

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

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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.

PROPOSED ACT: Council Decision.

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.