



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 9 December 2013 (12.12)
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"I/A" ITEM NOTE

From:	General Secretariat of the Council
On:	9 December 2013
To:	Coreper/Council
Subject:	Relations with Morocco - Adoption of the European Union's position for the Association Council's eleventh meeting (Brussels, 16 December 2013)

1. In preparation for the eleventh meeting of the EU-Morocco Association Council on 16 December 2013, the Mashreq/Maghreb Working Party has finalised the draft EU statement and the draft agenda as set out in Annexes I and II hereto.
2. Subject to confirmation by Coreper, the Council is requested to approve the draft EU statement and the draft agenda as set out in Annexes I and II hereto as an "A" item at a forthcoming meeting.

**ELEVENTH MEETING OF THE
EU-MOROCCO ASSOCIATION COUNCIL
(Brussels, 16 December 2013)**

Statement by the European Union

1. The European Union (EU) warmly welcomes this eleventh meeting of the Association Council, which comes at a time when relations between Morocco and the European Union have progressed to a new stage thanks to the adoption of the new 2013-2017 joint Action Plan implementing Morocco's advanced status. The two sides are thus united in their wish to strengthen relations at all levels – political, economic, sectoral and human. The EU is determined to engage on a long-term basis with Morocco, which has distinguished itself by its vision and commitment in the context of the European Neighbourhood Policy.

The EU continues to recognise and support Morocco's strategic choice to root its reforms and modernisation in the EU. The **partnership with Morocco**, which plays a key role in a changing region, as well as in the Mediterranean and in Africa, based particularly on an attachment to the shared values of democracy, the rule of law and human rights, remains of fundamental importance to the EU.

2. The adoption in October 2008 of the **joint document on establishing Morocco's advanced status** marked an important stage in the development of relations and strengthening of the partnership between the EU and Morocco. The holding of the 1st Morocco-EU Summit on 7 March 2010 in Granada confirmed those ambitions by highlighting the specific nature of the EU-Morocco partnership.

The EU and Morocco continue to work towards strengthening this partnership within its new setting, namely the implementation of the new Constitution of the Kingdom, which was adopted on 1 July 2011, and the implementation of the new strategy developed by the EU in 2011.

3. Two years after the adoption of the new Constitution, **the EU welcomes the progress achieved** and intends to support Morocco in the process of furthering democracy and the rule of law, respect for human rights, fundamental freedoms and gender equality, as well as developing a sustainable and inclusive economy capable of reducing social and territorial disparities.

On a political level, the EU notes that only the framework law on the Economic, Social and Environmental Council was adopted in 2013. The EU encourages Morocco to continue with the adoption of all the organic laws, as well as the laws and regulations, necessary to ensure that the new Constitution is implemented effectively.

4. As regards **democratic principles and human rights**, the EU encourages Morocco to redouble its efforts to implement its commitments in terms of supporting human rights and ensuring the necessary safeguards are in place to guarantee the independence of the institutions responsible for their protection. It encourages Morocco to actively strengthen the role of civil society and promote the equality of men and women and non-discrimination in all areas. The EU welcomes Morocco's adoption of the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and is ready to support the Moroccan authorities in their efforts in that area. The EU welcomes Morocco's cooperation with the United Nations Special Rapporteur on torture and encourages Morocco to take account of his recommendations for combating acts of torture. It commends Morocco on having ratified the International Convention for the Protection of All Persons from Enforced Disappearance in May and encourages the preparatory work on an integrated public policy to protect children from violence, neglect and exploitation.

The EU welcomes the adoption of the Government's 2012-2015 equality plan, which the EU has already begun to support. The EU encourages Morocco, in parallel with the process of aligning national law with the Constitution, to withdraw the statements interpreting the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

The EU notes the continued moratorium on the death penalty. It invites Morocco to abolish capital punishment, to commute all death sentences which have been pronounced and to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The EU also welcomes the stronger cooperation between Morocco and the Council of Europe in numerous areas.

In implementing the new Constitution, the EU invites Morocco to speed up its efforts to ensure respect for human rights, in particular by furthering freedom of association, of assembly, of expression and of the press. The EU invites Morocco to complete the press code reform through an inclusive process, bringing it in line with international standards on freedom of expression, and calls for the suppression of any custodial sentences in this context.

The reform of the justice system in order to make it more accessible and independent represents one of the most important parts of the constitutional reforms being carried out by the government. The EU welcomes the creation of the national charter for judicial reform by the high commission for national dialogue on judicial reform. The EU stresses the importance of inclusivity and encourages Morocco to put into practice an action plan setting out the measures required to implement the charter, together with a timetable for implementation. The EU reaffirms its willingness to support the implementation of this fundamental reform in order to fulfil the aspirations of the Moroccan people. The EU invites Morocco to make it a priority to adopt organic laws relating to the Supreme Judicial Council and the new status accorded to judges. In this context, the necessary human and financial resources should be made available to allow the effective implementation of this reform. The EU remains determined to support the completion of this important wide-reaching project.

