


Procedure file

Basic information	
NLE - Non-legislative enactments Decision	2010/0125(NLE) Procedure completed
EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco	
See also 1995/0363(AVC)	
Subject 6.40.05.02 Relations with the countries of the Great Maghreb and Maghreb 6.40.15 European neighbourhood policy	
Geographical area Morocco	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AFET Foreign Affairs	ALDE NEYTS-UYTTEBROECK Annemie Shadow rapporteur PPE PREDA Cristian Dan	14/07/2010
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA) Justice and Home Affairs (JHA)	3151 3034	08/03/2012 07/10/2010
European Commission	Commission DG External Relations	Commissioner FÜLE Štefan	

Key events			
17/05/2010	Preparatory document	COM(2010)0233	Summary
27/09/2010	Legislative proposal published	12712/2010	Summary
16/12/2010	Committee referral announced in Parliament		
24/01/2012	Vote in committee		
26/01/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0016/2012	Summary
14/02/2012	Results of vote in Parliament		

14/02/2012	Decision by Parliament	T7-0035/2012	Summary
08/03/2012	Act adopted by Council after consultation of Parliament		
08/03/2012	End of procedure in Parliament		
28/03/2012	Final act published in Official Journal		

Technical information

Procedure reference	2010/0125(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also 1995/0363(AVC)
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 217; Treaty on the Functioning of the EU TFEU 218-p8-a2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/02956

Documentation gateway

Preparatory document	COM(2010)0233	17/05/2010	EC	Summary
Legislative proposal	12712/2010	27/09/2010	CSL	Summary
Document attached to the procedure	12711/2010	27/09/2010	CSL	Summary
Committee draft report	PE454.733	13/12/2011	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0016/2012	26/01/2012	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T7-0035/2012	14/02/2012	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2012/176](#)
[OJ L 090 28.03.2012, p. 0001](#) Summary

EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco

PURPOSE: to conclude a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and Morocco, of the other part, on a Framework Agreement between the EU and Morocco on the general principles for the participation of Morocco in Union programmes.

BACKGROUND: the gradual opening-up of certain Union programmes and agencies to the participation of ENP partner countries under the European Neighbourhood Policy is one of the many measures to promote reform, modernisation and transition in the countries neighbouring on the EU. This policy is outlined in the [Commission communication](#) on the general approach to enable ENP partner countries to participate in Community agencies and Community programmes. The Council endorsed this approach on 5 March 2007. On the basis of that communication and those conclusions, on 18 June 2007 the Council issued directives to the Commission to negotiate Framework Agreements with Algeria, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine on the general principles governing their participation in Community programmes. The European Council of June 2007 reaffirmed the paramount importance of the European Neighbourhood Policy and endorsed a Presidency progress report submitted to the General Affairs and External Relations Council (GAERC) meeting held on 18 and 19 June 2007 and the relevant Council Conclusions. This report referred to the Council negotiating directives for the necessary additional protocols, identifying Israel, Morocco and Ukraine as likely to be the first partner countries to benefit from these measures. Negotiations with Israel concluded in September 2007 and a protocol was signed in April 2008. Negotiations with Ukraine have also been completed.

In June 2007 it was decided to start negotiations with the Morocco. These negotiations have since been completed to the satisfaction of the Commission. In the joint EU-Morocco document on establishing Morocco's advanced status in its relationship with the EU, Morocco expressed interest in taking part in certain programmes, in particular: the Competitiveness and Innovation Programme (CIP), Customs 2013, SESAR and Marco Polo.

LEGAL BASE: Article 217 in conjunction with Article 218(6)(a) and (8), second subparagraph of the TFEU.

IMPACT ASSESSMENT: no impact assessment was carried out.

CONTENT: the Commission is submitting a proposal on the conclusion of the protocol. It contains a Framework Agreement on the general principles for Morocco's participation in Union programmes. It contains standard clauses for application to all ENP partner countries with which such protocols are to be concluded. In accordance with Article 218(6)(a) of the Treaty on the Functioning of the European Union, the European Parliament will be asked to give its consent to the conclusion of this protocol. At the same time the Commission is presenting a proposal for a Council Decision on the signing of the protocol.

