Division (Administrative Court) - United Kingdom

Subject-matter

Principles, objectives and tasks of the Treaties

Agriculture and Fisheries

- Fisheries policy

External relations

- Association Agreement

Provisions of national law referred to

Information not available

Provisions of international law referred to

Charte des Nations unies (26/06/1945), article 73 Convention des Nations Unies sur le droit de la mer (10/12/1982), articles 55 et 56

Procedure and result

Reference for a preliminary ruling

Reference for a preliminary ruling : case not proceeding to judgment

Formation of the Court

grande chambre (Cour)

Judge-Rapporteur

Malenovský

Advocate General

Wathelet

Language(s) of the Case

English

Language(s) of the Opinion

French