## **Policy Brief**

The Socio-Economic and Political Dynamics Around Migration in Morocco

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The geographic position of Morocco and its history makes it a strategic country when it comes to matters of international migration. Having long been considered as a country of origin, the fast paced growing development of Morocco soon brought it from being merely a sending country to becoming a transit and destination to migrants from other parts of Africa. This change in the migratory context of Morocco has led to the adoption of a series of policies and governmental actions to take advantage of international migration and mitigate its risks. The following policy brief provides an overview of the Moroccan strategy on migration as well as the main drivers of migration in Morocco.



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As suggested by its strategic geographic position at the crossroads of Africa and Europe, Morocco is historically a country of emigration and immigration. Moving slowly from the status of country of origin, to country of transit and destination, Morocco is set to play a key role in the debate around migration and mobility at the international level. In fact, migration is a powerful tool in Moroccan foreign policy, serving several objectives. First, through the promotion of mobility, Morocco has sought to strengthen ties with other African countries, since its return to the African Union in 2017. Shortly after this historic return, Morocco was named as the coordinator of the African Agenda on Migration at the level of the African Union.

Morocco also aims to be a key player in promoting international mobility. It hosted in late 2018 the United Nations Intergovernmental Conference on the adoption of the Global Compact for Safe, Orderly and Regular Migration. Under the guidance of King Mohammed VI, the Moroccan government has sought to promote a different view on the question of migration, aiming at challenging current assumptions that Africans only want to leave the continent if aiming for better future. Morocco has in fact tried to prove that interesting synergies and opportunities can be found for Africans within their continent. This approach has been demonstrated through the regularization campaigns that have enabled thousands of migrants to obtain residency permits and hence get access to the job market and fully contribute to the economy of Morocco.

Nonetheless, the aforementioned endeavors should not detract attention from ongoing economic and institutional obstacles that limit the fulfillment of the Moroccan agenda on migration and development. In fact, Morocco is still a country of origin for young migrants, who seek both legally and illegally to reach European shores.

In this policy brief, we present key characteristics of migration in Morocco while touching on the institutional and political context surrounding the management of mobility and migration by the relevant authorities.

### **Key Drivers of Moroccan Migration**

The findings of the 2018-2019 National Survey on International Migration¹ offer interesting insights to help understand the drivers of migration in Morocco. Overall, three reasons are behind the migration of Moroccans abroad. First, migrants seek better socio-economic prospects including job opportunities, better incomes and better living conditions. Second, migrants move for social reasons related to family reunification or marital status (marriage, divorce, or separation). Other reasons range from the search for better health and social services, and the search for a better educational system. Finally, a small proportion of Moroccans chose to emigrate because of humanitarian reasons related to integration, traditions, customs, and religion. Freedoms, rights, discrimination, and racism also qualify as humanitarian drivers, in addition to the perception of a risk of persecution for political or religious reasons.

<sup>1.</sup> Haut-Commissariat au Plan (HCP), La Migration Internationale Au Maroc, Résultats de l'Enquête Nationale sur la Migration Internationale 2018-2019. 2020.PP11.

These drivers illustrate the components of the *Push and Pull theory*<sup>2</sup>, explaining that international migration in general, including its irregular aspects happens because of the differences in prosperity between the origin and destination countries. Often, the origin countries of illegal migrants exhibit several factors pushing their nationals to seek opportunities abroad, even when this involves undertaking dangerous journeys as illegal migrants. These factors range from poverty/lack of opportunities, high levels of youth unemployment, to weak infrastructure and inadequate public services. On the other hand, pull factors in destination countries attract immigrants willing to improve their living conditions. Such factors include better economic prospects, political and institutional stability, job opportunities etc.

