# IRREGULAR MIGRATION IN MOROCCO

Introduction

Irregular migration in Morocco presents a complex and pressing challenge with far-reaching implications for the country's economy, politics, and society. Situated at the crossroads of Africa and Europe, Morocco serves as a strategic gateway for irregular migrants seeking to reach Europe. Morocco stands at a crossroads of migration, where shifting policies and geopolitical dynamics intersect with human aspirations and challenges. The nation's migration trajectory has witnessed significant transformation, particularly with the implementation of a revised migration policy in 2013. Departing from a security-centric approach, this policy heralded a new era, acknowledging Morocco as both a transit point and destination for migrants. As Morocco navigates this complex landscape, it grapples with legislative reforms, institutional adjustments, and diplomatic engagements to address the multifaceted dimensions of migration. This paper delves into the nuances of irregular migration in Morocco, exploring its economic impacts, political responses, and social integration challenges. By examining the interplay of policy, practice, and perception, it seeks to unravel the complexities inherent in Morocco's migration landscape and chart pathways for informed policy discourse and action.

Figure 1: Top Five Country nationals ordered to leave the EU, Q1 2022-Q4 2023

Top five third-country nationals ordered to leave, EU, Q1 2022 - Q4 2023 (persons)
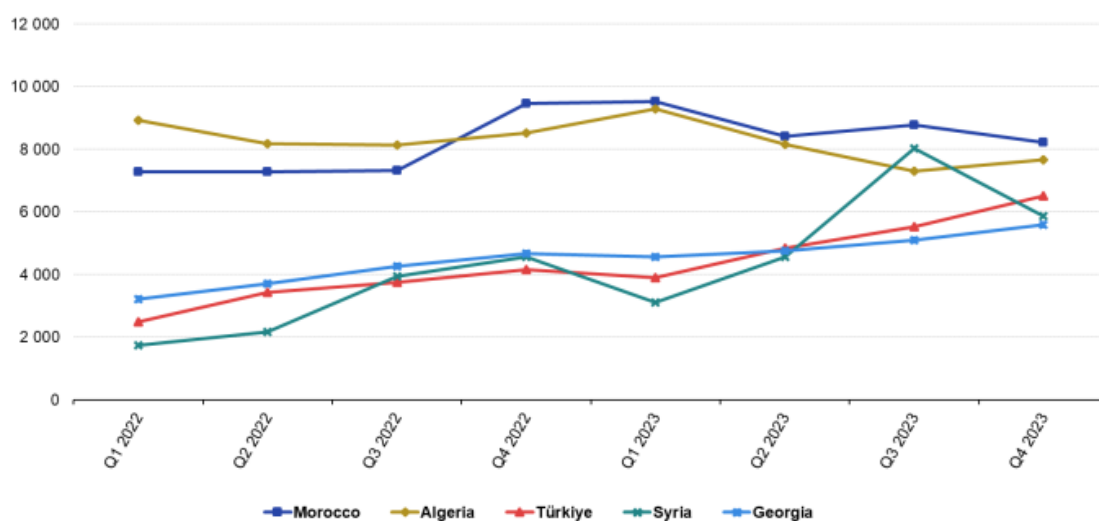
Source: Eurostat (online data code: migr_eiord1 and migr_eirtn1)

Morocco's position as one of the top 5 countries with the highest number of citizens leaving the EU, as indicated in the Q4, 2023 ranking, underscores the notable outflow of migrants from the EU to Morocco. This phenomenon reflects the intricate interplay between migration

dynamics in Morocco and the EU, shedding light on the multifaceted nature of irregular migration patterns in the region.

1. Unraveling the complexities of Irregular Migration in Morocco

1.1. Life in Morocco

There are various routes irregular migrants take to reach Morocco, each with its dangers. These routes all include traveling through the Sahara, long distances walking on foot, and dangers posed by both a harsh environment and lack of protection. Furthermore, upon reaching Morocco, life for many of these Africans remains difficult as a result of various political, social, and economic challenges.

