



Brussels, 22.1.2014
COM(2013) 848 final

2013/0414 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion of a Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States and the Kingdom of Morocco

EXPLANATORY MEMORANDUM

Morocco has know-how in space technology and applications. It would like to develop the use of satellite radionavigation on its territory and in the surrounding region (western Mediterranean and West Africa), focusing on applications specific to this region.

Moroccan and European firms have had industrial cooperation links in the space sector for several years, providing a solid foundation on which to build and extend cooperation in this field which is of great importance for both parties.

Contacts concerning the participation of Morocco in the GALILEO programme were established on 24 March 2004 at a meeting between the Moroccan Minister for Infrastructure and Transport and the Commission's Director-General for Energy and Transport. Following a round of bilateral consultations, on 13 October, the Minister wrote a second letter to the Director-General confirming Morocco's desire to conclude a cooperation agreement with the European Community concerning the civil satellite radionavigation system.

The European Commission, on the basis of a negotiating mandate from the Council, adopted on 21 April 2005, conducted negotiations and initialled the agreement with the Moroccan authorities on 8 November 2005. The agreement was signed on 12 December 2006, pursuant to a Council Decision authorising signature of 27 November 2006.

The sectors for cooperation in satellite navigation and timing envisaged by the agreement are scientific research, industrial manufacturing, training, application, service and market development, trade, radio-spectrum issues, integrity issues, standardisation and certification. The agreement is expected to reinforce the joint activities in these sectors to the benefit of the citizens, industries and the scientific communities of the parties. It must be noted that the agreement does not have any financial impact on the Budget of the European Union.

Morocco, being a country that is part of the European Neighbourhood, is entitled to association to the new Framework Programme for research and innovation (Horizon 2020). Moreover, it has concluded an Agreement on Scientific and Technical cooperation with the EU. This provides Morocco with a good potential to contribute to GNSS-related research in the context of the EU research and innovation programmes.

Taking into account the agreement, the EU and Morocco are in the process of signing a Letter of Intent on cooperation in the area of GNSS, confirming their intention to promote their cooperation in this domain and the intensive use of the services provided by the European GNSS Programmes in the Mediterranean region.

The signatory Member States of the European Union have completed their respective internal procedures related to the entry into force of the agreement.

Bulgaria and Romania are to become parties to the agreement by the conclusion of a protocol in accordance with Art 6(2) of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded.

Croatia is to become a party to the agreement by the conclusion of a protocol in accordance with Art 6(2) of the Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community.

The Council is requested to adopt the following proposal for a Decision on the conclusion of the agreement on behalf of the European Union after the consent of the European Parliament.

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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 Articles 172 in conjunction with 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

Whereas:

- (1) On 21 April 2005, the Council authorised the Commission to open negotiations with Morocco for the conclusion of a Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS).
- (2) In accordance with Council Decision 10717/06 of 27 November 2006, the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) (hereafter referred to as 'the Agreement') between the European Community and its Member States and the Kingdom of Morocco, was signed on 12 December 2006.
- (3) This Agreement allows for closer cooperation with Morocco in the area of satellite navigation. It will implement a number of elements of the European satellite navigation programmes.
- (4) The Agreement should be approved on behalf of the European Union.

HAS ADOPTED THIS DECISION:

Article 1

The Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States and the Kingdom of Morocco is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision

Article 2

The President of the Council shall designate the person empowered, on behalf of the Union to give the notification, provided for in Article 18(1) of the Agreement, in order to express the consent of the European Union to be bound by the Agreement and shall make the following notification:

¹ Consent given on [...201.].

'As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to “the European Community” in the text of the Agreement are to be read as to “the European Union”’.

Article 3

This Decision shall enter into force on the day of its adoption. It shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the Council
The President