PROTOCOL

to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, on a framework agreement between the European Union and the Kingdom of Morocco on the general principles for the participation of the Kingdom of Morocco in Union programmes

THE EUROPEAN UNION, hereinafter referred to as 'the Union',

of the one part, and

THE KINGDOM OF MOROCCO, hereinafter referred to as 'Morocco',

of the other part,

hereinafter jointly referred to as 'the Parties',

WHEREAS:

(1) On 26 February 1996, Morocco concluded a Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and Morocco, of the other part [1] (hereinafter referred to as 'the Agreement').

(2) The Brussels European Council of 17 and 18 June 2004 welcomed the Commission's proposals for a European Neighbourhood Policy (ENP) and endorsed the Council conclusions of 14 June 2004.

(3) The Council has on numerous later occasions adopted conclusions supporting that policy.

(4) On 5 March 2007, the Council expressed support for the general and global approach outlined in the Commission's communication of 4 December 2006 to enable ENP partners to participate in Community agencies and Community programmes on their merits and where authorised by the relevant legal bases.

(5) Morocco has expressed its desire to participate in a number of Union programmes.

(6) The detailed arrangements, in particular the financial contribution and the reporting and evaluation procedures, applicable to Morocco's participation in any particular programme should be determined by a protocol between the Commission and the competent Moroccan authorities,

HAVE AGREED AS FOLLOWS:

Article 1

Morocco is hereby authorised to participate in all current and future Union programmes opened to its participation, in accordance with the relevant provisions adopting those programmes.

Article 2

Morocco shall make a financial contribution to the general budget of the Union corresponding to its participation in specific programmes.

Article 3

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.

Article 4

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 those applicable to the Member States.

Article 5

The detailed arrangements governing Morocco's participation in each programme, in particular the financial contribution payable and the reporting and evaluation procedures, shall be determined by a Memorandum of Understanding between the Commission and the competent Moroccan authorities, on the basis of the criteria established in the relevant programmes.

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 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument [2] or under any similar regulation providing for Union external assistance to Morocco that may be adopted in the future, the conditions governing the use by Morocco of Union external assistance shall be set out in a financing agreement in accordance with, in particular, Article 20 of Regulation (EC) No 1638/2006.

Article 6

In accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities [3], each Memorandum of Understanding concluded under Article 5 of this Protocol must stipulate 'that financial controls or audits, or other checks, including administrative

[1] OJ L 70, 18.3.2000, p. 2.

[2] OJ L 310, 9.11.2006, p. 1.

[3] OJ L 248, 16.9.2002, p. 1.

investigations, will be carried out by, or under the authority of, the Commission, the European Anti-Fraud Office and the Court of Auditors'.

Detailed provisions should be adopted for financial controls and audits, administrative measures, penalties and recoveries that accord the 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.

Article 7

This Protocol shall apply for the period during which the Agreement is in force.

This Protocol shall be signed and approved by the Parties in accordance with their respective procedures.

Either Party may denounce this Protocol by written notification to the other Party. This Protocol shall cease to apply six months after the date of such notification.

The denunciation of this Protocol by either of the Parties shall not affect the checks and controls to be carried out, where necessary, under the provisions of Article 5 or 6.

Article 8

No later than three years after the date of entry into force of this Protocol, and every three years thereafter, the Parties may review the implementation of this Protocol on the basis of the Kingdom of Morocco's actual participation in Union programmes.

Article 9

This Protocol shall apply, on the one hand, to the territories in which the Treaty on the Functioning of the European Union applies and under the conditions laid down in that Treaty, and, on the other hand, to the territory of the Kingdom of Morocco.

Article 10

This Protocol shall enter into force on the first day of the month following the date on which the Parties notify each other, through diplomatic channels, of the completion of their respective procedures necessary for its entry into force.

Article 11

This Protocol shall form an integral part of the Agreement.

Article 12

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

Съставено в Брюксел на тринадесети декември две хиляди и десета година.

Hecho en Bruselas, el trece de diciembre de dos mil diez.

V Bruselu dne třináctého prosince dva tisíce deset

Udfærdiget i Bruxelles den trettende december to tusind og ti.

Geschehen zu Brüssel am dreizehnten Dezember zweitausendzehn.

Kahe tuhande kümnenda aasta detsembrikuu kolmeteistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες στις δεκατρείς Δεκεμβρίου δύο χιλιάδες δέκα.

Done at Brussels on the thirteenth day of December in the year two thousand and ten.

Fait à Bruxelles, le treize décembre deux mille dix.

Fatto a Bruxelles, addì tredici dicembre duemiladieci.

Briselē, divi tūkstoši desmitā gada trīspadsmitajā decembrī.

Priimta du tūkstančiai dešimtų metų gruodžio tryliktą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizedik év december tizenharmadik napján.

Magħmul fi Brussell, fit-tlettax-il jum ta' Diċembru tas-sena elfejn u għaxra.

Gedaan te Brussel, de dertiende december tweeduizend tien.

Sporządzono w Brukseli dnia trzynastego grudnia roku dwa tysiące dziesiątego.

Feito em Bruxelas, em treze de Dezembro de dois mil e dez.

Întocmit la Bruxelles, la treisprezece decembrie două mii zece.

V Bruseli dňa trinásteho decembra dvetisícdesať.

V Bruslju, dne trinajstega decembra leta dva tisoč deset.

Tehty Brysselissä kolmantenatoista päivänä joulukuuta vuonna kaksituhattakymmenen.

Som skedde i Bryssel den trettonde december tjugohundratio.

حرر في بروكسيل بتاريخ 13 دجنبر 2010

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen



عن الإتحاد الأوروبي

За Кралство Мароко
Por el Reino de Marruecos
Za Marocké království
For Kongeriget Marokko
Für das Königreich Marokko
Maroko Kuningriigi nimel
Για το Βασίλειο του Μαρόκου
For the Kingdom of Morocco
Pour le Royaume du Maroc
Per il Regno del Marocco
Marokas Karalistes vārdā –
Maroko Karalystės vardu,
A Marokkói Királyság részéről
Għar-Renju tal-Marokk
Voor het Koninkrijk Marokko
W imieniu Królestwa Maroka
Pelo Reino de Marrocos
Pentru Regatul Maroc
Za Marocké kráľovstvo
Za Kraljevino Maroko
Marokon kuningaskunnan puolesta
För Konungariket Marocko



عن المملكة المغربية