1.2. Irregularity

Irregular migrants in Morocco endure a continuous state of irregularity, which severely constrains their prospects for social and economic progress. As highlighted in research by Cherti & Grant (2013), the absence of legal documentation deprives these migrants of employment opportunities and access to fundamental services such as healthcare and education. This vulnerability exposes them to exploitation and mistreatment, exacerbating their ongoing cycle of impoverishment. Moreover, internal security checks between cities further curtail their mobility (Cherti & Grant, 2013). In essence, lacking essential rights and freedoms, irregular migrants in Morocco find themselves ensnared in a precarious predicament.

1.3. Economic inopportunity

In the absence of proper documentation, irregular migrants encounter challenges in securing formal employment, often leading them to the informal sector. This typically involves engaging in physically demanding work such as agriculture or construction, which offers minimal compensation (Cherti & Grant, 2013, 37). Furthermore, Moroccan employers exploit the vulnerable situation of migrants, who lack legal protection, by paying them lower wages. As highlighted by an interviewed Cameroonian migrant, this often results in migrants receiving half the salary of Moroccan workers for the same job (Cherti & Grant, 2013, 38).

Moreover, Irregular migrant workers lack employer-provided healthcare and struggle to address workplace issues (Cherti & Grant, 2013). They often endure physically demanding and unsafe jobs without recourse for injuries (Cherti & Grant, 2013). Due to challenges in finding employment, some turn to sex work or begging for survival (Cherti & Grant, 2013).

1.4. Racism & Exploitation

Despite the varying circumstances and living conditions of different migrants, sub-Saharan migrants commonly experience racism (Cherti & Grant, 2013). In addition to facing racial slurs and insults, negative perceptions of the sub-Saharan African community have practical

ramifications. Without legal protection, migrants are often vulnerable to exploitation by employers, landlords, and others they rely on. This vulnerability frequently results in underpayment by employers, exemplified by a black migrant who received significantly lower wages compared to standard rates (Cherti & Grant, 2013, 43). Furthermore, landlords may take advantage of migrants by overcharging or providing substandard housing conditions upon discovering their lack of documentation (Cherti & Grant, 2013, 43). With insufficient wages and high living costs, irregular migrants frequently struggle to afford basic necessities.

1.5. Civil Society

A multitude of civil society organizations (CSOs) in Morocco actively advocate for the rights of irregular migrants and endeavor to improve their access to essential services such as education and healthcare (Cherti & Grant, 2013, 41). These include local NGOs like Groupe Antiraciste d'Accompagnement et de Défense des Etrangers et Migrants (GADEM) and Association Marocaine des Droits Humains (AMDH), migrant groups like the Council of Sub-Saharan Migrants in Morocco (CMSM), and international entities such as Caritas and Medicins Sans Frontiers (Cherti & Grant, 2013, 41). Despite varying levels of funding, limited resources and a significant migrant population constrain the ability of CSOs to provide effective support to irregular migrants (Cherti & Grant, 2013, 41). While civil society assistance for irregular migrants is generally accepted, the absence of government financing and oversight impedes the coordinated delivery of services, leading to fragmented aid efforts (Cherti & Grant, 2013, 41).

1.6. Long Term Options

Sub-Saharan African migrants, with aspirations of reaching Europe, often embark on demanding journeys to Morocco. While some persist in their quest for European destinations, a considerable number choose to remain in Morocco or return to their homelands, acknowledging the hurdles and dangers involved. Staying in Morocco poses challenges like harsh living conditions and persistent insecurity. Attempts to reach Spain, whether by sea or land routes, present formidable obstacles, prompting some migrants to contemplate returning to their countries of origin. Factors influencing this decision include improved conditions back home, economic opportunities, and dissatisfaction with life in Morocco, compounded by discrimination and challenging living circumstances (Khalil, M. 2022).

