

CARIM – Consortium for Applied Research on International Migration

Co-financed by the European Union

CARIM – Migration Profile

Morocco

The Demographic-Economic Framework of Migration

The Legal Framework of Migration

The Socio-Political Framework of Migration

Report written by

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on the basis of CARIM database and publications

Novembre 2009

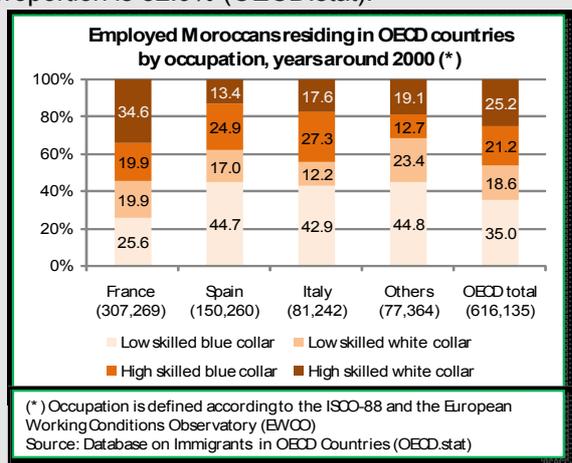


The Demographic-Economic Framework of Migration

Today, Morocco remains a major sender of migrants with annual flows estimated at 140,400 individuals (OECD.stat). It has been continuously so since the 1960s. At that time, emigration from Morocco was mainly directed towards France, Belgium and the Netherlands. In the 1980s, however, after limitations had been put in place by the traditional receiving countries in Europe, Moroccan low-skilled often irregular migration instead increased in Spain and Italy. In North America, the United States and Canada currently play an important role in attracting highly-skilled Moroccans. Since 1990s, Morocco has also evolved into an important transit and immigration country, receiving flows of migration mainly from Sub-Saharan countries. Sub-Saharan migrants generally attempt to cross to Europe illegally but many of them also tend to stay in Morocco to improve their life conditions.