In addition to the economic and social reasons, the lack of sufficient legal corridors for mobility leads to irregular migration. Behind this lies the fact that somehow the integration of the European Union has restrained the mobility of its immediate southern neighbors. In the case of Morocco, a visa requirement to enter Spain was only imposed on Moroccans when Spain signed the Schengen agreement in 1991<sup>3</sup>. Subsequently, a large number of illegal Moroccan migrants started to arrive and settle in Spain. The main issue was related to the fact that seasonal workers who used to practice circular movements between Morocco and Spain suddenly decided to remain permanently in Spain as they feared they would be denied entry back into Spain if they went home. It is likely the Spanish authorities gave special consideration to the regularization of Moroccans, taking into account the changes brought in by the Schengen agreement<sup>4</sup>. However, the final result was more arrivals in Spain of Moroccans in general and illegal immigrants in particular. The same observation is valid for Italy, which imposed a visa regime on Moroccans in 1990.

Other channels of regular immigration to Europe were the bilateral government agreements between Morocco and some European countries (Belgium, France, and Spain). These were arrangements by which Moroccan nationals were hired to work in Europe in response to the demand for low-skilled labor that followed the Second World War. Eventually, the demand for African workers dropped away, because the labor offer exceeded the needs of the mining industry<sup>5</sup>.

Structural changes in Europe did not make Moroccan migrants less willing to leave for Europe<sup>6</sup>. Hence, attempts were made to negotiate a favorable mobility partnership between the EU and Morocco. The optimal outcome would have been visa facilitation for Moroccan nationals and more cooperation from the EU side on the readmission of third-country national. The negotiations were run for years without noticeable progress, despite the signature of a mobility partnership in 2013. Behind the blockages are the high stakes for both parties.

<sup>2.</sup> Ramos Juan, *Push and Pull factors of Migration*, Science Trends.2017.

<sup>3.</sup> El ouassif Amal, Comparative Study Between EU Mobility Partnerships with Morocco and Moldova, PP9.

<sup>4.</sup> Ibid.P.9.

<sup>5.</sup> S. Gsir, J. Mandin &E. Mescoli, "Corridor Report on Belgium, The case of Moroccan and Turkish Immigrants", Migration Policy Centre, European University Institute, Firenzi, Italy, 2015p. 10.

<sup>6.</sup> El ouassif Amal, Migration Et Mobilité Africaine : Bilan Et Perspectives- Rapport annuel sur La géopolitique de l'Afrique Sous la direction de Abdelhak Bassou. Policy Center for the New South.2018. PP.169.

# The Legal Institutional Response to Irregular Migration in Morocco

In 2014, the government of Morocco officially adopted the *National Strategy on Immigration* and Asylum. This outlined the Moroccan approach in the field of migration. Overall, the main objectives were: the regularization of the administrative status of qualified illegal immigrants, integration and access to public services (education, health, and employment), and the upgrading of the legal framework (fighting irregular migration and human trafficking)<sup>7</sup>. In line with the strategy 23,096 refugees and migrants were given residence permits in 2014<sup>8</sup>. An additional 20,000 were regularized in 2017. Morocco became, hence, the first African country to proceed with the regularization of illegal foreigners.

In addition to the National Strategy on *Immigration and Asylum*, multiple actors intervene in migration management in Morocco. The main stakeholders are represented in the following diagram.

Legal

- Law n° 02-03 on the entry and stay of foreigners in the Kingdom of Morocco, emigration and illegal
  immigration.
- Law No. 27-14 on fighting human trafficking adopted in 2016 as well as Decree No. 2-17-740
  establishing the composition and operating procedures of the national commission in charge of
  coordinating measures to combat and prevent human trafficking, adopted in June 2018.

Institutional

- The Ministry delegated to the Minister of Foreign Affairs and International Cooperation in charge of Moroccans Abroad and Migration Affairs.
- The Interministerial Committee for Moroccans Residng Abroad and migration (the decision-making and monitoring body for the implementation of migration policies). Composed of involved ministries and institutions.
- National Council for Human Rights

Non state actors

 Synergies with international donors: International Organisation for Migration (IOM), European Union-United Nations Refugee Agency (UNHCR), United Nations Development Program (UNDP), UN Women, United Nations Children's Fund (UNICEF), United Nations Educational, Scientific and Cultural Organization (UNESCO).