2. Stakeholders in Moroccan Migration Management

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 N°. 27-14 on fighting human trafficking adopted in 2016 as well as Decree N° 2-17-740 establishing the composition and operating

	procedures of the national commission in charge of coordinating measures to combat and prevent human traficking, 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 Commitee for Moroccans Residing Abroad and migration (the decision-making and monitoring body for the implementation of migration policies). Composed of involved ministeries and institutions. - National Council for Human Rights.
Non-state actors	Synergies with international donors; International Organisation for Migration (IOM), European Union-United Nations Tefugee Agency (UNHCR), United Nations Development Program (UNDP), UN Women, United Nations Children's Fund (UNICEF), United Nations Educational, Scientific and Cultural Organization (UNESCO).

Source: policy brief, The socio-economic and political dynamic around migration in Morocco. January 2022. Moroccan Migration Policy

3. Navigating the Complexities of Irregular Migration in Morocco: Economic, Political, and Social Perspectives"

3.1. Economic Impacts:

Irregular migration in Morocco entails significant economic implications, with migrants often relying on informal channels and networks to access employment opportunities (. These migrants contribute to various economic sectors, including agriculture, construction, and domestic work, filling gaps in the labor force and supporting economic activities (Cherti & Grant, 2013). However, the informal nature of irregular migration also leads to exploitation, low wages, and precarious working conditions, limiting migrants' access to formal employment opportunities (Cherti & Grant, 2013). Moreover, irregular migration strains public resources and services, placing additional burdens on the Moroccan government and society (Cherti & Grant, 2013).

3.2. Political Responses:

Politically, irregular migration poses challenges for governance and policymaking in Morocco. The influx of migrants strains diplomatic relations with neighboring countries and international partners, increasing pressure on policymakers to address migration issues effectively (Cherti & Grant, 2013). Additionally, the presence of irregular migrants fuels debates and tensions surrounding immigration policies and border control measures, shaping political discourse and decision-making processes.

3.3. Social Integration Challenges:

Socially, irregular migration contributes to demographic shifts and cultural diversity within Moroccan society. The integration of irregular migrants into local communities often leads to social tensions and challenges related to access to social services, housing, and education (Cherti & Grant, 2013). Furthermore, the marginalization and discrimination faced by irregular migrants exacerbate social inequalities and contribute to social unrest, highlighting the need for inclusive integration policies.

4. Policy Shifts and Migration Dynamics: Examining Irregular Migration in Morocco

The implementation of a revised Moroccan migration policy on September 10, 2013, marked a notable departure from its prior security-oriented approach (Elmadmad 2014), with acknowledgment from Morocco's monarch of the nation's shift towards becoming a destination for immigrants. The UN Committee on the Rights of Migrant Workers, in its concluding remarks dated September 13, 2013, positively acknowledged the Moroccan king's initiative in unveiling a new migration management policy, yet emphasized the necessity for genuine reform implementation by Moroccan authorities (CMW 13 September 2013). On a legislative front, Morocco enacted Law 27/14 targeting human trafficking in 2016. However, progress on the remaining two draft laws regarding asylum (26/14) and immigration has stalled, attributed to security sensitivities surrounding the presence of Syrians in Morocco (Yachoulti 2017, 217).

In terms of implementation arrangements, the reopening of the BRA (Bureau des Réfugiés et des Apatrides) occurred on September 25, 2013, followed by the establishment, in October 2013, of a ministerial department responsible for Moroccans residing abroad and migrants within Moroccan borders (referred to as le Ministère Chargé des Marocains Résidant à l'Étranger et des Affaires de la Migration). The 2013 policy overhaul led to the RBA assuming control over the refugee status determination process. Previously, Moroccan authorities typically disregarded refugee status granted to forced migrants by the UNHCR office in Rabat; however, post-2013, the majority of refugees were granted residence permits (UNHCR, October 8, 2013). Nonetheless, McKanders highlights the marginalization faced by women and forced migrants from sub-Saharan Africa. Despite the Moroccan government's collective categorization of Syrians as refugees, forced migrants from sub-Saharan African nations like Ivory Coast and the Democratic Republic of Congo must individually submit asylum requests (McKanders, 2018, p. 205). Circular no. 8303, co-signed by the Minister of Interior and the Minister in Charge of Moroccans Living Abroad and Migration Affairs on December 16, 2013, organized the 2014 exceptional regularization campaign. According to the National Human Rights Council, despite the perceived rigidity of the circular, it ultimately benefited 92% of applicants in 2014 (Benjelloun, 2021, p. 886).