Outward migration		Inward migration																																																																																																											
<p>Stock</p> <p>Data from Moroccan Consulates shows evidence of a rising propensity to emigrate: Moroccans residing abroad more than doubled from 1993 (1.5 million) to 2007 (3.3 million) – with an average annual growth rate of 8.1% (compared with a 1.5% population growth rate in Morocco from 1994 to 2004). In 2007, 86.2% of Moroccans abroad lived in Europe, mainly in France (34.3%), Spain (16.6%) and Italy (11.5%). Indeed, since 1981, about 445,000 Moroccans have been regularized in four EU countries (France, Belgium, Italy and Spain) highlighting the phenomenon of irregular migration. Gender parity has been attained through family reunification in the traditional receiving countries - e.g. in France 52.8% of Moroccan migrants are male - while women are underrepresented in the new destinations: e.g. in Spain 61.7% of Moroccan migrants are male and 62.7% in Italy. As to their socio-economic profile, Moroccan emigrants are more likely to have a low level of education (78.1% in Spain, 76.6% in Italy and 55.1% in France) and to be employed in low-skilled occupations (61.7% in Spain, 55.1% in Italy and 45.5% in France).</p>		<p>Stock</p> <p>In 2008, more than 60,000 foreign nationals held a valid residence permit; most of them came from France (about 16,000) and Algeria (more than 12,000). The main reason for residence was family reunification (40.0%), work (37.0%) or studies (23.0%).</p>																																																																																																											
<p>Moroccans residing abroad by continent of residence, years 1993, 2007 (January 1st)</p> <table border="1"> <thead> <tr> <th rowspan="2">Continent of residence</th> <th colspan="2">1993</th> <th colspan="2">2007</th> <th rowspan="2">Average annual growth rate (%)</th> </tr> <tr> <th>Number</th> <th>%</th> <th>Number</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Europe</td> <td>1,275,567</td> <td>82.6</td> <td>2,837,654</td> <td>86.2</td> <td>8.7</td> </tr> <tr> <td> of which France</td> <td>678,917</td> <td>43.9</td> <td>1,131,000</td> <td>34.3</td> <td>4.8</td> </tr> <tr> <td> Spain</td> <td>65,847</td> <td>4.3</td> <td>547,000</td> <td>16.6</td> <td>52.2</td> </tr> <tr> <td> Italy</td> <td>91,699</td> <td>5.9</td> <td>379,000</td> <td>11.5</td> <td>22.4</td> </tr> <tr> <td>Arab countries</td> <td>196,017</td> <td>12.7</td> <td>281,631</td> <td>8.6</td> <td>3.1</td> </tr> <tr> <td> of which Libya</td> <td>102,413</td> <td>6.6</td> <td>120,000</td> <td>3.6</td> <td>1.2</td> </tr> <tr> <td> Algeria</td> <td>54,576</td> <td>3.5</td> <td>80,000</td> <td>2.4</td> <td>3.3</td> </tr> <tr> <td>Americas</td> <td>70,000</td> <td>4.5</td> <td>161,216</td> <td>4.9</td> <td>9.3</td> </tr> <tr> <td> of which USA</td> <td>25,000</td> <td>1.6</td> <td>100,000</td> <td>3</td> <td>21.4</td> </tr> <tr> <td> Canada</td> <td>45,000</td> <td>2.9</td> <td>60,000</td> <td>1.8</td> <td>2.4</td> </tr> <tr> <td>Others</td> <td>3,452</td> <td>0.2</td> <td>12,098</td> <td>0.4</td> <td>17.9</td> </tr> <tr> <td>Total</td> <td>1,545,036</td> <td>100</td> <td>3,292,599</td> <td>100</td> <td>8.1</td> </tr> </tbody> </table> <p>Source: Moroccan Consulates</p>		Continent of residence	1993		2007		Average annual growth rate (%)	Number	%	Number	%	Europe	1,275,567	82.6	2,837,654	86.2	8.7	of which France	678,917	43.9	1,131,000	34.3	4.8	Spain	65,847	4.3	547,000	16.6	52.2	Italy	91,699	5.9	379,000	11.5	22.4	Arab countries	196,017	12.7	281,631	8.6	3.1	of which Libya	102,413	6.6	120,000	3.6	1.2	Algeria	54,576	3.5	80,000	2.4	3.3	Americas	70,000	4.5	161,216	4.9	9.3	of which USA	25,000	1.6	100,000	3	21.4	Canada	45,000	2.9	60,000	1.8	2.4	Others	3,452	0.2	12,098	0.4	17.9	Total	1,545,036	100	3,292,599	100	8.1	<p>Foreign residents in Morocco: main citizenships and reason for residence, January 1st 2008</p> <table border="1"> <caption>Approximate data from the chart</caption> <thead> <tr> <th>Citizenship</th> <th>Studies</th> <th>Family</th> <th>Work</th> </tr> </thead> <tbody> <tr> <td>France</td> <td>~1,000</td> <td>~6,000</td> <td>~9,000</td> </tr> <tr> <td>Algeria</td> <td>~1,000</td> <td>~11,000</td> <td>~1,000</td> </tr> <tr> <td>Spain</td> <td>~1,000</td> <td>~1,000</td> <td>~1,000</td> </tr> <tr> <td>Tunisia</td> <td>~1,000</td> <td>~1,000</td> <td>~1,000</td> </tr> <tr> <td>Senegal</td> <td>~1,000</td> <td>~1,000</td> <td>~1,000</td> </tr> </tbody> </table> <p>Source: Ministry of Interior of Morocco</p>		Citizenship	Studies	Family	Work	France	~1,000	~6,000	~9,000	Algeria	~1,000	~11,000	~1,000	Spain	~1,000	~1,000	~1,000	Tunisia	~1,000	~1,000	~1,000	Senegal	~1,000	~1,000	~1,000
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<p>Flows</p> <p>Besides legal migrants, Morocco has received large irregular flows from sub-Saharan Africa estimated by the Moroccan Ministry of the Interior at approximately 15,000 in 2007. A survey conducted by the <i>Association Marocaine d'Etudes et de Recherches sur les Migrations</i> drew an interesting profile for the sub-Saharan migrant: male (79.7%), relatively young (mean age 27.7 years old), single (82.2%) with a medium-high level of education (48.5%). The number of apprehended migrants and dismantled trafficking networks is decreasing. After 36,251 reached in 2003 – the highest to date – the number decreased to 14,449 in 2007. Since 2000, 207,320 migrants have been apprehended and more than 1,200 trafficking networks have been dismantled.</p>																																																																																																													

