Increasing Use of Remedies in Moroccan Merger Control Review

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The Moroccan Competition Council (MCC) is increasingly using remedies to address competition concerns arising from economic concentrations. While still the exception, the MCC has shown willingness to address concerns with remedies and enforce them. Most recently the MCC imposed remedies in two transactions cleared in June 2026. Both concerned acquisitions of Armas Trasmediterránea assets by the Baleària group. Furthermore, the MCC imposed fines on the parties to the Veolia/Suez transactions for failure to comply with remedies imposed.

The MCC has imposed remedies on several transactions across different sectors. These include:

- Newrest's acquisition of Sodexo Maroc;
- Sika's acquisition of MBCC Group;
- Sothema's acquisition of joint control over Prodimedic;
- the combination of Sanlam and Allianz's Moroccan insurance activities;
- Vivendi's acquisition of control over Lagardère;
- the acquisition of Suez by Veolia; and
- the acquisition of assets of Armas Trasmediterránea by the Baleària group

Remedies have varied with the competition concerns identified. They have included structural and behavioral remedies, including requirements to keep businesses or activities separate.

Behavioral commitments

The MCC imposed behavioral remedies on the Sanlam/Allianz transaction to keep previously competing businesses independent. The MCC approved the transaction subject to commitments designed to address concerns from the parties' overlapping activities in the Moroccan insurance market.

The MCC has also used commitments to address vertical concerns. In Heidelberg Materials' acquisition of Cementos Asment, the commitments addressed the supply of clinker to independent grinding operators. They sought to prevent discriminatory treatment or other conduct that could disadvantage downstream competitors. The MCC primarily sought to address foreclosure risks.

The MCC's most recent conditional clearances concern the maritime transport market. On 26 June 2026, the MCC cleared two transactions involving Baleària group acquiring assets of the Armas Trasmediterránea group, subject to conditions. The first involved Gestion Naviera SL, Baleària's parent company, acquiring assets relating to Armas Trasmediterránea's maritime transport activities in the Alboran Sea. The second involved Baleària Eurolíneas Marítimas SAU acquiring assets relating to part of Armas Trasmediterránea's maritime transport activities in the Strait of Gibraltar. The relevant assets include maritime transport operations serving routes between Spain and Morocco. In the Strait of Gibraltar transaction, for example, the assets included those needed to operate the Algeciras–Tanger Med route, including a vessel, port concessions, personnel and related operational assets.

Enforcement

Veolia's acquisition of Suez was particular in two ways: it was the first transaction in which the MCC imposed structural remedies as well as the first enforcement action related to failure to comply with remedies. In 2021, the MCC authorized Veolia's acquisition of Suez subject to commitments to divest certain assets and activities in Morocco, including Lydec. In September 2023, the MCC found that Veolia had failed to comply with these commitments. The MCC opened an investigation that was ultimately settled at Veolia's request. The settlement included a settlement payment of MAD 100 million (approx. USD 10.5 million) and measures to address the MCC's concerns, including the sale of Lydec to Société Régionale Multiservices Casablanca-Settat.

Recent practice demonstrates the MCC's willingness to use remedies to address competition concerns and enforce these where necessary. In the MENA, region the MCC stands out as comparatively active in imposing remedies. Companies should therefore consider potential remedies early when a transaction raises substantive competition concerns in Morocco. Commitments offered to the MCC should be precise, implementable, and monitorable throughout the relevant period.

The Veolia/Suez case also highlights the importance of continued compliance after clearance. The MCC showed that it is actively monitoring remedies. Companies must ensure that any subsequent activities align with remedies imposed.

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