In 2014, the Moroccan king conducted a diplomatic tour of African nations, fostering renewed ties and positioning Morocco strategically within the continent. This initiative prompted Moroccan authorities to treat citizens from neighboring African countries with greater respect. Additionally, Morocco engaged civil society to implement migration policies effectively, avoiding international criticism. The announcement of a regularization campaign coincided with Algeria's deportation of sub-Saharan Africans, highlighting Morocco's proactive stance. These efforts culminated in Morocco's readmission to the African Union in 2017, reflecting its aspiration to lead in African migration dynamics.

The 2016 reform played a crucial role in Morocco's objective to regain membership in the African Union and establish itself as a leading authority in migration matters across the African continent (ibid. 881-882; Abourabi 2022).

During the Intergovernmental Conference on Migration in Marrakech in December 2018, a significant statement was made by the Moroccan monarch. The address highlighted Morocco's perspective on migration, asserting that it should not be exclusively treated as a security issue. It emphasized the inadequacy of repressive measures as deterrents and stressed the importance of addressing underlying causes. The speech advocated for the fundamental rights of migrants, regardless of their location, and proposed a comprehensive approach that integrates security considerations with socioeconomic development strategies. Furthermore, it proposed harnessing mobility as a driver of sustainable development in alignment with the global 2030 Agenda. Additionally, the Moroccan King proposed the establishment of an African migration observatory to monitor migration trends and formulate pragmatic policies. Subsequently, in January 2019, the African Union announced the establishment of the African Migration Observatory in Rabat, Morocco's capital.

5. **Efforts to Counter Sub-Saharan Irregular Migration and North African Migrants' Departures**

5.1. Attempts to counter sub-Saharan irregular migration in Morocco

The EU-Niger agreement, which resulted in the local transportation and trade industry being labeled as migrant smuggling, served as a reminder for nations in North Africa of the potential advantages of collaborating with the EU to manage the movement of sub-Saharan migrants in the region. Both before and after this agreement, Morocco had entered into significant pacts with the EU concerning irregular migration from sub-Saharan regions.

Efforts to combat irregular migration in Morocco have primarily focused on the movements of sub-Saharan migrants. Recent actions, such as relocating sub-Saharan migrants from cities to remote interior communities and southern borders, have been interpreted as joint commitments by Algeria and Morocco to curb irregular migration into Europe and within their own borders,

often at the expense of depicting sub-Saharan migrants as security risks (GAZZOTTI, L., & HAGAN, M. 2020).

Raids against sub-Saharan migrants are also prevalent in Morocco, displacing them from their communities and sources of income and forcibly resettling them in rural areas where they face racism and discrimination from hesitant residents. This cycle of displacement perpetuates migrants' vulnerability, unemployment, and homelessness, with some resorting to begging for survival, further stigmatizing them as social burdens and subjecting them to additional humiliation and abuse (UNHCR).

In summary, sub-Saharan migrants subjected to forced relocation methods often find their way back into their communities, funded by savings or assistance from friends. While some may choose to return to their home countries or relocate within the region, many, exhausted by harassment and debt, opt to undertake perilous journeys across the Mediterranean.

5.2. Countering North African migrants' departures

Migration from North Africa extends beyond sub-Saharan migrants, with a recent surge in irregular migration from North African countries like Morocco to Italy and Spain, despite the pandemic. Morocco and Tunisia hoped to gain concessions from the EU regarding the migration of their own nationals by addressing migration at the core of the EU counter-smuggling policy.

