

The ‘Moroccogate’ scandal and European parliament decision-making on Western Sahara

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ABSTRACT

This profile examines the institutional significance of ‘Moroccogate’, i.e., the suspected Moroccan bribery of members of the European Parliament, as a case that casts doubts on this body’s assumed democratic and normative input to EU foreign policymaking. We place the analysis in the context of the ‘parliamentarization’ of the EU-Morocco-Western Sahara triangle and the (para)institutional mechanisms of Rabat’s sway in the EP. We show that the EU-Morocco Joint Parliamentary Committee, while established as a regular instrument of parliamentary diplomacy, ended up becoming a conduit for corrupt connections and practices. In its actual operation, this official structure overlapped and converged with the more informal and elusive EU-Morocco Friendship Group, sponsored by Rabat as a means of parliamentary lobbying. We then explore the potential effects of this twofold influence channel in parliamentary votes and missions. Since 2009, relevant EP votes have mostly concerned parliamentary consent to EU-Morocco bilateral cooperation agreements, such as those on fisheries and agricultural trade, which included Western Sahara’s territory, thus going against the emerging case law from the Court of Justice of the EU. The links between ‘Moroccogate’ and the S&D group may have contributed to the parliamentary passing of these deals. Regarding the 2018 official EP mission to Western Sahara prior to the votes, besides its poor reporting, it was mired in controversy because its head was on the board of a foundation linked to Morocco. More broadly, this corruption scandal reveals the in-built tension inherent to the EP’s combination of parliamentary diplomacy and oversight roles.

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Introduction

Does ‘Moroccogate’, i.e., the suspected Moroccan bribery of members of the European Parliament (MEPs), throw any new light on European Parliament

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(EP) decision-making pertaining to the Western Sahara conflict, especially since the parliamentary role in EU foreign policy and external relations was expanded in 2009? This profile, based on a review of parliamentary votes and missions as well as the activities and membership of the EU-Morocco Joint Parliamentary Committee (JPC) and the EU-Morocco Friendship Group, shows that 'Morocogate' does indeed raise question marks about the integrity of decision-making processes.

Since the 2000s, the EU's approach towards Western Sahara has evolved from avoidance to a reluctant and patchy involvement. This protracted decolonization and territorial-sovereignty conflict has defined international relations in and of the Maghreb for over six decades, going through four distinct phases. The first of them (1963–1975) was the thwarted decolonization process triggered by the UN's designation of what was then called Spanish Sahara as a non-self-governing territory entitled to self-determination. This led to the birth of the Polisario Front as an indigenous national liberation movement, a judicial-diplomatic offensive by neighbouring Morocco to assert its historical claim over this land, and a Spanish U-turn whereby its control was irregularly transferred to Morocco and Mauritania. This led to the second phase (1975–1991) marked by open warfare waged by the Polisario Front against occupying Morocco – along with Mauritania for the first four years. During 1991–2020 the conflict froze, as the two parties accepted a ceasefire declaration and an UN Settlement Plan. However the implementation of the self-determination referendum envisaged by the UN Plan was deadlocked due to Rabat's disengagement. Subsequent negotiation attempts similarly failed. The most recent stage (2020–present) has been one of the resumption of low-intensity hostilities following the collapse of the three-decade ceasefire and wider regional and international destabilization.

Throughout all these years, consolidating Morocco's self-styled national territorial integrity by achieving international recognition of the *de facto* annexation of Western Sahara has stood out as the utmost priority and cross-cutting determinant of Rabat's foreign policy. This goal was combined with the Moroccan elite's aspiration to cultivate an ever closer and special relationship with the EU, in a context of unchangingly high trade, aid, and investment dependence. The two roles rarely clashed with each other until the past decade.