The EU encourages the adoption of proposals by the CNDH (National Council for Human Rights) on revising the code of military of justice to ensure that civilians can no longer be tried in military courts, and notes with interest Morocco's official statements on this matter.

5. The high-level **political and strategic dialogue** between the EU and Morocco has continued, with the President of the European Commission visiting Rabat in March, accompanied by the European Commissioner for Home Affairs. The dialogue which took place covered both bilateral issues and regional issues of mutual interest. The seventh Reinforced Political Dialogue meeting took place in January 2013. The most recent informal strategic dialogue took place in March 2013. Finally, the EU Special Representative for the Sahel travelled to Rabat in July and November 2013.

The work of the EU-Morocco Joint Parliamentary Commission has intensified, with working meetings taking place almost every month and an interparliamentary meeting in Brussels in September 2013. Morocco's participation in the United Nations Security Council in 2012-2013 allowed it to make a constructive contribution to major international political files and to crisis management. The EU congratulates Morocco on its election to the United Nations Human Rights Council and wishes to strengthen its cooperation with Morocco in that forum.

The EU reiterates its strong and unequivocal condemnation of all forms of terrorism and wishes to recall the importance of the established cooperation with Morocco on this issue, which it stands ready to develop further. The EU Counter-Terrorism Coordinator has visited Morocco on two occasions recently in order to explore possibilities for strengthening cooperation.

6. On the **socio-economic front**, the EU notes that Morocco's economy has started growing again after the 2012 slowdown, despite the adverse economic situation of its main trading partners, in particular the EU. The EU stresses the importance of adopting the organic law on finance as soon as possible, and also notes the improvements in the business climate favouring job creation in the private sector. However, unemployment is still high, particularly among young people, graduates and women. The youth unemployment level is particularly worrying, especially when combined with the high level of informal employment.

The reforms aimed at making it easier to find alternatives to informal work, as well as policies supporting economic activity, should therefore represent a significant contribution to improving the employment situation. The EU recognises the importance of the adoption of the law creating the national agency to fight illiteracy and of its implementing decree. At the same time, the EU encourages Morocco to put together an integrated strategy to fight poverty and social exclusion, in particular by improving the quality of education and basic training, in order to reduce the school drop-out rate and increase the level of literacy, to give young people the tools and techniques to improve their employability and better integrate into the labour market, as well as continuing to implement an integrated strategy for employment and professional training aiming to increase the employment rate, in particular among women and young people, to meet the requirements of the business sector. The establishment of the "MOUBADARA" programme [1] and the launch of the "TAETIR" programme [2] represent a step forward and these efforts should be stepped up. With a view to combating social exclusion, the EU also welcomes Morocco's efforts to tackle illiteracy and the results achieved, and encourages Morocco to continue this work.

In order to improve social cohesion, the EU invites Morocco to continue its efforts to ensure good governance in the management of State affairs, take decisive action against corruption, improve social protection, reform the pension system and speed up the reform of the generalised subsidies system in order to effectively target the most disadvantaged sections of the population.

The EU acknowledges Morocco's commitment in this area by continuing the Social Cohesion Fund created in 2012, and welcomes the inclusion of that fund in the draft budget for 2014. The EU welcomes the progress made in discussions on the implementation of provisions for the coordination of social security between Morocco and the EU as provided for in the EU-Morocco Euro-Mediterranean Association Agreement. Where social dialogue is concerned, the EU encourages Morocco to ratify ILO Convention No 87 on the freedom of association as soon as possible. The EU also underlines the importance of restoring bilateral social dialogue between the representatives of the social partners with a view to facilitating a fair distribution of the benefits of economic growth, the implementation of the Labour Code and the necessary reforms in the area of employment and social protection.

7. On **migration**, the EU warmly welcomes the signing of the EU-Morocco Mobility Partnership on 7 June 2013, which marked a qualitative leap in the EU's relations with Morocco, establishing structural and comprehensive cooperation on mobility, migration and international protection. Negotiations will soon begin on how to facilitate the issuing of visas and better cooperate on readmission. Morocco is the first Mediterranean country with which the EU has entered into such a partnership. The EU warmly welcomes the decisions made, which aim to establish a new migration and asylum policy, to include in particular official recognition of the status of many refugees and regularisation of irregular migrants, with the aim of fully respecting human rights in accordance with the recommendations of the National Council for Human Rights published in September 2013, and highlights the relevance of the Mobility Partnership in supporting Morocco's implementation of this policy. It is important that this new vision translates to a strategy which anticipates the impact of migration on Morocco's public policy. The EU notes with interest the preliminary conclusions of the United Nations Special Rapporteur on trafficking in persons.