North African nationals, including Moroccans, encounter difficulties in obtaining visas for legal travel despite meeting requirements and paying significant fees. Visa denials fuel feelings of disrespect and abuse, leading many to distrust EU member states' claims of supporting regular migration and prompting them to resort to irregular migration methods.

Efforts to control mobility in North Africa have negative repercussions for both sub-Saharan and Maghrebi migrants. Despite the pandemic's effects on mobility, irregular migration continues unabated, highlighting the inadequacy of immigration enforcement and border control measures. Additionally, the lack of democratic reforms and increasing inequalities in the region exacerbate the plight of migrants, driving many to view irregular migration as one of the few viable options for improvement (OIM, 2020).

Despite involving various migrants and experiences, the mechanisms and facilitation of irregular migratory journeys from North Africa remain poorly understood, warranting further research and analysis (Sanchez, G. & al., April 2021).

6. **The Impact of the Marrakech Pact on Migration in Morocco: The Role of the Government**

In December 2018, the Global Compact for Safe, Orderly, and Regular Migration (hereinafter: GCM or "the Pact") was adopted in Marrakech and approved by the United Nations General Assembly. Although the GCM is officially a non-binding document, states that adopt it nonetheless agree to duly consider and examine it in good faith. Therefore, the GCM implies an expectation of compliance. Although this expectation is not a legal obligation, it must be presumed that the GCM has an effect on national migration systems.

The Pact could be used by governments to develop national migration policies, while also being similarly utilized in defending the rights of migrants by civil society, national human rights institutions, and legal practitioners, as a basis for interpreting national and international law.

Specifically, the GCM provides for a detailed monitoring procedure including regional review processes "alternating with discussions at the global level". Furthermore, the Pact encourages states to develop ambitious national responses for its implementation and to conduct regular reviews of progress made at the national level. It emphasizes that these reviews must also take into account the contributions of all stakeholders. Given the "whole-of-society" approach applied throughout the GCM, this also includes civil society actors.

It is worth noting that the government actively engaged in the negotiation process of the GCM. It expressed firm support before and after its adoption and explicitly acknowledges the expectation of its compliance. This is expressed in various official statements. This is certainly a good starting point for the Global Compact for Migration to have an impact on societies.

7. The EU-Morocco Partnership Over Irregular Migration

Irregular migration within the collaboration between the EU and Morocco encompasses both migrants originating from and transiting through Morocco, predominantly Sub-Saharan Africans. The Arab Spring transformations have notably amplified both types of migration. The relocation of the migration hub for Sub-Saharan Africans from Libya to Morocco, coupled with Morocco's proximity to the EU borders, has turned it into one of the most active and hazardous routes to the EU in recent years. Concurrently, irregular migration among Moroccan youth and minors has also surged significantly, attributed to the nation's inconsistent socioeconomic and political development. Furthermore, despite the European Union Global Strategy (EUGS) pledging to address the underlying causes of the issue, Morocco's situation underscores the EU's ineffectiveness stemming from its ongoing struggle to reconcile strategic interests with normative ones. This dilemma persists between prioritizing security concerns and advocating for long-term peace and sustainable security measures(Bensaoud, M.; 2022)

8. A Blueprint for Inclusive Migration Policies: Proposals for Enhancing Rights and Integration in Morocco

To effectively address the challenges and opportunities presented by irregular migration in Morocco, it is essential to adopt a holistic and inclusive approach. This chapter outlines a comprehensive blueprint for enhancing migration policies, focusing on the integration and protection of migrants. The following recommendations aim to reform Morocco's migration policy, ensuring it is humane, equitable, and aligned with international standards.

