

## Basic information

2018/0256M(NLE)

NLE - Non-legislative enactments  
Decision

Procedure completed

EC/Morocco Euro-Mediterranean Association Agreement: amending  
Protocols 1 and 4

Accompanying procedure [2018/0256\(NLE\)](#)

### Subject

6.20.03 Bilateral economic and trade agreements and relations  
6.40.05.02 Relations with the countries of the Great Maghreb and  
Maghreb

### Geographical area

Morocco

## Key players

European Parliament

### Committee responsible

INTA

International Trade

### Rapporteur

SCHAAKE Marietje (ALDE)

### Appointed

10/12/2018

### Shadow rapporteur

CICU Salvatore (PPE)

PACKET Ralph (ECR)

LE HYARIC Patrick (GUE  
/NGL)

JADOT Yannick (Verts  
/ALE)

BEGHIN Tiziana (EFDD)

### Committee for opinion

AFET

Foreign Affairs

### Rapporteur for opinion

VISTISEN Anders (ECR)

### Appointed

20/06/2018

AGRI

Agriculture and Rural Development

DANTIN Michel (PPE)

30/08/2018

PECH

Fisheries

TORVALDS Nils (ALDE)

10/10/2018

Council of the European  
Union

## Key events

Date	Event	Reference	Summary
05/07/2018	Committee referral announced in Parliament		
13/09/2018	Committee referral announced in Parliament		
10/12/2018	Vote in committee		
20/12/2018	Committee report tabled for plenary	<a href="#">A8-0478/2018</a>	<a href="#">Summary</a>
16/01/2019	Decision by Parliament	<a href="#">T8-0016/2019</a>	<a href="#">Summary</a>
16/01/2019	Results of vote in Parliament		
16/01/2019	End of procedure in Parliament		

## Technical information

Procedure reference	2018/0256M(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Motion for a resolution under consent procedure
Legislative instrument	Decision
Amendments and repeals	Accompanying procedure <a href="#">2018/0256(NLE)</a>
Legal basis	Rules of Procedure EP 107-p2
Stage reached in procedure	Procedure completed
Committee dossier	INTA/8/13839

## Documentation gateway

### European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE627.726</a>	01/10/2018	
Amendments tabled in committee		<a href="#">PE630.461</a>	13/11/2018	
Committee opinion	<a href="#">AGRI</a>	<a href="#">PE627.628</a>	14/11/2018	
Committee opinion	<a href="#">AFET</a>	<a href="#">PE628.385</a>	21/11/2018	
Committee opinion	<a href="#">PECH</a>	<a href="#">PE629.477</a>	27/11/2018	
Committee report tabled for plenary, single reading		<a href="#">A8-0478/2018</a>	20/12/2018	<a href="#">Summary</a>
Text adopted by Parliament, single reading		<a href="#">T8-0016/2019</a>	16/01/2019	<a href="#">Summary</a>

### European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	<a href="#">SP(2019)355</a>	28/05/2019	

Additional information		
Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

## EC/Morocco Euro-Mediterranean Association Agreement: amending Protocols 1 and 4

2018/0256M(NLE) - 20/12/2018 - Committee report tabled for plenary, single reading

The Committee on International Trade adopted the report by Marietje SCHAAKE (ALDE, NL) containing a motion for a non-legislative resolution on the draft Council decision on the conclusion of the agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 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.

### **Background**

The European Union and the Kingdom of Morocco enjoy historical relations and maintain close cooperation developed through a broad partnership that covers political, economic and social aspects, as strengthened by the advanced status and the willingness of both parties to further develop it.

The Liberalisation Agreement between the EU and Morocco entered into force on 1 September 2013. However, on 10 December 2015 the first instance of the Court of Justice of the European Union repealed the Council decision to conclude the Liberalisation Agreement. It was determined that the Liberalisation Agreement did not provide a legal basis for Western Sahara to be included, and therefore could not apply to this territory.

Following the CJEU judgment, the Council gave the Commission a mandate to modify protocols 1 and 4 of the Euro-Mediterranean Association Agreement in order to allow for the inclusion of Western Saharan products. Their inclusion by definition necessitates some form of traceability to identify such products.

