



EUROPEAN
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ANNEX

ANNEX

to the

Proposal for a Council Decision

establishing the position to be adopted on behalf of the Union in the Association Committee set up by 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, concerning the exchange of information with Morocco for the purpose of evaluating the impact of the agreement in the form of an Exchange of Letters on the amendment of the Euro-Mediterranean Agreement

DRAFT
DECISION No ...
OF THE EU-MOROCCO ASSOCIATION COMMITTEE
of ...

**concerning the exchange of information between the European Union and the Kingdom of
Morocco for the purpose of evaluating the impact of the agreement in the form of an
Exchange of Letters of 25 October 2018**

THE EU-MOROCCO ASSOCIATION COMMITTEE,

Having regard to the agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco of 25 October 2018 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,

Having regard to the Euro-Mediterranean Agreement of 26 February 1996 establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, and in particular Article 83 thereof,

Whereas:

- (1) 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, entered into force on 19 July 2019.
- (2) Under this agreement, products originating in Western Sahara (hereafter ‘the territories concerned’) that are subject to control by the Moroccan customs authorities benefit from the same trade preferences as those granted by the European Union to products covered by the Association Agreement between the European Union and the Kingdom of Morocco.
- (3) In a spirit of partnership and in order to allow the parties to assess the impact of the agreement, particularly on sustainable development and with regard to the advantages for the people concerned and the exploitation of the natural resources of the territories in question, the European Union and the Kingdom of Morocco have agreed to exchange information at least once a year by means of the Association Committee.
- (4) The specific arrangements for this evaluation exercise are to be adopted by the Association Committee no later than two months after the entry into force of the agreement,

HAS ADOPTED THIS DECISION:

Article 1

1. In order to allow the parties to assess the impact of the agreement during its application as an instrument for sustainable development, the EU and the Kingdom of Morocco have agreed as follows:

- The European Union and Morocco will exchange data considered relevant in the main areas of activity concerned and economic, social and environmental statistics, particularly with regard to the advantages for the people concerned and the exploitation of the natural resources of the territories concerned. A list of relevant information is annexed to this Decision.
- The exchange will be based on a prior written communication sent at least two months before the Association Committee meeting; the communication may be followed by requests for clarification and supplementary questions raised in the subject areas covered by this Decision, which must be sent at least one month before the meeting.

2. In a spirit of partnership and in order to allow them to assess the impact of the Agreement, the parties have also agreed that Morocco may, on the basis of existing information systems, ask the European Union for information on production and trade in specific product categories of particular interest to Morocco. The European Union and the Kingdom of Morocco have agreed as follows:

- Morocco will send its request in writing to the European Union three months before the Association Committee meeting.
- The exchange will be based on a prior written communication sent by the European Union at least two months before the Association Committee meeting; the communication may be followed by requests for clarification and supplementary questions, which must be sent at least one month before the meeting.

3. The parties will exchange their conclusions in the framework of the Association Committee by (xx) each year at the latest.

4. The minutes including the Association Committee's conclusions must be approved by the parties in the month following the meeting.

Article 2

The Annex shall form an integral part of this Decision.

Article 3

This Decision shall enter into force on the date of its adoption by the Association Committee.

Done at [Rabat][Brussels], [x/x/] 2019

For the EU-Morocco Association Committee

ANNEX

RELEVANT INFORMATION FOR THE PURPOSES OF THE EXCHANGE OF INFORMATION PROVIDED FOR IN THE AGREEMENT

The information is to be used to update the joint report of 11 June 2018 by the Commission and the European External Action Service (EEAS)¹, which showed the benefits for the people of Western Sahara of extending tariff preferences to products from the territories concerned . The exchange of information must therefore encompass detailed information enabling the agreement's impact to be evaluated during its implementation, including general information on the territories and people concerned. . This information is intended solely for the purposes of evaluation and the updating of the report by the Commission and the EEAS. The following are examples of relevant information:

1. General information

Social statistics for the territories concerned, whose products are subject to control by the Moroccan customs authorities, such as population (if possible, by age and sex), jobs (absolute number, number dependent on exports and on exports to the European Union), wage levels, human development indicator, education (for example, number of establishments, places, pupils, rate of enrolment), health (for example, number of hospitals, beds and doctors), basic services (for example, access to drinking water and electricity), levels of poverty, transport.

Economic statistics for the territory, such as annual rate of growth in GDP and per capita GDP, key sectors, scale of production, percentage exported and percentage exported to the European Union.

Environmental statistics for the territory, such as: use of natural resources, in particular water, waste treatment (agriculture, mining), sustainable management of fish stocks, pollution.

2. Data for the main export sectors

In particular for the agriculture and fishery sectors and other sectors where the territories concerned export to the European Union, such as:

- production by type of product (for example, tomatoes, melons, etc. and, in the case of fishing, by species)
- the surface farmed (irrigated areas and greenhouses) and the volumes harvested
- exports to the European Union (and elsewhere) in volume and value
- processing establishments by sector and the activities carried out there
- the jobs (temporary or permanent) directly and indirectly generated (transport, suppliers, storage, etc.) by these activities and in these establishments

¹ Report of 11 June 2018 on the benefits for the people of Western Sahara and the public consultation on extending tariff preferences to products from Western Sahara, SWD(2018) 346 final.

- or the measures in place for the sustainable management of resources, including water (average water use and sources of water supply).

3. Projects under way

Projects under way with a marked impact on the development of the territories concerned, including the territory's sustainable development (renewable energy, sound management of natural resources).

4. Other relevant information

All information making it possible to assess the activities of local economic operators concerned by the agreement, such as corporate social responsibility.

As stated in the correspondence exchanged by the Commission and the Embassy of the Kingdom of Morocco on 6 December 2018, Morocco is setting up a mechanism for collecting information on exports covered by the Association Agreement, as amended by the Exchange of Letters, which will systematically and regularly provide and make available each month precise data so that the European Union and the competent authorities of its Member States have transparent and reliable information on the origin of these exports to the Union.

5. Information provided by the European Union

Information on trade in specific products exported to Morocco, by type of product, volume and value and, where these data are available, on their production.