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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	19 February 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2018) 72 final - Annex
Subject:	ANNEX to the Proposal for a COUNCIL DECISION on the signing, on behalf of the European Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

Delegations will find attached document COM(2018) 72 final - Annex.

Encl.: COM(2018) 72 final - Annex



Brussels, 19.2.2018
COM(2018) 72 final

ANNEX

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to the

Proposal for a COUNCIL DECISION

on the signing, on behalf of the European Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

ANNEX

Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

The European Union (hereinafter 'the Union'),
of the one part,
and
the Kingdom of Morocco (hereinafter 'Morocco'),
of the other part,
(hereinafter 'the Parties')

Whereas 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, which entered into force on 1 March 2000, provides for the scientific, technical and technological cooperation;

Whereas the Agreement on Scientific and Technological Cooperation between the European Community and the Kingdom of Morocco, which entered into force on 14 March 2015, establishes a formal framework for cooperation of the Parties in scientific and technological research;

Whereas the process leading to PRIMA started with the Euro-Mediterranean Conference on Science, Technology and Innovation in Barcelona in 2012 where participants agreed to launch a renewed partnership in research and innovation based on the principles of co-ownership, mutual interest and shared benefit;

Whereas Morocco has been playing an active role in this process and by letter of 26th September 2014 formally expressed its financial commitment to PRIMA;

Whereas in December 2014, the proposal for a "PRIMA Joint Programme" was submitted to the European Commission by a number of EU Member States and non-EU countries, Morocco among them;

Whereas Decision (EU) 2017/1324 of the European Parliament and of the Council on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States regulates the terms and conditions for the participation of the EU Member States and Countries Associated to Horizon 2020 who are Participating States of the initiative, in particular their financial obligations and participation in the governing structures of the initiative;

Whereas according to the terms of Decision (EU) 2017/1324 Morocco is to become a Participating State in PRIMA subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions of Morocco's participation in PRIMA;

Whereas Morocco expressed its wish to join PRIMA as a Participating State and on an equal footing with the EU Member States and Countries Associated to Horizon 2020 participating in PRIMA;

Whereas an international agreement between the Union and Morocco is needed to regulate the rights and obligations of Morocco as PRIMA Participating State,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose

The purpose of this Agreement is to set out the terms and conditions for participation of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA).

Article 2

Terms and conditions of participation of Morocco in PRIMA

The terms and conditions for the participation of Morocco in PRIMA shall be those set out in Decision (EU) 2017/1324 of the European Parliament and of the Council on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States. The Parties shall comply with the obligations established by that Decision and take appropriate measures, in particular by providing all necessary assistance in order to ensure the application of its Articles 10(2) and 11(3) and (4). The detailed arrangements for assistance shall be agreed between the Parties, such arrangements being essential to their cooperation under this Agreement.

Article 3

Territorial application

The territorial application of this Agreement shall be that established in 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.

Article 4

Signature and provisional application

This agreement shall be applied provisionally from the date of its signing.

Article 5

Entry into force and duration

1. This Agreement shall be approved by the Parties in accordance with their own procedures.
2. This Agreement shall enter into force on the date on which both Parties notified each other through diplomatic channels that the procedures referred to in the first paragraph have been completed.
3. This Agreement shall remain in force for as long as Decision (EU) 2017/1324 is in force, unless terminated by either Party in accordance with Article 6.

Article 6

Termination

1. Either Party may terminate this Agreement at any time by a written notice informing the other Party of the intent to terminate it.

The termination shall take effect six months after the date at which the written notice reaches its addressee.

2. Projects and activities in progress at the time of termination of this Agreement shall continue until their completion under the conditions laid down in this Agreement.
3. Parties shall settle by common consent any other consequences of termination.

Article 7

Dispute settlement

The dispute settlement procedure provided for in Article 86 of 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 shall apply to all disputes related to the application or interpretation of this Agreement.

This Agreement shall be drawn up in duplicate in Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Arabic languages, each text being equally authentic.