Members stressed that:

- since the CJEU judgment, Member States cannot legally apply trade preferences to products from the non-self-governing territory of Western Sahara and that the legal uncertainty affecting economic operators has to come to an end;
- this agreement does not imply any form of recognition of Morocco's sovereignty over Western Sahara, presently listed by the United Nations as a non-self-governing territory,
- the agreement can lead to the promotion of social and sustainable development which makes a key contribution to current economic, social and environmental development and to the potential creation of both low- and high-skilled local employment opportunities with an estimated 59 000 or so jobs are dependent on exports, corresponding to roughly 10 % of the population living in the territory;
- without this agreement in force, including the mechanism allowing for the identification of products, it will be impossible to know whether, and how many, products originating in the non-self-governing territory of Western Sahara are entering the European market;
- the EU tariff preferences have had a positive impact on the agricultural and fisheries products sectors and their export levels in the non-self-governing territory of Western Sahara;
- the EU's ongoing engagement in the territory will have a positive leverage effect on its sustainable development;
- a key criterion for Parliament before giving its consent to the agreement is to ensure that a mechanism will be put in place for Member States' customs authorities to have access to reliable information on products originating in Western Sahara and imported into the EU, in full compliance with EU customs legislation;

The Commission is called on to promote equivalency of measures and controls between Morocco and the European Union in the area of sanitary, phytosanitary, traceability and environmental standards as well as labelling of origin rules, in order to guarantee fair competition between the two markets.

## EC/Morocco Euro-Mediterranean Association Agreement: amending Protocols 1 and 4

2018/0256M(NLE) - 16/01/2019 - Text adopted by Parliament, single reading

The European Parliament adopted by 442 votes to 172, with 65 abstentions, a non-legislative resolution on the draft Council decision on the conclusion of the agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 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.

Parliament also adopted a [legislative resolution](#) on the draft Council Decision.

### ***Background***

The European Union and the Kingdom of Morocco enjoy historical relations and maintain close cooperation developed through a broad partnership that covers political, economic and social aspects, such as security of migrants, as strengthened by the advanced status and the willingness of both parties to further develop it.

The Liberalisation Agreement between the EU and Morocco entered into force on 1 September 2013. However, on 10 December 2015 the first instance of the Court of Justice of the European Union repealed the Council decision to conclude the Liberalisation Agreement. It was determined that the Liberalisation Agreement did not provide a legal basis for Western Sahara to be included, and therefore could not apply to this territory.

Following the CJEU judgment, the Council gave the Commission a mandate to modify protocols 1 and 4 of the Euro-Mediterranean Association Agreement in order to allow for the inclusion of Western Saharan products. Their inclusion by definition necessitates some form of traceability to identify such products.

### ***Recommendations***

Parliament stressed that:

- since the CJEU judgment, Member States cannot legally apply trade preferences to products from the non-self-governing territory of Western Sahara and that the legal uncertainty affecting economic operators has to come to an end;
- this agreement does not imply any form of recognition of Morocco's sovereignty over Western Sahara, presently listed by the United Nations as a non-self-governing territory for the purposes of Article 73 of its Charter; the EU's position remains that of supporting UN efforts to secure a just, lasting and mutually acceptable solution to the conflict in Western Sahara that will provide for the self-determination of the people of Western Sahara, in accordance with international law;
- the agreement can lead to the promotion of social and sustainable development which makes a key contribution to current economic, social and environmental development and to the potential creation of both low- and high-skilled local employment opportunities with an estimated 59 000 or so jobs are dependent on exports, corresponding to roughly 10 % of the population living in the territory;
- without this agreement in force, including the mechanism allowing for the identification of products, it will be impossible to know whether, and how many, products originating in the non-self-governing territory of Western Sahara are entering the European market;
- during inclusive consultations led by the Commission and the EEAS with a range of Western Saharan organisations and other organisations and bodies, majority support was expressed, by the parties participating, for the socio-economic benefits the proposed tariff preferences would bring;
- the EU tariff preferences have had a positive impact on the agricultural and fisheries products sectors and their export levels in the non-self-governing territory of Western Sahara;
- the EU's ongoing engagement in the territory will have a positive leverage effect on its sustainable development, the local population will profit from economic development and the spill-over effects created in terms of investment in infrastructure, employment, health and education;
- a key criterion for Parliament before giving its consent to the agreement is to ensure that a mechanism will be put in place for Member States' customs authorities to have access to reliable information on products originating in Western Sahara and imported into the EU, in full compliance with EU customs legislation;

The Commission is called on to promote equivalency of measures and controls between Morocco and the European Union in the area of sanitary, phytosanitary, traceability and environmental standards as well as labelling of origin rules, in order to guarantee fair competition between the two markets.