The main points of the Protocol may be summarised as follows:

- Morocco is authorised to take part in all current and future Union programmes opened to its participation in accordance with the provisions adopting these programmes;
- Morocco shall make a financial contribution to the general budget of the EU corresponding to its participation in specific programmes;
- the representatives of Morocco shall be allowed to take part, as observers and for the points which concern Morocco, in the management committees responsible for monitoring the programmes to which Morocco contributes financially;
- projects and initiatives submitted by participants from Morocco shall, wherever possible, be subject to the same conditions, rules and procedures for the programmes concerned as the Member States;
- the specific terms and conditions governing Morocco's participation in each programme, in particular the financial contribution payable and the reporting and evaluation procedures, shall be determined by agreement between the Commission, acting on behalf of the Union, and the competent Moroccan authorities (Memorandum of Understanding);
- if Morocco applies for Union external assistance to participate in a given Union programme on the basis of Article 3 of Regulation (EC) No 1638/2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument or under any similar regulation providing for Union external assistance to Morocco that may be adopted in future, the conditions governing the use by Morocco of Union assistance shall be set out in a financing agreement in accordance with, in particular, Article 20 of Regulation (EC) No 1638/2006;
- each Memorandum of Understanding shall stipulate, in accordance with the Community's Financial Regulation, that financial controls, audits or other checks, including administrative investigations, will be carried out by, or under the authority of, the European Commission, the European Anti-Fraud Office and the Court of Auditors;
- detailed provisions shall be adopted for financial controls and audits, administrative measures, penalties and recoveries that accord the European Commission, the European Anti-Fraud Office and the Court of Auditors powers equivalent to their powers with regard to beneficiaries or contractors established in the Union.

The Council is invited to adopt the proposed Decision on the conclusion of the protocol.

BUDGETARY IMPLICATIONS: the proposal has no implications for the Union's budget. Morocco shall make a financial contribution to the general budget of the European Union corresponding to its participation in specific programmes. To finance its participation, Morocco may apply for external assistance on the basis the Regulation laying down general provisions establishing a European Neighbourhood and Partnership Instrument or pursuant to any similar Regulation providing for Union external assistance to Morocco.

EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco

This document presents the definitive text of the Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and Morocco, of the other part, on a framework agreement between the European Union and Morocco on the general principles for the participation of Morocco in Union programmes.

To recall, on 26 February 1996, Morocco concluded a [Euro-Mediterranean Agreement](#) establishing an association between the European Communities and their Member States, of the one part, and Morocco, of the other part.

The Brussels European Council of 17 and 18 June 2004 welcomed the Commission's proposals for a European Neighbourhood Policy (ENP) and endorsed the Council conclusions in favour of this policy.

The Council has on numerous later occasions adopted conclusions supporting that policy.

On 5 March 2007, the Council expressed support for the general and global approach outlined in the Commission's communication of 4

December 2006 to enable ENP partners to participate in Community agencies and Community programmes on their merits and where authorised by the relevant legal bases.

Given that Morocco has expressed its desire to participate in a number of Union programmes, it is necessary to determine the detailed arrangements, in particular the financial contribution and the reporting and evaluation procedures, applicable to Morocco's participation in any particular programme by a protocol between the Commission and the competent Moroccan authorities.

For further details of the main provisions of the Protocol and its financial implications for the EU as well as Morocco, please refer to the summary of the previous initial legislative document dated 17/05/2010.

EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco

PURPOSE: to conclude a Protocol to the EU-Morocco Euro-Mediterranean Agreement on the general principles for the participation of Morocco in Union programmes.

PROPOSED ACT: Council Decision.

BACKGROUND: the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and its Member States, of the one part, and the Kingdom of Morocco, of the other part, on a framework agreement between the European Union and the Kingdom of Morocco on the general principles for the participation of the Kingdom of Morocco in Union programmes was signed on behalf of the Union.

It is now necessary to conclude the protocol on behalf of the Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASE: Article 217, in conjunction with point (a)(i) of Article 218(6) and the second subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: under this draft Decision, the Protocol to the EU-Morocco Euro-Mediterranean Agreement on the general principles for the participation of Morocco in Union programmes is hereby approved on behalf of the Union.

The text of the Protocol is attached to the Decision (see Council doc. [12711/10](#)).

For details of the content of the Protocol please refer to the previous initial legislative document dated 17/05/2010.

BUDGETARY IMPLICATION: the proposal has no implications for the Union's budget. Morocco shall make a financial contribution to the general budget of the European Union corresponding to its participation in specific programmes. To finance its participation, Morocco may apply for external assistance on the basis the Regulation laying down general provisions establishing a European Neighbourhood and Partnership Instrument or pursuant to any similar Regulation providing for Union external assistance to Morocco.

EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco

The Committee on Foreign Affairs adopted the report drafted by Annemie NEYTS-UYTTEBROECK (ADLE, BE) in which it recommends that the European Parliament gives its consent to the Proposal for a Council decision on the conclusion of a Protocol 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, on a framework agreement between the European Union and the Kingdom of Morocco on the general principles for the participation of Kingdom of Morocco in Union programmes.

Members consider that the EU is supporting and strongly encouraging Morocco in its efforts to intensify its reforms and to initiate future ones, whilst guaranteeing that its citizens will play a real role therein.

EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco

The European Parliament adopted a legislative resolution on the draft Council Decision on the conclusion of a Protocol 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, on a framework agreement between the European Union and the Kingdom of Morocco on the general principles for the participation of Kingdom of Morocco in Union programmes.

Parliament gave its consent to the conclusion of the Protocol.

EU/Morocco framework agreement: participation of Morocco in Union programmes. Protocol to the Euro-Mediterranean Agreement establishing an association EC/Morocco

PURPOSE: to conclude a Protocol to the Euro-Mediterranean Agreement between the EU and Morocco on the general principles for the participation of Morocco in Union programmes.

NON-LEGISLATIVE ACT: Council Decision 2012/176/EU on the conclusion of a Protocol 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, on a framework agreement between the European Union and the Kingdom of Morocco on the general principles for the participation of the Kingdom of Morocco in Union programmes.

BACKGROUND: the gradual opening-up of certain Union programmes and agencies to the participation of ENP partner countries under the European Neighbourhood Policy is one of the many measures to promote reform, modernisation and transition in the countries neighbouring on the EU. This policy is outlined in the [Commission communication](#) on the general approach to enable ENP partner countries to participate in Community agencies and Community programmes. The Council endorsed this approach on 5 March 2007.

On the basis of that communication and those conclusions, on 18 June 2007 the Council issued directives to the Commission to negotiate Framework Agreements with Algeria, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine on the general principles governing their participation in Community programmes.

In June 2007, it decided to start negotiations with Morocco. The Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and its Member States, of the one part, and the Kingdom of Morocco, of the other part, on a framework agreement between the EU and Morocco on the general principles for the participation of Morocco in Union programmes was signed on behalf of the Union on 7 October 2010.

It is now necessary to conclude this Protocol on behalf of the European Union.

CONTENT: by this Decision, the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Morocco, of the other part, on a framework agreement between the European Union and Morocco on the general principles for the participation of Morocco in Union programmes is hereby approved on behalf of the Union.

The text of the Protocol is attached to this Decision.

It concerns in particular the general principles for the participation of Morocco in programmes such as the Competitiveness and Innovation Programme (CIP), Customs 2013, SESAR and Marco Polo. It contains standard clauses for application to all ENP partner countries with which such protocols are to be concluded.

The specific terms and conditions, including the financial contribution and reporting and evaluation procedures, applicable to Morocco's participation in any particular programme should be determined by agreement between the European Commission, acting on behalf of the Union, and Morocco.

The main points of the Protocol may be summarised as follows:

- Morocco is authorised to take part in all current and future Union programmes opened to its participation in accordance with the provisions adopting these programmes;
- it shall make a financial contribution to the general budget of the EU corresponding to its participation in specific programmes;
- the representatives of Morocco shall be allowed to take part, as observers and for the points which concern Morocco, in the management committees responsible for monitoring the programmes to which Morocco contributes financially;
- projects and initiatives submitted by participants from Morocco shall, wherever possible, be subject to the same conditions, rules and procedures for the programmes concerned as the Member States;
- the specific terms and conditions governing Morocco's participation in each programme, in particular the financial contribution payable and the reporting and evaluation procedures, shall be determined by agreement between the Commission, acting on behalf of the Union, and the competent Moroccan authorities (Memorandum of Understanding);
- financial controls, audits or other checks, including administrative investigations, will be carried out by, or under the authority of, the European Commission, the European Anti-Fraud Office and the Court of Auditors;
- this Protocol shall apply for the period during which the EU-Morocco Euro-Mediterranean Agreement is in force.

ENTRY INTO FORCE: the negotiated text provides that the parties shall provisionally apply the provisions of the Protocol from the date of its signature. The Decision shall enter into force on 8 March 2012.