As regards the EU, none of the developments outlined above has made it abandon its longstanding minimalist policy on Western Sahara. The European Commission, the Council, and the European External Action Service (EEAS) in principle refrain from any independent stances or action in the name of its strict support for UN positions and initiatives. This is the lowest common denominator among member states, some of which are traditionally supportive of Morocco and others closer to the Sahrawi claims. It is reinforced by the intractability, long-frozen status, and low priority of the conflict. In practice,

though, the EU's (non)policies have remained largely skewed towards the status quo, and therefore beneficial to Morocco's interests. They have furthermore converged with a consistently privileged treatment of Rabat, as a front-running partner in the EU's manifold bilateral and multilateral southern Mediterranean cooperation schemes. Traditional explanations for the firm EU alignment with Morocco have included this country's longstanding pro-Western orientation and domestic stability in an unpredictable neighbourhood, its indispensable cooperation in migration containment, anti-terrorism, and other security matters, and economic interests such as the wide-ranging European foreign direct investment in the country. Since last year, an EU-Moroccan Green Partnership, the first of its kind to be concluded as part of the EU Green Deal, can be added to the list. However, these interests are not necessarily superior to those linking the EU with some other third countries. What makes the difference in underpinning Rabat's advantaged position and influence in Brussels, according to the literature, has been France and Spain's steady support and ability to shape relevant EU intergovernmental policy-making, combined with Rabat's traditionally outstanding pro-European foreign policy activism and skilful lobbying.

Still, these explanations are not as convincing when it comes to the behaviour of the EP. Usually, the Parliament is seen as a more 'moral actor', often opposing the more *Realpolitik*-infused logic of the Council and the Commission. According to a series of international legal judgements and opinions – including by the International Court of Justice and the Court of Justice of the EU (CJEU) –, the Sahrawis have international law rather firmly on their side. It is therefore somewhat puzzling that a majority of MEPs have been silent or even actively supportive of Morocco's positions, particularly in recent years.

In this profile, we explore if and to what extent 'Moroccogate' may have played a role in this. 'Moroccogate' is the suspected Moroccan bribery of MEPs and other EP personnel to further its political interests. It came to light in late 2022 in conjunction with similarly alleged Qatari and Mauritanian bribes. It has so far led to several arrests of MEPs and parliamentary aids. Belgian investigators are not mincing their words: one said of key suspect, former MEP, and great supporter of Morocco, Pier Antonio Panzeri, that he was 'a real danger to the democratic balance' (cited in Stroobants, 2022). Notably, Belgian Justice Minister Vincent Van Quickenborne stated that the police investigation included 'fishing rights' (cited in Bencharif, 2022). This is widely taken to refer to the extension of the EU-Moroccan fisheries partnership agreement beyond Morocco to Western Saharan waters, which is symbolically and strategically important for Morocco as it is seen to de facto recognize its territorial claims. Beyond those directly accused are a series of other MEPs who, while not suspected of criminal wrongdoing, have accepted gifts (including fully paid trips) from the Moroccan authorities, with little to no

enforceable reporting requirements, oversight, or possible sanctions. Nine MEPs report having received free trips to Morocco during the period 2019-early 2023 (which covers the COVID-19 pandemic), more than the reported number of free trips to Qatar over the same period (Transparency International EU, 2023a). Given the patchiness of reporting, the total number of parliamentarians that have accepted gifts from the Moroccan authorities is most probably higher.

Below, we explore the potential effects of Moroccan influence peddling on the EP record as regards Western Sahara through an examination of the EU-Morocco JPC and the EU-Morocco Friendship Group, their activities and membership, as well as the relevant parliamentary votes and parliamentary missions.¹ We conclude by reviewing the measures taken by the Parliament in the wake of the scandal, and briefly discussing parliamentary oversight on foreign policy and its limitations in the European context.

