



2018/0256(NLE)

29.11.2018

OPINION

of the Committee on Agriculture and Rural Development

for the Committee on International Trade

on the draft Council decision on the conclusion of 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
(10593/2018 – C8-0463/2018 – 2018/0256(NLE))

Rapporteur for opinion: Michel Dantin

PA_Leg_Consent

SHORT JUSTIFICATION

The EU and Morocco concluded a Euro-Mediterranean Association Agreement in 2000. In 2012 liberalisation measures on agricultural products, processed agricultural products, fish, and fishery products were incorporated into the Association Agreement by an agreement in the form of an exchange of letters.

Following an action for annulment of the latter agreement brought by the Polisario Front on the grounds that the agreement was contrary to international law to the extent that it applied to Western Sahara, the Court of Justice handed down a judgment on 21 December 2016 (on appeal) to the effect that the agreement must be interpreted as not applying to Western Sahara. The Court did not rule out the possibility that Western Sahara might be covered, but, after referring to the relative effect of treaties, a general principle of international law, in connection with the question whether an agreement of that particular type was likely to benefit the people of Western Sahara, it specified that implementation of the agreement on a broader basis would, in any event, require the people to give their explicit consent.

The negotiations that followed in the wake of that judgment, conducted between the Commission and Morocco on the basis of a mandate adopted by the Council at the end of May 2017, were intended essentially to adjust the Association agreement and to restore a legal basis for preferential trade between the EU, on the one hand, and Morocco and Western Sahara, on the other, while causing the least possible disruption to the trade concerned. The agreement in the form of an exchange of letters, which it has been proposed to the Council to conclude and to which Parliament is being called upon to give its consent, amends Protocols 4 and 1 to the EU-Morocco Association Agreement by providing that the trade preferences granted by the EU to the (Moroccan) products covered by the Association Agreement will be accorded in the same way to products from Western Sahara. The agreement, moreover, sets out ways to gauge the benefits of the preferences for the people affected, along with consultation arrangements.

The rapporteur for the opinion of the Committee on Agriculture and Rural Development obviously does not wish to venture into political assessment of the agreement (for that is a matter for other committees). He believes that the agreement should be approved by Parliament, since this would provide a stable and unassailable framework for trade with a major partner of the EU. However, in putting forward his own view concerning non-legislative resolution being drawn up by the Committee on International Trade, he feels that he should point out that certain fruit and vegetable imports from Morocco and Western Sahara (tomatoes, cucumbers, melons, etc.) are a highly sensitive issue for the European horticultural sector. He also has some reservations and questions about the way in which products imported from Western Sahara have been managed for customs purposes since the Court judgment of 21 December 2016. The Commission should keep alert to the market disruptions that might be caused by Moroccan and Western Saharan fruit and vegetable imports into the EU and never hesitate to activate the safeguard clause provided for in the agreement. Finally, it would be particularly desirable if the procedure for concluding the EU-Morocco agreement on the protection of geographical indications and designations of origin were completed as soon as possible.

The Committee on Agriculture and Rural Development calls on the Committee on International Trade, as the Committee responsible, to recommend approval of the proposal for a Council decision on the conclusion of 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.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	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
References	10593/2018 – C8-0463/2018 – COM(2018)0481 – 2018/0256(NLE)
Committee responsible	INTA
Opinion by Date announced in plenary	AGRI 12.11.2018
Rapporteur Date appointed	Michel Dantin 21.8.2018
Date adopted	12.11.2018
Result of final vote	+: 23 –: 10 0: 1
Members present for the final vote	John Stuart Agnew, Clara Eugenia Aguilera García, Eric Andrieu, José Bové, Daniel Buda, Matt Carthy, Jacques Colombier, Michel Dantin, Paolo De Castro, Albert Deß, Diane Dodds, Norbert Erdős, Luke Ming Flanagan, Karine Gloanec Maurin, Martin Häusling, Peter Jahr, Jarosław Kalinowski, Zbigniew Kuźmiuk, Norbert Lins, Philippe Loiseau, Giulia Moi, Ulrike Müller, Maria Noichl, Marijana Petir, Maria Lidia Senra Rodríguez, Czesław Adam Siekierski, Tibor Szanyi, Maria Gabriela Zoană, Marco Zullo
Substitutes present for the final vote	Franc Bogovič, Angélique Delahaye, Anthea McIntyre, Momchil Nekov, Hilde Vautmans, Miguel Viegas, Thomas Waitz

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

23	+
ALDE	Ulrike Müller, Hilde Vautmans
ECR	Zbigniew Kuzmiuk, Anthea McIntyre
EFDD	Marco Zullo
ENF	Jacques Colombier, Philippe Loiseau
NI	Diane Dodds
PPE	Franc Bogovič, Daniel Buda, Michel Dantin, Angélique Delahaye, Albert Deß, Norbert Erdős, Peter Jahr, Norbert Lins, Marijana Petir, Czesław Adam Siekierski
S&D	Clara Eugenia Aguilera García, Paolo De Castro, Karine Gloanec Maurin, Tibor Szanyi, Maria Gabriela Zoană

10	-
EFDD	John Stuart Agnew
GUE/NGL	Matt Carthy, Luke Ming Flanagan, Maria Lidia Senra Rodríguez, Miguel Viegas
S&D	Eric Andrieu, Maria Noichl
VERTS/ALE	José Bové, Martin Häusling, Thomas Waitz

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EFDD	Giulia Moi

Key to symbols:

+ : in favour

- : against

0 : abstention