










# Procedure file

Basic information	
NLE - Non-legislative enactments Decision	2006/0048(NLE) Procedure completed
EU/Morocco Euro-Mediterranean Aviation Agreement See also <a href="#">2007/0181(NLE)</a> See also <a href="#">2023/0142(NLE)</a> Subject 3.20.15.02 Air transport agreements and cooperation Geographical area Morocco	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Transport and Tourism	 <a href="#">RIQUET Dominique</a> Shadow rapporteur  <a href="#">PROUST Franck</a>  <a href="#">AYALA SENDER Inés</a>  <a href="#">FOSTER Jacqueline</a>  <a href="#">TAYLOR Keith</a>  <a href="#">PAKSAS Rolandas</a>	11/04/2017
	Former committee responsible		
	 Transport and Tourism	 <a href="#">BLOKLAND Johannes</a>	02/05/2006
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	2769	04/12/2006
European Commission	Commission DG	Commissioner	
	<a href="#">Mobility and Transport</a>	KALLAS Siim	

Key events			

30/03/2006	Legislative proposal published	<a href="#">COM(2006)0145</a>	Summary
08/05/2007	Vote in committee		Summary
11/10/2007	Committee referral announced in Parliament		
06/11/2007	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0416/2007</a>	
12/12/2007	Decision by Parliament	<a href="#">T6-0600/2007</a>	Summary
02/12/2009	Additional information		Summary
19/02/2014	Modified legislative proposal published	COM(2014)0104	
17/01/2017	Amended legislative proposal for reconsultation published	<a href="#">15653/2016</a>	Summary
22/02/2017	Formal reconsultation of Parliament		
12/10/2017	Vote in committee		
16/10/2017	Committee report tabled for plenary, reconsultation	<a href="#">A8-0303/2017</a>	Summary
24/10/2017	Decision by Parliament	<a href="#">T8-0386/2017</a>	Summary
22/01/2018	Act adopted by Council after consultation of Parliament		
22/01/2018	End of procedure in Parliament		
31/01/2018	Final act published in Official Journal		

### Technical information

Procedure reference	2006/0048(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also <a href="#">2007/0181(NLE)</a> See also <a href="#">2023/0142(NLE)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 218-p7; Treaty on the Functioning of the EU TFEU 100-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/35495; TRAN/8/09351

### Documentation gateway

Legislative proposal	<a href="#">COM(2006)0145</a>	30/03/2006	EC	Summary
Supplementary legislative basic document	<a href="#">12041/2006</a>	20/11/2006	CSL	Summary
Supplementary legislative basic document	<a href="#">14541/2006</a>	20/11/2006	CSL	Summary
Committee draft report	<a href="#">PE382.507</a>	19/03/2007	EP	
Committee report tabled for plenary, 1st	<a href="#">A6-0416/2007</a>	06/11/2007	EP	

reading/single reading					
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0600/2007</a>	12/12/2007	EP	Summary
Modified legislative proposal		COM(2014)0104	19/02/2014	EC	
Amended legislative proposal for reconsultation		<a href="#">15653/2016</a>	17/01/2017	CSL	Summary
Committee draft report		<a href="#">PE610.572</a>	14/09/2017	EP	
Committee final report tabled for plenary, reconsultation		<a href="#">A8-0303/2017</a>	16/10/2017	EP	Summary
Text adopted by Parliament after reconsultation		<a href="#">T8-0386/2017</a>	24/10/2017	EP	Summary

#### Additional information

National parliaments

[IPEX](#)

#### Final act

[Decision 2018/146](#)  
[OJ L 026 31.01.2018, p. 0004](#) Summary

## EU/Morocco Euro-Mediterranean Aviation Agreement

PURPOSE : signature, provisional application and conclusion of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, on the one hand, and the Kingdom of Morocco, on the other hand.

PROPOSED ACT : Council Decision.

CONTENT : the Euro-Mediterranean Aviation Agreement between the European Community and the Kingdom of Morocco has been negotiated under a mandate received from the Council in December 2004. Based on the negotiating directives of the mandate, the text of the Morocco agreement was agreed ad referendum at the final negotiating round on 14 December 2005 on the occasion of the first Euromed conference of Transport Ministers held in Marrakech on 15 December 2005. The signature of the agreement is foreseen for the first half of 2006.