The ‘parliamentarization’ of the EU-Morocco-Western Sahara triangle: background and (para)institutional mechanisms

The EP has long been one of the main international institutional arenas where the Western Sahara conflict has played out. In Brussels, it thus stood out as an exception to the EU’s deliberate non-engagement and backseat role already in the 1980s. Attention was then heightened with the disputed territory’s former colonial power, Spain’s EU accession in 1986. An EP Intergroup on Western Sahara was formed that same year. Yet, a threshold in the ‘parliamentarization’ of the EU-Morocco-Western Sahara triangle would be crossed more than two decades later as a result of three concurrent developments. When Morocco was awarded ‘Advanced Status’ within the context of the European Neighbourhood Policy in 2008, an EU-Morocco JPC followed in 2010. At the same time, the EP emerged as a crucial target within the Polisario Front’s new twofold ‘low politics’ international strategy, which focused on Morocco’s reported human rights violations and natural resource exploitation in the Western Sahara territory under its control. In particular, the Sahrawi nationalists prioritized action against the EU’s de facto inclusion of Western Sahara in its manifold bilateral cooperation agreements with Morocco, combining judicial (CJEU) and parliamentary routes. Finally, the 2009 Lisbon Treaty reinforced the role of the Parliament, by introducing obligatory parliamentary consent for a large share of the EU’s international agreements (i.e., those negotiated under article 218 of the Treaty on the Functioning of the EU).

The oldest mechanism relevant to our discussion is the EP’s Intergroup on Western Sahara. Intergroups are not considered official parliamentary bodies but rather fora for informal exchanges across different political groups and with civil society. They are supposed to be thematic (rather

than geographic) in nature. In this sense, the Western Sahara intergroup was always an exception (together with that on Tibet). In fact, the *raison d'être* for these two intergroups was to counterbalance the EU and EU member states' non-recognition of statehood in both cases, which prevents any sort of formal diplomatic relations, including through official parliamentary diplomatic channels. Despite its lower hierarchical status, the intergroup offers significant advantages for Sahrawi nationalist actors and their supporters. It allows for meetings and events in the EP premises – where MEPs are typically joined by representatives from the Polisario Front and allied civil society organizations such as Western Sahara Resource Watch (WSRW) –, statements or press releases on the intergroup's behalf, thus using the EP's institutional setting for awareness-raising. Between the EP's 2014–2019 and 2019–2024 terms, there was a substantial decrease in the intergroup's membership (from 105 to 63 MEPs) as well as a geographical diversification whereby the weight of German, Italian, and Spanish MEPs became less prevailing. Politically, it has remained dominated by the Socialists and Democrats (S&D), The Left and Greens/European Free Alliance (Greens/EFA) groups (European Parliament, 2015, 2024).

On the other hand, the first specific EP-Morocco mechanism was the EU-Morocco JPC. This is an official interparliamentary forum aiming to bring together a cross-party range of MEPs and Moroccan parliamentarians. It works under the umbrella of the Delegation for Relations with the Maghreb countries and the Arab Maghreb Union (DMAG), which combines responsibilities of parliamentary oversight over the EU's relations with this region and coordinating engagement with Maghrebi parliamentary counterparts – notwithstanding potential tensions between these two roles. The EP-Morocco JPC, which meets annually in Brussels or Rabat, currently consists of 26 members with co-chairing and parity of representation (European Parliament, n.d.-c). Its unique pairwise working method (*binômes*) – whereby 'one Moroccan parliamentarian and one MEP work together and produce a joint contribution on an aspect of the EU-Morocco partnership' – informs JPC recommendations to the EU-Morocco Association Council, i.e., the body in charge of bilateral political dialogue at the executive level under the 1996 Association Agreement. Besides producing many such reports, the DMAG website stresses that the *binômes* have 'helped to forge strong interpersonal relationships among members' (European Parliament, n.d.-b; see also Parliament of the Kingdom of Morocco and European Parliament, 2014). In the context of 'Moroccogate', it is noteworthy that the two co-chairs of the EU-Morocco JPC for most of the 2010–2014 and 2014–2019 periods, namely the DMAG chairman Panzeri and Moroccan MP Abderrahim Atmoun are the two key figures at the centre of the scandal. This means that what was conceived of as a typical instrument of parliamentary diplomacy ended up

becoming a channel for what now appears to be less lawful connections and practices.

