

**ASSOCIATION
BETWEEN
THE EUROPEAN UNION
AND MOROCCO**

The Association Council

**Brussels, 20 June 2006
(OR. en)**

**UE-MA 2704/1/05
REV 1**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: DECISION of the EU-Morocco Association Council creating a
Subcommittee on Human Rights, Democratisation and Governance

DRAFT

**DECISION No .../2006
OF THE EU-MOROCCO ASSOCIATION COUNCIL**

of

**creating a Subcommittee on Human Rights,
Democratisation and Governance**

THE ASSOCIATION COUNCIL,

Having regard 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 part¹, hereinafter referred to as "the Agreement", and in particular Article 84 thereof,

¹ OJ L 70, 18.3.2000, p. 2.

Whereas:

- (1) Respect for and promotion of democratic principles, human rights and fundamental freedoms form an integral and essential part of the framework governing relations between the European Union and its Mediterranean partners.
- (2) In view of their importance as an essential element of the Agreement, these matters will be discussed with due attention in the various bodies set up under the Agreement.
- (3) The European Union's neighbourhood policy sets ambitious aims, based on a reciprocally recognised attachment to shared values, which include democracy, the rule of law, good governance and respect for and promotion of human rights.
- (4) The European Union's relations with the southern Mediterranean countries are becoming increasingly complex as a result of the implementation of the Euro-Mediterranean agreements and the continuation of the Euro-Mediterranean partnership.
- (5) Implementation of the partnership's priorities and approximation of legislation should be monitored. The European Union's competencies provide a framework for developing relations and cooperation with the Mediterranean countries in a way that takes account of the need for the whole Barcelona Process to be coherent and balanced.

- (6) The Association Council has already decided to create subcommittees of the Association Committee to provide an appropriate institutional framework for implementing and enhancing cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The Subcommittee on Human Rights, Democratisation and Governance is hereby set up and its Rules of Procedure, as set out in the Annex, are hereby adopted.

The Subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The Subcommittee shall have no decision-making power. It may however submit proposals to the Association Committee.

Issues within the remit of the Subcommittee can also be addressed at higher levels in the political dialogue between the European Union and Morocco.

The Association Committee shall take any other action needed to ensure that the Subcommittee operates properly and inform the Association Council accordingly.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at,

For the Association Council

The President

ANNEX

Rules of Procedure EU-Morocco Subcommittee No 7 Human Rights, Democratisation and Governance

1. Composition and chair

The Subcommittee shall be composed of representatives of the European Community and its Member States and representatives of the Government of the Kingdom of Morocco and shall be chaired alternately by the two parties.

2. Role

The Subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The Subcommittee shall have no decision-making power. It may, however, submit proposals to the Association Committee.

3. Topics

The Subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. For matters concerning human rights, democratisation and governance included in the EU-Morocco Neighbourhood Action Plan, the Subcommittee shall be the main technical follow-up mechanism. It shall assess progress on approximation of laws, implementation and enforcement. Cooperation in public administration matters shall also be discussed. The Subcommittee shall evaluate progress and examine any problems that may arise in the sectors listed below and shall suggest steps that might be taken.

- (a) The rule of law, good governance and democracy, including in particular:
strengthening democracy and the rule of law; the independence of the judiciary and access to justice and modernisation of justice.
- (b) Pursuit of ratification and implementation of the principal international conventions on human rights and fundamental freedoms, and the protocols to those conventions.
Implementation of reporting obligations and progress in review of reservations.
- (c) Reinforcement of national administrative and institutional capacity.

The above list is not exhaustive and other relevant subjects, including horizontal matters, e.g. statistics, may be added by the Association Committee, in particular as regards implementation of the regional programme.

The Subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of the Kingdom of Morocco shall act jointly as permanent secretaries of the Subcommittee.

All communications concerning the Subcommittee shall be forwarded to the secretaries.

5. Meetings

The Subcommittee shall meet whenever circumstances require and at least once a year.

A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a Subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, Subcommittee meetings may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Meetings of the Subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of each party's delegation.

If both parties agree, the Subcommittee may invite experts to its meetings to provide specific information.

6. Agenda of the meetings

All requests for items to be included on the Subcommittee's agenda shall be forwarded to the secretaries.

A provisional agenda shall be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than ten days before the beginning of the meeting.

Items for inclusion in the provisional agenda must be notified to the secretaries at least fifteen days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of special and/or urgent cases, later notification and supply of documentation may be allowed, provided both parties agree.

The agenda shall be adopted by the Subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the Subcommittee's proposals, shall be forwarded by the secretaries of the Subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the Subcommittee shall not be public and its proceedings shall not be made public.