Due to the advance status of the relationship between Morocco and the European Union, the Morocco agreement will result in the seamless integration of the Moroccan transport market into the single European market through a two-stage approach, always based on the three pillars of the aviation external policy: regulatory convergence (integration of the EC aviation regulations, participation in the Single European Sky) assorted with targeted technical assistance (through instruments such as the PAST), leading to the highest possible degree of market opening. This would result in an unrestricted commercial environment where operators are free to take commercial decisions, and where they operate under the highest standards in the areas of aviation safety, aviation security, environmental and consumer protection.

## EU/Morocco Euro-Mediterranean Aviation Agreement

This decision establishes the legal instrument by which the Council and the representatives of the Governments of the Member States of the European Union, meeting within the Council shall sign and provisionally apply the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, on the one hand, and the Kingdom of Morocco, on the other hand.

## EU/Morocco Euro-Mediterranean Aviation Agreement

This document presents the final version of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States of the one part and the Kingdom of Morocco of the other part. No amendments have been made to the body of the text.

To recall, the Agreement aims to:

- promote an international aviation system based on fair competition among air carriers in the marketplace with minimum government interference and regulation;
- make it possible for air carriers to offer the travelling and shipping public competitive prices and services in open markets;
- have all sectors of the air transport industry, including air carrier workers, benefit in a liberalised agreement;
- ensure the highest degree of safety and security in international air transport.

Lastly, it should be noted that the purpose of such an agreement is that it be applied in a progressive but integral way, and that a suitable mechanism can ensure ever closer harmonisation with Community legislation.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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The Committee on Transport and Tourism adopted the report by Johannes BLOKLAND (IND/DEM, NL) which aims to approve the proposal for a decision of the Council and the representatives of the governments of the Member States of the European Union, meeting within the Council, on the conclusion of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, on the one hand, and the Kingdom of Morocco, on the other hand.

The rapporteur underlines that on a certain number of points, this agreement reaches further than the EU-US aviation agreement, which has the same structure. This is in particular the case for the articles on regulatory cooperation and investment (see [CNS/2006/0058](#)).

The agreement incorporates current EU legislation in the fields of aviation safety, air traffic management, environment, consumer protection, computer reservation systems and social aspects. No EU legislation on security has been taken on board. Parties have agreed on common standards in this area instead.

This agreement will enlarge the European internal aviation market, which could be in the interest of all parties concerned as it increases the European market of air passengers and air cargo.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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The European Parliament adopted a legislative resolution based on the report drafted by Johannes BLOKLAND (IND/DEM, NL) and approved the conclusion of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, on the one hand, and the Kingdom of Morocco, on the other hand.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Decision of the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council on the conclusion of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, on the one hand, and the Kingdom of Morocco, on the other hand, the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis ? Treaty/EC/Art.80(2), Art. 300(2), (3) and (4) ? became Art 100(2), Art 218 (6)(a) and (7) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE).

## EU/Morocco Euro-Mediterranean Aviation Agreement

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The Commission has negotiated, on behalf of the Union, the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part.

The Agreement was signed on 12 December 2006 and the ratification process by all Member States was completed on 13 January 2014.

This proposal concerns a modification of the Commission proposal submitted to the Council in 2006 (please refer to the summary of the legislative proposal published on 03/06/2006).

The intention of the present amended proposal is to align the title of the act proposed and its enacting terms to the provisions of the Treaties.

In order to ease examination by the Council, the whole of the relevant text is submitted as amended proposal.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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PURPOSE: to conclude, on behalf of the Union, the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part.

PROPOSED ACT: Council Decision.

BACKGROUND: the Commission negotiated on behalf of the Union and of the Member States a Euro-Mediterranean Aviation Agreement with Morocco. The Agreement was signed on 12 December 2006 pursuant to [Decision 2006/959/EC](#) of the Council and of the Representatives of the Governments of the Member States of the European Union.

The Agreement was ratified by all Member States, except for Bulgaria, Romania and Croatia. It is intended that the latter Member States will accede to the Agreement in accordance with their respective Acts of Accession.

It is now necessary for this Agreement to be approved.

CONTENT: the draft Council Decision seeks to approve, on behalf of the Union, the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and Morocco, of the other part.

As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as references to "the European Union".

In order to ensure close cooperation and unity of external representation in the Joint Committee, a coordination on the positions to be taken within the Joint Committee, on behalf of the Union and the Member States, as regards matters falling within the competence of both the Union and the Member States, should take place prior to any meeting of the Joint Committee dealing with such a matter.