In North America, despite their relatively low numbers, Moroccan emigrants seem to be selected for their skills as they show higher levels of education than their European counterparts, a result in part of the immigration policies of destination countries. In the US, 85.9% of Moroccan emigrants have a medium-high level of education; in Canada, where a part of immigration flows are managed within specific programs according to the educational characteristics of migrants, the same proportion is 82.9% (OECD.stat).



Flows

In 2007, the flow of Moroccan emigrants towards OECD countries was 140,400 (against 52,300 in 1998). The highest annual growth rates have been registered in Spain (63.7%, from 10,600 to 71,400) and Italy (34.2%, from 7,300 to 29,800) confirming the continual and growing importance of these destinations. However, also in Canada the growth rate is noticeable (24.1% from 1,200 to 3,800) (OECD.stat).

Emigration brings important resources to Morocco. These financial transfers, in fact, represent the second source of hard currency after tourism receipts, themselves brought by Moroccan expatriates spending the summer break in Morocco. In 2007, transfers amounted to 7,110 million USD, representing 9.0% of GDP and contributing 40.0% to the reduction of the current account deficit in its balance of payments.

Country of origin	2007	2008	% variation
France	3,025	2,675	-11.6
Spain	1,099	1,034	-5.9
Italy	879	866	-1.5
USA	349	439	25.8
Others	1,758	1,835	4.4
Total	7,110	6,849	-3.7

Source: Ministry of Interior of Morocco

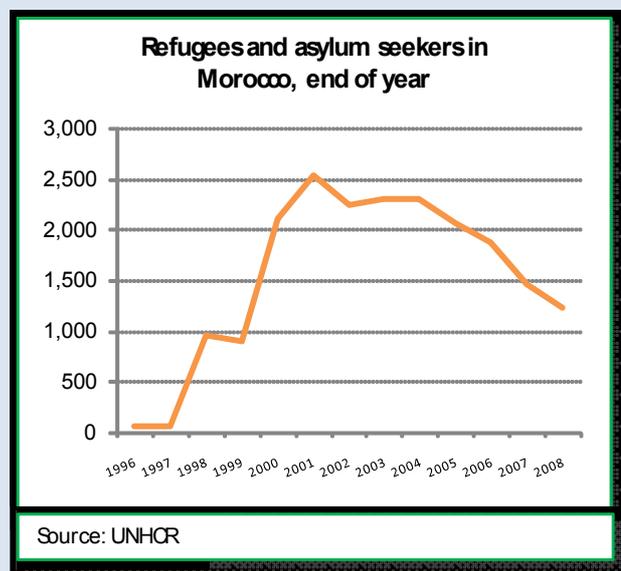
Without remittances, 600,000 households would fall under the poverty threshold and poverty would increase by 4.0%.

