



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 30 November 2004 (07.12)  
(OR. fr)**

**15446/04**

**LIMITE**

**PE-QE 344**

**PRELIMINARY DRAFT REPLY TO WRITTEN QUESTION  
E-2374/04 put by Frank VANHECKE on 15.10.2004**

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from : General Secretariat of the Council

to : Permanent Representations of the Member States

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**Subject : "Lack of a drugs clause in the association agreement between the EU and Morocco"**

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1. Delegations will find attached:
  - the text of the above Written Question;
  - a preliminary draft reply prepared by the General Secretariat.
2. If no comments have been received from delegations within **10 working days** of today, this preliminary draft reply will be submitted to the Permanent Representatives Committee (Part 1) and to the Council for approval.

Any comments received will be examined by the Working Party on General Affairs.

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## **WRITTEN QUESTION E-2374/04**

**by Frank Vanhecke (NI)**

**to the Council**

**Subject:** Lack of a drugs clause in the association agreement between the EU and Morocco

Morocco is one of the world's biggest producers of cannabis (47 000 tons a year) and the biggest exporter of hashish to Europe. The United Nations Office on Drugs and Crime (UNODC) has pointed out that a quarter of the agricultural area in the Rif mountains is given over to the expanding "cannabis industry". On 8 September 2004, Antonio Maria Costa, one of the leading figures in the UNODC, warned about the global implications of Morocco's cannabis production, the resulting international crime and the serious risks to health (Afrol News, 8 September 2004).

In the fight against drugs the EU urgently needs to develop a clear policy outside the scope of its Member States. One instrument of such a policy, according to the Danish Minister of Justice, Lene Espersen, is the inclusion of a so-called drugs clause in agreements between the EU and third countries (Danish EU presidency in 2002, 'European action against drugs', 14 September 2002).

Social geographer Paolo De Mas, widely regarded as one of the main experts on Morocco, already commented in 1995 that the dual process of criminalisation of power and the establishment of power through crime had definitely begun in Morocco. According to De Mas, Morocco should therefore be treated as one of the so-called 'narcotics countries'. The above-mentioned UN study shows that two-thirds of farmers in the Rif mountains grow cannabis. The Moroccan authorities refuse to prosecute those concerned.

The association agreement between the EU and Morocco was signed on 26 February 1996. Only human rights and respect for democratic principles are included among the 'essential principles' enshrined in the agreement. In contrast to the Cotonou Agreement, the fight against corruption and good governance are not mentioned as essential elements of this agreement the breaching of which may be followed by sanctions. Does the Council agree with Paolo De Mas' views? Has a 'drugs clause' - in whatever form or of whatever substance - never been the subject of negotiations? If not, why not? Does the Council consider that the Moroccan Government is taking sufficient action to combat drugs production? What means does the Council have of exerting pressure on the Moroccan Government?

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## **REPLY**

**to Written Question E-2374/04**

**put by Frank VANHECKE**

The Council is well aware of the problem raised by the Honourable Member.

The Association Agreement between the European Union and Morocco, which was signed on February 1996 and entered into force on 1 March 2000, contains a specific provision on cooperation in combating drug use (Article 62), which can be considered as a satisfactory legal basis. The article in question sets out the spheres of cooperation and implementation methods in detail.

The aim of cooperation as defined in Article 62 of the agreement is to improve the effectiveness of policies and measures to prevent and combat the production and supply of and trafficking in narcotics and psychotropic substances. It is further designed to eliminate illicit consumption of such products.

According to Article 62, the Parties should together set out appropriate strategies and methods of cooperation, in accordance with their own legislation, to attain these objectives. Furthermore, the association agreement makes provision for the planning and implementation of programmes providing alternatives to the illicit cultivation of narcotic plants in areas where such cultivation occurs – these being, in the main, underdeveloped and outlying regions of northern Morocco.

In addition to the cooperation launched in these areas, in 2003 Morocco and the European Union set up a number of technical subcommittees to press ahead with implementing the priorities established under the partnership; these included a "Justice and Security" subcommittee, the first meeting of which, on 29 January 2004, discussed cooperation on drugs in depth. Morocco has indicated that it is aware of the problem and its impact and is thus ready to cooperate; however, it has appealed for European and international support and called for a comprehensive and consistent approach to tackling the problem.

Even closer cooperation is required to meet the needs of neighbourhood policy. The Neighbourhood Action Plan now being drawn up, which will cover the priorities jointly determined by the two parties for the coming years, is set to include tighter drug controls. These are to be achieved by implementing Article 62(3) of the association agreement on areas of action and bolstering the comprehensive national drugs strategy with measures to bring down supply and demand, as well as regional development measures.

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