One year after the establishment of the JPC and in the midst of lobbying campaigns preceding the December 2011 vote on the EU-Morocco fisheries protocol (see below), Rabat boosted its presence further with the creation of an EU-Morocco Friendship Group. Headed by French MEP Gilles Pargneaux, this grouping appeared as the product of a distinctly Moroccan initiative seeking to informally influence the legislator; that is, as an instrument of parliamentary lobbying. Somewhat similarly to intergroups, friendship groups, 'sometimes sponsored by lobbyists or foreign governments, are not official European Parliament organizations'. According to the Parliament, 'if these groups travel abroad, they have no official status [. . .]. These groups do not coordinate with the committees and cannot speak on behalf of Parliament' (European Parliament, n.d.-a). However, while there has always existed a theoretical boundary between regular parliamentary diplomacy (i.e., Maghreb Delegation, EU-Morocco JPC) and lobbying (i.e., EU-Morocco Friendship Group), these formal and informal structures have often tended to overlap in practice. A leaked internal 2014 document from the Moroccan Ministry of Foreign Affairs indicates that the EU-Morocco Friendship Group had set itself the objective of 'working within the framework of complementarity' and having its EP members 'develop joint initiatives and approaches' with the JPC (Ministère des Affaires Etrangères et de la Coopération, 2014). In the eyes of pro-Sahrawi actors, the problem was that the EU-Morocco Friendship Group was 'taking over the Maghreb Delegation' (author's interview in Brussels, August 2016).

The make-up of the EU-Morocco Friendship Group combined two particular features: the dominant role of Pargneaux, described by a fellow S&D MEP on Twitter as 'the most unabashed Morocco lobbyist',² and the lack of clarity as to its wider membership, of which no full record is publicly available. An unofficial list (for the 2009–2014 term) circulated online in late 2022 included 57 MEPs, a majority (34) of which were from the centre-right European People's Party (EPP) group – followed by 14 from S&D, 7 from the Alliance of Liberals and Democrats for Europe (ALDE) and 2 from Greens/EFA. Regarding countries of origin, French MEPs comprised nearly half (26) of the grouping, while the rest came from Spain (9), Belgium (8), Italy (4), Germany (3), and others (7) (Maghreb Online, 2022). The leaked Moroccan memo reveals Rabat's concerns regarding the balance of the friendship group's membership: it wanted it to be more representative of the range of EU member states and to include MEPs from the political groups 'most hostile to Morocco' (Ministère des Affaires Etrangères et de la Coopération, 2014). Chief among the group's activities were regular visits to Morocco and what some of its members referred to as the 'Moroccan Sahara', matching key dates in Rabat's agenda – e.g., UN Security Council votes on Western Sahara

(Africa Intelligence, 2015) and the CJEU rulings on EU-Morocco agreements (Le Matin, 2016). Travel, accommodation, and gifts were often paid for by Morocco, as revealed by recent journalistic investigations (Martinage, 2022). The group additionally organized meetings and events in the EP headquarters in Brussels – including one attended by a suspected Moroccan intelligence agent subsequently expelled from Belgium in 2018 (Radio France, 2023) – and released statements, either collectively or by Pargneaux himself, on issues related to EU-Morocco relations and the Western Sahara conflict. Examples of the latter include several letters to the EU’s High Representative for Foreign Affairs and Security Policy Federica Mogherini and the UN Secretary-General Ban Ki-moon, as posted on the friendship group website.³