<sup>7.</sup> Ministère Délégué auprès du Ministre des Affaires Etrangères, de la Coopération Africaine et des Marocains Résidant à l'Etranger, Chargé des Marocain Résidant à l'Etranger, Stratégie Nationale d'Immigration et d'Asile. https://marocainsdumonde.gov.ma/wp-content/uploads/2018/02/Strate%CC%81gie-Nationale-dimmigration-et-dAsile-ilovepdf-compressed.pdf

<sup>8.</sup> Ministère Délégué auprès du Ministre des Affaires Etrangères, de la Coopération Africaine et des Marocains Résidant à l'Etranger, Chargé des Marocain Résidant à l'Etranger, Politique Nationale d'Immigration et d'Asile, Rapport 2018. PP.

In parallel to the humanitarian approach to migration, Morocco upgraded its security approach to illegal migration. At the institutional level, in 2003 Morocco adopted Law 02-03 relative to 'The entry and residence of foreigners in Morocco, immigration and illegal immigration'. Article 50 of this law penalizesirregular immigration. The attempt to illegally leave or enter the Moroccan territory is punishable by a "fine of 50,000 to 500,000 dirhams and imprisonment of one to six months or one of these penalties for any person who illegally leaves the Moroccan territory via land, sea or air borders".

Non-governmental organizations and activists identify some shortcomings in the aforementioned law. The main criticism<sup>10</sup> is the fact that criminalizing illegal migration contradicts the United Nations Universal Declaration on Human Rights which stipulates: "Everyone has the right to leave any country, including his own, and to return to his country" (Article 13-2)<sup>11</sup>. Additional criticism has been related to the absence of references to the rights of illegal migrants to protection and assistance. This is an issue that is partially addressed by the National Strategy on Immigration and Asylum, which outlines comprehensive directives for the protection of migrants' rights.

In the field, the Central Bureau of Forensic Investigations (BCIJ) and the General Directorate for the Surveillance of the National Territory collaborate on the dismantlement of smuggling networks and organized crime. According to the Moroccan Ministry of the Interior, in 2018—the latest figures before the outbreak of the coronavirus pandemic in 2020—more than 76,000 illegal immigration attempts were thwarted, in addition to the dismantlement of 174 trafficking networks<sup>12</sup>. These figures are comparable to the failed attempts detected by the guard forces on the European borders in the same year. Hence, half of the attempts at illegal crossings to Europe in 2018 were stopped in Morocco before they reached European shores.

Transnational cooperation is another powerful tool mobilized by Morocco to limit irregular migration. The prime example is bilateral cooperation with Spain. Spanish governmental and media sources confirm that the efforts of Morocco helped in halving irregular crossings in 2018. The report of the International Organization for Migration stated that in April 2019, 820 migrants arrived in Spain in comparison to over 1700 the same month the year before.

Morocco argues that irregular migration cannot be tackled solely through security measures. Hence, in its negotiations with European counterparts, Morocco has always refused to play the role of "frontier police to Europe" and insists on the importance of development in preventing illegal migration. Neighboring European countries seem to endorse the same point of view at EU level, lobbying for more funds to be unlocked for countries actively limiting the life-threatening illegal crossings in the Mediterranean. Hence, the European Union provided a fund of €101.7 million to Morocco as a part of the Emergency Trust Fund for Africa, aiming at stability and addressing the root causes of irregular migration and displaced persons in Africa<sup>13</sup>.

<sup>9. &</sup>quot;Entry and Stay of Foreigners in Morocco, Emigration and Irregular Immigration", November 11, 2003, (Law 02-03) enacted by Royal Decree: Dahir n° 1-03-196, art. 42).

