

***METHODOLOGY SEMINAR***  
***“MOROCCO-EUROPE : Regulatory Convergence”***

Addressed by  
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### **Ladies and Gentlemen**

It is an honor to participate in this methodology seminar organized by the Faculty of Law, Economics and Social Sciences of Agdal-Rabat. It is in fact an opportunity I should seize to discuss the issue of regulatory convergence within the EU-Morocco Advanced Status.

This strategic issue which the IRES has been studying since December 2009, and to which the institution devoted a seminar in June 2010, is currently undergoing a comprehensive study, led by the Institute's multidisciplinary working group within the advanced status.

I will not reiterate the context of the advanced status you all know, of course. My discussion will focus on three essential points; namely, the particular stance of Morocco with regards to the regulatory convergence, the IRES strategic vision regarding the connection of the Moroccan regulatory and normative system compared with the EU acquis; and some measures of support to facilitate the implementation of this major project.

### **Ladies and Gentlemen**

Morocco-European Union regulatory convergence, placed in the core of the advanced status, already started with the European Neighbourhood Policy action plan, as it was adopted by Morocco in 2005. Its acceleration, in conjunction with the advanced status, is a matter of priority if we want to achieve any gradual integration of Morocco to the domestic European market. This was clearly explained in the advanced status document and reiterated in the Joint Declaration of the Morocco-European Union Summit held in March 2010 in Granada.

However, given the specific relations binding Morocco with the European Union (i.e the association and membership), Morocco has a sufficient flexibility to decide the degree and pace of the EU-acquis approximation.

Therefore, the approach to be adopted in terms of regulatory convergence of Morocco can only be gradual and should revolve around the priority areas that can benefit, as soon possible, from the combination of the standards and regulations of EU acquis.

Not least important, the reference to the general EU acquis architecture allows us to distinguish between technical, legal and administrative chapters, in which Morocco has already experienced some progress in terms of its convergence, and those chapters that are purely political, such as those affecting the national sovereignty and therefore require a specific approach.

While acknowledging difficulties of the process and complexity of the regulatory convergence, it should be noted that Morocco has several advantages that enable it to carry out this project. Indeed, unlike the Eastern European countries, new members of European Union, whose legal and regulatory system has been largely inspired by a planned economy culture, Morocco has an open system, inspired by Europe, especially the French system. Hence, Morocco enjoys now, based on a well established experience, the result of the close cooperation in terms of technical assistance and twinning arrangements on the sidelines of the European Neighbourhood Policy.

### **Ladies and Gentlemen**

If the regulatory convergence offers great opportunities to countries, it also makes them face many challenges. It requires a strong ability to adapt to the European norms and standards. This may cause, in the near future, significant economic, social and political transformations

of a certain country. This also challenges the Moroccan adaptation capacities in terms of human and financial resources as well as in terms of institutional capacity.

To that end, it will be wiser to ensure, in terms of the National program of regulatory convergence, effective coordination of actions and reforms needed to maintain control on its entire process and enhance its impacts.

While offering an overview of the regulatory convergence process, such coordination will also be conducive to arbitrate between different options of the reform agenda, based on a careful assessment of economic social and political costs, and ensure their effective implementation.

Also, the issue of regulatory convergence, as far as IRES is concerned, shall not only be limited to setting up an important common economic space. The accompanying competitive and institutional modernization is, obviously, also an instrument for strengthening the global competitiveness that Morocco needs to boost its strategic positioning at the regional and international levels.

### **Ladies and Gentlemen**

Beyond the technical aspects, the success of the regulatory convergence project remains dependent on the collective agreement of various national stakeholders concerned with it. It also depends on improving the visibility relevant to the financing reforms induced by the regulatory convergence.

Capacity building of national stakeholders with regards to knowledge and mastery of Community procedures is essential. In addition to participating in European programs, it will be wise to create training courses in Community Law within the Moroccan universities. We can also, in fact, establish a national training institute for the European regulation, following the example of relevant experiences of some countries, members of the European Union during their pre-accession phase.

Particular attention should also be paid to increasing cooperation between Moroccan and European parliaments. The dynamic work of the Morocco European Union Joint Parliamentary Commission offers an ideal space to accelerate the connection between the two parties.

Cooperation should also be between the National Council of Human Rights and the Europe Council on issues related to democracy and human rights, between the Moroccan employers and its European counterpart and between the European Economic and Social Council and its European counterpart.

Also, upgrading Moroccan regions is necessary to promote their cooperation with the regions of Europe. The project of advanced regionalization, as part of the comprehensive constitutional reform, opens new perspectives in terms of widening the cooperation spectrum between the Moroccan and European territorial entities; and facilitates, in turn, the deployment of financial cooperation instruments. A part of the latter takes place through the regions.

Moreover, in order to amortize the cost of convergence, Morocco need to argue for a new financial partnership with Europe. This should be the level of the ambitions of the proposed reforms.

Parallel to the upward revision of EU financial cooperation funds, Morocco should not rule out the option of self-financing reforms, like some countries did i.e. Turkey or Ukraine, especially since the reforms induced by the advanced status responds to the social project promoted by His Majesty the King Mohammed VI for modern, stable and prosperous Morocco.

**Ladies and Gentlemen**

Finally, I want to thank the Department of Private Law of the Faculty of Law Agdal and particularly the person in charge, my friend Farid EL BACHA, who invited me to participate in this important seminar and I wish you every success in your work.