EP non-legislative resolutions and consent votes on Morocco and Western Sahara

What were the stakes of all of these (para)institutional mechanisms? Over its first six terms since the introduction of direct elections (1979–2009), the EP had mainly debated and passed non-legislative resolutions on the Western Sahara conflict and its two parties. They concerned primarily the human rights situation in both Western Sahara and Morocco itself, the Moroccan political liberalization of the 1990s and the various steps and hurdles of the UN-led peace process. The 1989–1994 term was the most prolific. By contrast, from 2009 onwards, we saw a marked drop in the number of non-legislative resolutions, as well as a thematic shift away from the Western Sahara peace process and human rights-related issues. The new focus was on the bilateral cooperation agreements between the EU and Morocco, such as those on fisheries and agricultural trade, which were now subject to parliamentary consent. The only exceptions to this trend are the November 2010 resolution condemning the violent dismantling of the Sahrawi protest camp in Gdeim Izik by Moroccan security forces, and the more recent resolutions ‘On the breach of the UN Convention on the Rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta’ (June 2021) and ‘On the situation of journalists in Morocco, notably the case of Omar Rad’ (January 2023) (see Figure 1).

Apart from these resolutions – and some side lobbying battles, e.g., concerning mentions of Western Sahara and Morocco in the EP’s *Annual Reports on Human Rights and Democracy in the World* – the bulk of parliamentary activity related to the conflict since 2009 has revolved around the consent votes themselves. The most fraught and consequential of these was the December 2011 vote on the protocol of extension of EU-Morocco fisheries partnership agreement. The EP unexpectedly voted against the continuation of this deal, in force since April 2007, objecting – alongside other economic, financial, environmental, and developmental issues – that it included the

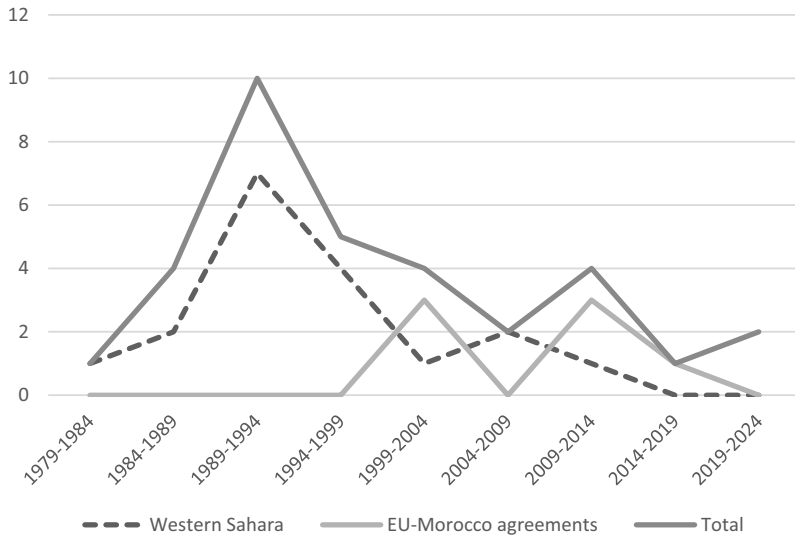


Figure 1. Number of EP non-legislative resolutions specifically concerning Morocco and/or Western Sahara (as per title). Sources: EUR-Lex.europa.eu, Centro de Estudos do Sahara Occidental da USC (n.d.); authors' own elaboration.

territorial waters of non-self-governing Western Sahara without having ensured its direct benefits for all the local population groups affected. This narrow parliamentary rejection (296 votes in favour, 326 against, 58 abstentions) is seen as the result of an unprecedented lobbying campaign by the Polisario Front and WSRW. A blow for Morocco, the Commission and affected EU member states such as Spain, the Sahrawi nationalist movement celebrated it as a momentous victory.

However, having the EP on their side would soon appear to be the exception rather than the rule. The tide turned just two months later, in February 2012, when the EP consented (369 votes in favour, 225 against, 31 abstentions) to the conclusion of an EU-Morocco agricultural trade agreement, even though it too did not allow for a differentiation of products originating from the Western Sahara territory. Consent was also granted in December 2013 (310 votes in favour, 204 against, 49 abstentions) to a renegotiated version of the EU-Morocco fisheries protocol which had addressed some of the perceived environmental and financial flaws of its predecessor but had not changed as far as the inclusion of Western Sahara's waters were concerned. The EP's noticeable U-turn between the vote of December 2011, on one hand, and those of February 2012 and December 2013, on the other, was attributed to the successful reaction and mobilization of Morocco's parliamentary lobbying – converging with the interests of the EU's executive