<sup>10.</sup> A. Arrach, "The Moroccan new immigration policy and the constitutional protection of fundamental human rights of migrants", Faculty of Law, Economics and social Sciences, University Hassan 1, Settat, Morocco., PP.6.

<sup>11.</sup> United Nations, Universal Declaration of Human Rights. https://www.un.org/en/universal-declaration-human-rights/

<sup>12.</sup> La Tribune Afrique, première opération de démantèlement d'un réseau d'immigration clandestine de l'année 2019, https://afrique.latribune.fr/afrique-du-nord/maroc/2019-01-03/maroc-premiere-operation-de-demantelement-d-un-reseau-d-immigration-clandestine-de-2019-802607.html

<sup>13.</sup> Telquel.ma, Une nouvelle aide européenne de 101,7 millions d'euros pour lutter contre l'immigration clandestine, 11 Décembre 2019.

# The Government's Response to COVID-19 and its Impact on Irregular Migration

As soon as lockdown and social distancing measures were put in place in Morocco, a solidarity fund was created to meet the health and socio-economic needs of the most vulnerable categories. A monthly allowance of 2,000 Moroccan dirhams (MAD; equivalent to \$215) was granted to employees temporarily on work stoppage due to the pandemic<sup>14</sup>. Then, heads of households holding a Medical Assistance Plan card (RAMED) were able to receive monthly allowances ranging from 800 MAD to 1200 MAD, depending on the size of the household. Finally, unregistered workers who qualified for the assistance also received allocations similar to undocumented workers for a period of three months, before the reopening of various activity sectors.

Knowing that Morocco did not necessarily have a comprehensive social policy that could have been adapted to mitigate the consequences of the COVID-19 crisis, the overall opinion has been positive about the social-support decisions taken by the government. The distributed allowances permitted vulnerable households to meet their basic needs during the lockdown. However, things started to change with the progressive return to normal working activities, as undocumented workers, particularly those working in the services sector struggled to return to their pre-crisis levels of activity.

As far as illegal immigration is concerned, the perspectives can be contradictory. On one hand, the pandemic has accelerated the process of the development of the Single Social Register, which is a social-targeting mechanism that will allow better social inclusion of vulnerable populations. The development of effective adequate social policies will have a positive impact on the living conditions of citizens and will limit the incentives to irregular migration. On the other hand, the aftermath of the crisis is going to be economically very challenging at the short and mid-term. Since the beginning of the pandemic, millions of jobs have been lost worldwide. Africa will not be saved from this trend. Hence, there will be migratory pressures if effective mitigation policies are not adopted promptly.

To sum up, Morocco's interest in the questions of migration and mobility, both at continental and international level, seems to be natural and implied by its geographic and political history. The recent measures taken by the government to promote the inclusion of migrants and prevent irregular migration reflect a real devotion on the part of the Moroccan authorities, and a momentum for positive policies in the area of migration. However, obstacles to the implementation of this vision persist, particularly as a change in the existing law on irregular migration is yet to be operationalized. Additionally, the ambitious vision of socially including migrants and refugees would need a full mobilization of stakeholders, which could be challenging.

<sup>14.</sup> El Ouassif Amal, Chapitre 12 : Le migrant dans les politiques publiques, l'Etat au Révélateur du COVID19, Policy Center for the New South, 2020.

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### About the Policy Center for the New South

The Policy Center for the New South (PCNS) is a Moroccan think tank aiming to contribute to the improvement of economic and social public policies that challenge Morocco and the rest of Africa as integral parts of the global South.

The PCNS pleads for an open, accountable and enterprising "new South" that defines its own narratives and mental maps around the Mediterranean and South Atlantic basins, as part of a forward-looking relationship with the rest of the world. Through its analytical endeavours, the think tank aims to support the development of public policies in Africa and to give the floor to experts from the South. This stance is focused on dialogue and partnership, and aims to cultivate African expertise and excellence needed for the accurate analysis of African and global challenges and the suggestion of appropriate solutions.

The views expressed in this publication are those of the author.

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