8. On a **bilateral** level, the EU welcomes the implementation of the Agreement concerning reciprocal liberalisation measures with regard to agricultural products, processed agricultural products, fish and fishery products. One year after its entry into force, the first effects on trade are apparent, in the form of an increase in trade in the main products of both parties. Moreover, as provided for in the agreement, the two parties have started negotiations on the mutual protection of their geographical indications. The EU notes the progress made in these discussions which should be concluded in the first half of 2014. The EU welcomes the conclusion of negotiations on a new protocol to the Fisheries Partnership Agreement, signed on 18 November 2013, which both parties are expected to ratify as soon as possible. The EU encourages Morocco to ratify the regional agreement on Pan-Euro-Mediterranean preferential rules of origin.

9. **Trade** between Morocco and the EU continued to grow in 2012 to the benefit of both parties, and the EU remains by far Morocco's main trading partner. The EU welcomes the negotiations on a deep and comprehensive free trade agreement (DCFTA), launched on 1 March 2013. The DCFTA will aim to facilitate the gradual integration of Morocco into the European internal market. It will extend well beyond the scope of the existing Association Agreement, including for example trade in services, public procurement, competition, intellectual property rights, investment protection and the gradual integration of the Moroccan economy into the EU single market, in areas such as industrial and technical standards or sanitary and phytosanitary measures. The preparatory process has been very productive and Morocco has already made a considerable effort to bring its regulations closer to those of the EU. Given this solid foundation, the EU hopes that the negotiations will be successful. The EU wishes that, with its support, Morocco can develop a national regulatory convergence action plan which will guide this process on a strategic level and which, together with the DCFTA, will give more impetus to reforms.

10. The EU welcomes the regular holding of **meetings of the subcommittees of the Association Agreement**. The Association Committee met in June 2013, providing an opportunity to take stock of the work of the subcommittees and to handle cross-cutting issues of interest to both parties. The EU welcomes the implementation of the new Action Plan since 1 January 2013, on a provisional basis until its definitive adoption at the Association Council.

11. As regards **technical and financial cooperation**, the EU welcomes the continuation of a close and constructive relationship. In 2013, a significant number of new cooperation programmes were adopted to support the sectoral reforms initiated by Morocco. Those programmes - in a wide range of areas, including educational reform, social protection, rural development, support for SMEs and regulatory convergence - are intended to enable Morocco to improve the performance of its public and social services, so as to ensure greater social equity and also to create the conditions for job-creating economic growth.

Cooperation with the European Union is implemented partly by means of the budget support instrument, allowing sectoral policies to be supported while establishing a frank and constructive dialogue on the reforms that have been implemented. In parallel, technical assistance instruments such as institutional twinning and TAIEX continue to ensure a fruitful exchange of expertise with a view to progress on convergence in a number of key sectors. The European Union is also continuing to mobilise funds (loans and grants) to enable a number of European or international financial institutions to co-finance infrastructure investment in Morocco on advantageous terms. Support for civil society organisations also remains a fundamental element of European Union cooperation and has been stepped up during 2013 in line with the new Neighbourhood Policy. In this, the Civil Society Facility will help to ensure that the capabilities of civil society actors are enhanced.

In 2013, a sustained dialogue also made it possible to reach agreement on the priorities for bilateral cooperation in the 2014 to 2017 period. The priorities that have been identified focus on three areas, and should enable the EU to support the success of particularly important reform initiatives in areas where the Moroccan authorities have already provided guidance, for example in the sectors of justice, professional training and health system reform.

The new European Neighbourhood Instrument (2014-2020), which is the successor to the European Neighbourhood and Partnership Instrument (2007-2013), will remain the main instrument for technical and financial cooperation between the EU and Morocco. In line with the principles of the revised European Neighbourhood Policy, the Instrument establishes a framework for the development of special relationships with partners based on cooperation, peace and security, mutual accountability, and a shared commitment to the universal values of democracy, the rule of law and respect for human rights. It provides for the creation of mechanisms enabling the EU's technical and financial cooperation to reflect not only the needs of the partner but also its level of ambition and interest in the implementation of the partnership programme established with the EU, and allowing additional financial support to be granted to partners which have been able to demonstrate that tangible progress has been made.

12. The EU repeats its commitment to the **integration of the Maghreb countries**, since the emergence of increased regional cooperation would contribute to the prosperity and stability of the region. The EU welcomes Morocco's active role and recalls the joint communication by the European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy of 17 December 2012 entitled: "Supporting closer cooperation and regional integration in the Maghreb: Algeria, Libya, Mauritania, Morocco and Tunisia". At a meeting between the Ministers for Foreign Affairs of the five countries of the Maghreb and the European Commissioner for Enlargement and European Neighbourhood Policy, held in New York on 27 September 2013, a framework for following up that communication was agreed. Four priority areas for cooperation were defined: political dialogue and security cooperation; agricultural development, environment and water resources; industrial development, infrastructure, trade, investment and technology; and human development. The EU is ready to step up its support, establish synergies and increase coordination with initiatives under way at bilateral level.