institutions. Yet, in hindsight, the ‘Moroccogate’ scandal raises questions as to whether corruption might have also played a part. In particular, the reported bribery network and the influence peddling implicates S&D MEPs such as Panzeri and Pargneaux who presumably, given their (para)institutional roles outlined in the previous section, could have held some sway over their fellow MEPs. The S&D was strategic given its size, internal division, and past ‘swing’ behaviour in votes related to Morocco and Western Sahara.

The next two important EP consent votes, in January and February 2019, signalled the closure of a three-year diplomatic crisis between Brussels and Rabat. Tensions had been triggered by the landmark CJEU rulings on the EU-Morocco agricultural trade agreement (December 2015 and December 2016) and fisheries partnership agreement (February and July 2018). The cases had been brought before the court by the Polisario Front in the wake of the 2012 and 2013 EP consent to these agreements. The judgements established that Western Sahara has a ‘separate and distinct status’ as a non-self-governing territory, and thus the people of Western Sahara must be regarded as a ‘third party’ from whom consent must be sought before any EU-Morocco agreement could include the territory (Court of Justice of the EU, 2016, 2018).

However, despite this accumulating case law, the European Commission and the Council resisted adopting a territorial differentiation norm. Instead, the Commission and the European External Action Service (EEAS) conducted a series of consultations with stakeholders from Moroccan-controlled Western Sahara as a workaround to keep including the territory in revised EU-Morocco deals, thus claiming to meet the CJEU criteria of ‘consent’ of its people. The controversies regarding this process (further described in the next section) did not prevent the EP from giving its consent to the two renegotiated agreements – and this time by overwhelming majorities (444 votes in favour, 167 against, 68 abstentions for the agricultural trade deal; 415 votes in favour, 189 against, 49 abstentions for the fisheries one). The fact that the CJEU again annulled these agreements in September 2021, concluding that the consultations ‘cannot be regarded as having secured the consent of the people of Western Sahara’ (Court of Justice of the EU, 2021), calls into question the robustness of recent EP parliamentary reviews. For example, on the eve of the plenary votes of January and February 2019, Pargneaux claimed that the EU-Morocco Friendship Group had played ‘a key role in the success’ of all the preparatory committee votes (Maroc Diplomatie, 2018).

Official parliamentary missions

In recent years, there has been one mission by an EP committee delegation to Western Sahara, in early autumn of 2018. This mission was important, as it came on the heels of the 2015–16 and 2018 CJEU rulings. As already

explained, the European Commission tried to move beyond the rulings by obtaining Saharawi consent to the fisheries and agricultural agreements. The mission to Western Sahara of the EP's Committee on International Trade was part of Parliament's approval process of the revised agreements. The two-day mission was led by French liberal MEP Patricia Lalonde, while the other two members were the Finnish Heidi Hautala (Greens/EFA) and the Italian Tiziana Beghin (Europe of Freedom and Direct Democracy [EFDD], Eurosceptic) (European Parliament, 2018a).

The quality of the ensuing mission report can only be described as low. If the main aim was consulting Sahrawis, three parts could have reasonably been expected: a discussion around who can be considered as Sahrawi and as representing the Sahrawis; an effort to focus on discussions with such Sahrawi actors, and an assessment of the prior mission report by the Commission and the EEAS (European Commission, 2018), given that the Parliament was set to ratify the Commission's proposal. To add weight to its findings, some details on how interlocutors, sites, and programme points had been selected and organized would also have been expected. But little of any of this was included in the report. It simply took each interlocutor's word for whether they were originally from Western Sahara or not. 'Sahrawi' and 'local' were used seemingly interchangeably, eschewing the thorny issue of the important migration from Morocco to the territory since the outbreak of the conflict. There is no description of the process behind the visit, its organizers etc. and how this may explain the time allotted to different interlocutors, including Moroccan state representatives and the French Chamber of Commerce. Strikingly, there was no reported attempt to consult the UN-recognized representative of the people of Western Sahara, the Polisario Front. Finally, the only nod to the EEAS/Commission's Western Sahara mission report was to state that the EP report 'supplements' its conclusions.