The positions to be taken by the Union within the Joint Committee set up under Article 22 of the Agreement, as regards the amendment to the Annexes to the Agreement other than Annex I (Agreed Services and Specified Routes) and Annex IV (Transitional Provisions), shall be adopted by the Commission, following consultation with a Special Committee appointed by the Council.

Moreover, it is proposed to delete Articles 2 to 5 of Decision 2006/959/EC. These Articles contain provisions on decision-making by the Council with regard to various matters set out in the Agreement, including the establishment of the positions to be taken within the Joint Committee, and on the information obligations of the Member States, during the provisional application of the Agreement.

Those provisions are either not necessary or their application should be discontinued in view of the judgment of the Court of Justice of 28 April 2015 in Case C-28/12, *Commission v Council*.

It is therefore appropriate that all those provisions cease to apply at the date of entry into force of this Decision.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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The Committee on Transport and Tourism adopted the report by Dominique RIQUET (ALDE, FR) on the draft Council Decision on the conclusion, on behalf of the Union, of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other.

The committee recommended that Parliament give its consent to the conclusion of the agreement.

Negotiations began in May 2005 and the agreement was signed on 12 December 2006 on the condition that it would be concluded at a later date. Parliament gave its consent for the conclusion of the agreement on 12 December 2007.

The ratification process was completed by all the Member States, with the exception of Bulgaria, Romania and Croatia, in 2014

On 19 February 2014, the Commission presented an amended proposal for a Council decision on the conclusion of the Agreement, in order to take account of the entry into force of the Treaty of Lisbon and the fact that Bulgaria, Croatia and Romania had become EU Member States in the meantime. Following its revision, the draft decision includes the legal modifications required by the ECJ case law established in its Judgment of 28 April 2015.

Parliament is once again being consulted for its approval on the draft decision to conclude the Agreement on behalf of the Union.

As the explanatory memorandum accompanying the draft recommendation pointed out, the Agreement, applied provisionally since it was signed on 12 December 2006, created new development opportunities for Moroccan and EU companies by doing away with capacity, nationality, frequency or route restrictions.

Since 2006, the opening up of the markets has brought some huge benefits:

- passenger traffic between the EU and Morocco has more than doubled, reaching 12 million passengers per year and an increase of 109% since 2005;
- the services offered and the number of destinations served also significantly increased;
- the average price of the ticket has decreased by about 60%.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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The European Parliament adopted by 511 votes to 112, with 40 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part.

Following the recommendation of its Committee on Transport and Tourism, the European Parliament gave its consent to the conclusion of the agreement.

As a reminder, this agreement aims to open markets and to move towards the alignment of aviation legislation on both sides, in particular

around key aspects of European rules on aviation, including those concerning safety, economic regulation and, in particular, competition, air traffic control and consumer protection. It also contains provisions concerning bilateral investment on both sides of the Mediterranean.

## EU/Morocco Euro-Mediterranean Aviation Agreement

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**PURPOSE:** to conclude on behalf of the Union, the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and Morocco, of the other part.

**NON-LEGISLATIVE ACT:** Council Decision (EU) 2018/146 on the conclusion, on behalf of the Union, of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part.

**CONTENT:** the Council concluded, on behalf of the Union, the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and Morocco, of the other part.

The aim of the Agreement is to open markets between the two parties and includes an extensive alignment of aviation legislation with key parts of the Community rules and regulations, including on safety, economic regulation and in particular competition laws, air traffic management and consumer protection. It also contains provisions for cross-investments on both sides of the Mediterranean.

The Agreement was signed on 12 December 2006, pursuant to [Decision 2006/959/EC](#) of the Council and of the Representatives of the Governments of the Member States, meeting within the Council. The Agreement has been ratified by all Member States, except for Bulgaria, Romania and Croatia. It is intended that the latter Member States will accede to the Agreement in accordance with their respective Acts of Accession.

The Council Decision states that the positions to be taken by the Union within the Joint Committee set up under the Agreement, as regards the amendment to the Annexes to the Agreement other than Annex I (Agreed Services and Specified Routes) and Annex IV (Transitional Provisions), shall be adopted by the Commission, following consultation with a Special Committee appointed by the Council.

**ENTRY INTO FORCE:** 22.1.2018.