The 5+5 summit held in Malta in October 2012, which demonstrated a common desire to intensify cooperation in the western Mediterranean, and the tenth meeting of the **5+5 Dialogue** held in Nouakchott in April 2013 were a turning point for the western Mediterranean. Following the decisions taken, the meeting of the First Economic Forum was held in Barcelona on 23 October 2013.

In the light of developments in the region and in the neighbouring Sahel region, enhanced cooperation between the countries of the Maghreb in the political, economic and security fields is indeed essential. The EU stands ready to lend its full support to such initiatives. The EU expresses the hope that Morocco and Algeria will be able to contribute to increased regional cooperation, and that relations between the two countries will grow stronger and deeper, so that they are able to achieve full and fruitful cooperation and re-open their land border.

13. The EU reaffirms the importance of the **Union for the Mediterranean (UfM)**, which is closely linked to the European Neighbourhood Policy and to bilateral relations between the EU and its partners in the Southern Mediterranean. Its objective is effective regional cooperation that is focused on results and based on concrete projects. In this respect it welcomes the central role played by Morocco within the UfM and welcomes the success of the ministerial meetings on women and on transport, held in September and November 2013 respectively. The EU reaffirms its support for the UfM Secretariat in its task of bringing together states, financial institutions and the private sector around specific projects which will generate innovation, growth and jobs throughout the region.

14. The EU restates its commitment to the resolution of the conflict in **Western Sahara**. It fully supports the efforts being made by the United Nations Secretary-General (UNSG) and his Personal Envoy to help the parties to find a just and lasting political solution that is mutually acceptable to all parties concerned and allows self-determination for the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations as provided for in the United Nations Security Council resolutions, including Resolution 2099 (2013). It also encourages all the parties to continue to work with the UNSG's Personal Envoy to secure progress in the search for such a solution, demonstrating realism and a spirit of compromise. It expresses the hope that efforts towards better integration of the countries of the Maghreb will contribute to progress in this area. The EU also wishes to express its commitment to safeguarding human rights and recalls the obligations incumbent on each of the parties. In this context, it welcomes the increased role for the CNDH (National Council for Human Rights) and its enshrinement in the constitution with regard to the monitoring and protection of human rights, including in Western Sahara through its Commissions in Laayoune and Dakhla.

15. The crises in Libya and Mali have destabilised the **Sahel-Saharan region**. That region and that crisis are subjects of common interest for the countries of Europe and of the Maghreb. Since 2011, the EU Strategy for Security and Development in the Sahel has marked the importance of increased regional dialogue on questions of security and development, and has highlighted the role of North Africa. That Strategy is currently being enhanced to include the political and military developments that have influenced the situation in the Sahel-Saharan area since 2011.

The EU encourages close cooperation between the countries of the region, with a view to forging a common approach to security for the Sahel-Saharan area. In this context, the EU is ready to support dialogue between the countries of the Maghreb. The EU congratulates Morocco on the organisation of the second ministerial conference on border security on 14 November 2013 and supports the implementation of the recommendations of the Rabat Declaration.

On the basis of the joint communication by the European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy of 17 December 2012 entitled: "Supporting closer cooperation and regional integration in the Maghreb: Algeria, Libya, Mauritania, Morocco and Tunisia", the EU undertakes to define means and ways to cooperate with its Maghrebian partners for the benefit of the Sahel-Saharan area, involving the EU, the countries of the Maghreb and the countries of the Sahel. In this context, the EU encourages cooperation and intensified political dialogue between the countries concerned and between regional organisations in a position to strengthen the security and development of this region.

**ASSOCIATION
BETWEEN
THE EUROPEAN UNION
AND MOROCCO**

- The Association Council -

Brussels, 9 December 2013

UE-MA 2703/13

PROVISIONAL AGENDA

of: Eleventh meeting of the EU-Morocco Association Council
on: 16 December 2013
in: Brussels

1. Adoption of the agenda
2. Adoption of the draft minutes of the tenth meeting of the EU-Morocco Association Council (Luxembourg, 23 April 2012) (UE-MA 2704/12)
3. Adoption of the Advanced Status Action Plan
4. Political and economic situation in the European Union and in Morocco
5. State of EU-Morocco relations
 - Progress report and prospects of bilateral relations
 - Implementation of the new Advanced Status Action Plan
6. Political dialogue on subjects of common interest¹
7. Other business

¹ Item to be taken in restricted session