This entails that there was no parliamentary scrutiny of the EEAS/Commission report's equally questionable quality and tendentious nature: its selectivity of sources (limited or no sources were provided for some of the statistics and most of the existing sources came from the Moroccan authorities); its lack of information regarding ownership structures of the territory's agricultural or fishing companies; the skirting around the issue of the sustainability of the fisheries sector even though this was one main stated goals of the report; and the peculiarity of the 'threefold' consultation, one part of which was carried out by the Moroccan government 'under its own institutional rules' (European Commission, 2018, p. 28). In fact, the Parliament's legal services (which were consulted as part of the approval process) were more critical of the EEAS/Commission report than the EP committee, concluding in a leaked report that it 'seem[ed] difficult to confirm with a high degree of certainty' that the CJEU's requirement of securing the consent of the people of Western Sahara was indeed met, given that the Polisario Front had expressed a negative opinion (European Parliament, 2018b, point 26).

In an opinion piece, a clearly frustrated Hautala (2018) gives details on the heavy Moroccan involvement in the whole process of EP ‘consultation with the Sahrawis’, concluding that the EU ‘need[s] to stand by the principles of international law instead of signing agreements that clearly violate the rule of law [. . .]. Our reputation and the fate of a people is at stake’. She – correctly as it turned out – predicted that the CJEU would ‘most likely strike [. . .] down’ any new deal.

At that point, questions had started to emerge regarding the mission head, MEP Lalonde. It appeared that she was, together with the aforementioned Pargneaux, on the board of a foundation named EuroMedA. EuroMedA, not listed in the EU lobby register, was initially hosted by lobby firm Hill+Knowlton Strategies, of whom the Moroccan state was an important client. Moreover, the EuroMedA board also included important Moroccan political personalities (for instance, EuroMedA’s vice-president was long-serving Moroccan minister Salaheddine Mezouar) (Nielsen, 2018a). Board members were reportedly not paid. In December 2018, an internal investigation was launched against Lalonde and three other MEPs (Pargneaux, Romanian centre-right Romona Manescu, and Belgian liberal Frederique Ries) over possible breaches of the EP Code of Conduct, according to which MEPs must declare conflicts of interest if proposed as a rapporteur, or ‘before speaking or voting in plenary or in one of Parliament’s bodies’, regardless of ‘whether the membership or activity in question is remunerated or unremunerated’ (Nielsen, 2018b). Lalonde subsequently resigned as the EP rapporteur on the revised agricultural trade deal. However, the vote went ahead as planned in early 2019. In a final twist, political party group leaders decided that no public parliamentary debate was to be held on the issue before the vote. A year later, the conclusion of the ethics probe into Lalonde and her colleagues had not been made public. The EP’s Secretary General, Klaus Welle, denied a freedom of information request, stating that a disclosure would ‘seriously undermine the institution’s decision-making process’ (cited in Nielsen, 2019).

EP responses to ‘Moroccogate’ scandal

After the impassioned *cri du cœur* from EP President Roberta Metsola – ‘There will be no impunity. [. . .] There will be no sweeping under the carpet. [. . .] There will be no business as usual. [. . .] We will shake up this Parliament and this town’ (cited in Transparency International EU, 2023b) – subsequent parliamentary action has been uneven, particularly as concerns the Moroccan connection. Morocco was not included in the initial EP resolution in reaction to the scandal; a proposed amendment to mention the country alongside Qatar was voted down by a majority of MEPs.

