



EUROPEAN
COMMISSION

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Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union and its Member States, and provisional application of a 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, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

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 ('the Agreement'), was signed in Brussels on 26 February 1996 and entered into force on 1 March 2000;

The attached proposal constitutes the legal instrument for the signature and provisional application of a Protocol to the Agreement ('the Protocol') to take account of Croatia's accession to the European Union.

According to its Act of Accession, Croatia shall accede to the international agreements signed or concluded by the EU and its Member States by means of a protocol to those agreements.

On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned with a view to concluding the relevant protocols. The negotiations with Morocco were successfully concluded by the initialling of the Protocol.

The proposed Protocol incorporates Croatia as a contracting party to the Agreement and commits the EU to providing for the authentic version of the Agreement in the new official language of the EU.

The Commission considers the outcome of the negotiations to be satisfactory and requests the Council to adopt the attached decision authorising the signature and provisional application of the Protocol.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 in conjunction with Article 218(5) thereof,

Having regard to the Act of Accession of the Republic of Croatia, and in particular Article 6 (2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) 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 ('the Agreement') was signed in Brussels on 26 February 1996 and entered into force on 1 March 2000.
- (2) The Republic of Croatia became a Member State of the European Union on 1 July 2013.
- (3) Under the terms of Article 6(2) of the Act of Accession of the Republic of Croatia, the accession of the Republic of Croatia 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, is to be agreed by means of a protocol to the Agreement concluded between the Council, acting on behalf of the Union and unanimously on behalf of the Member States, and by the Kingdom of Morocco.
- (4) On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned. The negotiations were successfully concluded with the Kingdom of Morocco by the initialling of the Protocol attached to this decision.
- (5) Article 7 of the Protocol provides for its provisional application before its entry into force.
- (6) The Protocol should be signed, subject to its conclusion at a later date and applied on a provisional basis.

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union and its Member States of the Protocol to the 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, is hereby authorised, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

Article 2

The Council Secretariat General shall establish the instrument of full powers to sign the Protocol, subject to its conclusion, for the person(s) indicated by the negotiator.

Article 3

Subject to its conclusion at a later date and pending its entry into force, the Protocol shall be applied provisionally, in accordance with its Article 7.

Article 4

This Decision shall enter into force on

Done at Brussels

*For the Council
The President*