8.1. Reforming Migration Policy
- Improve the reception conditions for migrants by facilitating their access to common services such as education, vocational training, and healthcare.
- Launch a third regularization operation for migrants wishing to settle permanently in Morocco, specifically including the regularization of all unaccompanied foreign children and minors (MENA).
- Simplify the procedures for renewing residence permits and asylum, as well as accelerate resettlement.
- Enhance transparency and efficiency in migration processes to reduce bureaucratic barriers for migrants.

8.2. Recognizing and Supporting Stateless Persons and Children
- Recognize the status of stateless persons and improve the procedures for registering children born to migrants on its territory in civil registries.
- Launch a national registration campaign for children born to migrants to ensure they have legal identity and access to services.
- Strengthen the capacities of institutions and associative actors responsible for the reception and support of migrants.
- Align the national conventional framework with international standards relating to the rights of immigrant workers.
- Provide legal assistance and support for migrants in navigating administrative processes.

8.3. Integrating Migrants into Social Systems
- Integrate migrants into the generalized social protection system to ensure they receive health care, social security, and other benefits.
- Promote the right to housing for migrants under equitable conditions with Moroccan citizens, ensuring access to safe and affordable housing.
- Improve access to justice for migrants to ensure their fundamental rights are protected, including legal recourse against exploitation and abuse.
- Develop targeted social and economic integration programs to help migrants find employment and contribute to the local economy.

8.4. Changing Societal Perceptions

- Change societal perceptions of immigration as an opportunity and added value, rather than as an economic, cultural, or social threat.
- Promote diversity in cultural expressions and coexistence, fostering mutual understanding and respect among communities.
- Conduct collective advocacy actions aimed at dismantling hate speech, discrimination, and racism against people in migratory situations.
- Encourage journalists and the media to take responsibility for deconstructing racist discourses and avoiding any contribution to their propagation, in accordance with their professional ethics.
- Implement public awareness campaigns highlighting the positive contributions of migrants to society.

8.5. Strengthening Institutional Frameworks
- Establish a dedicated governmental body to oversee migration policies and ensure the protection of migrants' rights.
- Foster collaboration between government agencies, civil society organizations, and international bodies to create a cohesive and effective migration policy.
- Provide ongoing training for government officials and law enforcement on human rights and migration issues to ensure respectful and fair treatment of migrants.

8.6. Enhancing Community Support and Involvement
- Involve local communities in the integration process by promoting volunteer programs and community-based support networks.
- Develop educational programs in schools to promote understanding and acceptance of diversity from an early age.
- Support migrant-led initiatives and organizations to empower migrants and give them a voice in the policy-making process.

8.7. Economic Empowerment of Migrants
- Facilitate access to the labor market for migrants by recognizing foreign qualifications and providing vocational training.
- Encourage entrepreneurship among migrants through access to microfinance and business development services.
- Ensure fair wages and working conditions for migrant workers to prevent exploitation and enhance their economic stability.

These recommendations aim to create a comprehensive and inclusive migration policy that upholds the rights and dignity of migrants, fostering a more cohesive and resilient society in Morocco.

9. Conclusion

Morocco's migration policy evolution reflects a significant paradigm shift, transitioning from a security-focused approach to one recognizing the country as a destination for immigrants. While legislative strides, such as the enactment of Law 27/14 against human trafficking, underscore progress, challenges persist in fully implementing comprehensive reforms, particularly concerning asylum and immigration laws. The establishment of institutions like the BRA and the Ministère Chargé des Marocains Résidant à l'Étranger et des Affaires de la Migration signifies proactive steps towards effective migration management. However, disparities in treatment between refugees and forced migrants from sub-Saharan Africa highlight the need for equitable policies. Morocco's diplomatic endeavors within Africa and its engagement with civil society demonstrate efforts to address migration comprehensively. Nevertheless, concerns linger regarding the treatment of sub-Saharan migrants and the efficacy of irregular migration countermeasures. Moving forward, sustained commitment to human rights, socioeconomic development, and regional cooperation is paramount to navigating the complexities of irregular migration in Morocco.

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