Metsola rapidly presented a 14-point reform plan, which was formally endorsed by the Conference of Presidents in early February 2023. Many

points were particularly relevant to ‘Morocccogate’, such as the proposals for a ‘cooling-off period’ of up to two years for ex-MEPs before they can lobby their former colleagues, mandatory registration for all EP lobbyists, a partial ban on friendship groups with third countries, and mandatory declarations for MEPs, parliamentary assistants, and EP officials of scheduled meetings with all interest, third party, and diplomatic representatives. Not all were taken on board by the EP in the text voted in September 2023, and the result is widely viewed as a mixed bag. Some new rules, such as the requirement to declare more information about remunerated activities, to log more meetings held with diplomats and interested representatives – which must henceforth be registered –, and clearer definitions of conflicts of interest, are clearly relevant to avoid a repeat of ‘Morocccogate’. Others, including the quite short six-month cooling-off period and the fact that unofficial groupings will still be allowed to operate (albeit under stricter rules), are less so. The fact that MEPs will still be allowed to hold paid side activities with organizations on the EU lobby register is potentially problematic, and enforcement remains a major overarching challenge.

The S&D, shaken by the fact that the main suspects were from their political group, did something that the Parliament has not so far done: it set up an inquiry. Its preliminary findings have been made public (Garitte et al., 2023). The experts’ identified deficiencies – in existing rules, their application and enforcement, and other measures including S&D internal procedures – run over five pages of tightly packed text. However, the inquiry does not cover the substance of decisions voted by the S&D group and individual members, and the report mentions Morocco only twice.

More broadly, there is concern that the EP is leaving the issue behind it as it is gearing up for the 2024 elections, and that the new parliament will not continue with the reforms. EU Ombudsman Emily O’Reilly has been notably critical of the measures so far, stressing that they do not go far enough, either to prevent undue lobbying or to revert voters’ trust in the Parliament, and by extension, democratic institutions generally (Connelly, 2023). Taken together, this means that there has been no investigation so far into how the scandal may have affected individual parliamentary decisions. Calls from some quarters for a retrospective review of recent EP legislative activity involving Moroccan interests have so far remained unheeded.

What, then, does ‘Morocccogate’ tell us about EP involvement in EU foreign policy making, or ‘external action’ as it is more commonly labelled? Parliamentary involvement – both in terms of decision-making and scrutiny of the executive branch – is generally viewed positively. It is supposed to enhance democratic legitimacy and accountability, and prevent secrecy and dominance of the executive branch in the formulation of foreign policy. In the EU context, parliamentary oversight may be considered

particularly important as European states have left some key parts of their foreign policy agenda – in particular trade – to the EU institutions. In some other policy areas as well, member state policies tend to follow the EU line. The EU, obviously, is a weighty player on the international arena. This is why the extension of the EP's role over the years has been hailed as a crucial step towards reducing the 'democratic deficit' of EU institutions.

It is important to stress that 'Moroccogate' is doubtless an extreme case: after all, it led to unprecedented judicial action and to the stripping of parliamentary immunity of some key MEPs. We should thus be careful in drawing any general conclusions regarding EP decision-making from this particular case. At the same time, it is clearly not unique: as the various special EP committees on foreign interference in EU democratic processes testify, the EP was concerned about the integrity of its decision-making processes even before this scandal broke out.

What seems clear is that there is an in-built tension in the hybrid role of the EP – its very active parliamentary diplomacy as combined with its oversight role. Moreover, the political groups manifestly do not have the same cohesiveness or internal discipline as many national parliamentary parties. Corrupt behaviour, which at national level would lead to scandal and expulsion, remains under the radar given the distance between Brussels and the national media institutions. Most fundamentally, the combination of relatively plentiful opportunities for corruption with insufficient deterrents in terms of audits, controls, and sanctions means that MEPs with weaker moral standards and little sense of public duty will be tempted to act unethically and sometimes even in contravention of the law.

Notes

1. It must be stressed that in all cases, the presumption of innocence remains key and that investigations are still ongoing.
2. <https://twitter.com/AnaMartinsGomes/status/1603117531316854791>.
3. <https://groupedamitieumaroc.wordpress.com/>.

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