Intercepted cases of irregular migrants in Morocco, 2007

Country of origin	Number	%
Morocco	6,619	45.8
Other countries	7,830	54.2
<i>of which Algeria</i>	1,253	8.7
<i>Mali</i>	1,096	7.6
<i>Senegal</i>	1,096	7.6
<i>Côte d'Ivoire</i>	783	5.4
Total	14,449	100.0

Source: Ministry of Interior of Morocco

Morocco is a transit and immigration country also for asylum seekers and refugees, of which it currently plays host 1,235 individuals. These come mainly from sub-Saharan and Middle Eastern countries, e.g. 38.0% are from Côte d'Ivoire, 28.0% from the Democratic Republic of the Congo and 28.0% from Iraq. As to their demographic profile, 25.0% are minors and, among the adult population, 17.0% are women. After a peak in 2001 (2,540), this population has fallen mainly due to border control measures and the difficulty involved in obtaining the refugee status (UNHCR data).



The demographic-economic framework is based on data and papers available for download on the Carim web-site (www.carim.org). Additional data have been taken from the Database on Immigrants in OECD countries (DICO) and from the UNHCR.

The Legal Framework of Migration

In the last six years, Morocco has seen intense legislative activity, a large part of which has affected migratory issues. Six months after adopting a law related to struggle against terrorism, the government issued its law n°02-03 of November 11, 2003 on the “entry and stay of foreigners in Morocco, irregular emigration and immigration”. This new regulation amounted to a comprehensive reform of the legal framework governing migration, previously adopted under the French Protectorate. It aims at ruling every aspects of migration. Besides clarifying the rules concerning the entry and stay of foreign nationals in Morocco, the new law sets conditions and sanctions regarding irregular emigration and immigration. It strengthens sanctions against irregular migration, but also introduces some legal rights and protective instruments. Morocco is still reluctant to conclude a general readmission agreement with the European Union, but has committed itself to readmitting irregular citizens through bilateral agreements.

The revision of the family Code in 2004 was followed by the 2007 reform of the nationality Code, which finally enables women to transmit their nationality to their children.

	Inward migration	Outward migration
General legal references	<i>Law n°02-03</i> of November 11, 2003 on the entry and stay of foreign nationals into Morocco, emigration and irregular immigration	
	<i>1990 Convention</i> ¹ : ratified <i>ILO</i> : 49 conventions ratified ²	<i>Bilateral agreements</i> with Tunisia (1964, 1991, 2006), Algeria (1963, 1964) France (1983, 1987, 1993, 2001), Spain (2001, 2006), Libya (1983), among others.
	Member State of the <i>CENSAD</i> ³ , the <i>Arab Maghreb Union</i> and the <i>League of Arab States</i> .	
Circulation Entry and Exit	<p>To enter, foreigners should</p> <ul style="list-style-type: none"> - pass through a frontier post - present passport / visa. <p>They also may be asked: means of living, reasons for entering and repatriation guarantees.</p> <p>A foreigner whose right to enter is denied can inform his consulate, his lawyer or the person he had planned to visit in Morocco. He may be placed in a retention camp.</p> <p>Visa exemption for citizens from Algeria, Libya, Tunisia, Mali, Niger, Senegal, Guinea, Congo-Brazzaville, Ivory Coast; the European Union, the United States, Mexico (...)</p>	<p>The right to leave the country is not guaranteed in the Constitution.</p> <p>To exit, nationals and foreign nationals should pass through a frontier post.</p> <p>Law n°02-03 provides foreigners with the right to leave the country when and where they want.</p> <p>Even if not required by law, the authorities expect foreign and national citizens leaving the country to show an entry visa for the country of destination.</p>

¹ Convention on the protection of all migrant workers and members of their family.

² Including convention C111 concerning Discrimination in Respect of Employment and Occupation, but excluding conventions C118 Equality of Treatment of Nationals and Non-Nationals in Social Security, C97 concerning Migration for Employment and C143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers.

³ Community of Sahel-Saharan countries.

Struggle against irregular migration	<p>Law n°02-03 strengthens repression against people who, even without taking advantage of this opportunity, facilitate or organize irregular entry into or exit from the country.</p> <p>It also penalizes irregular immigrants or emigrants, should they be foreign or national citizens.</p> <p><i>Palermo protocols</i>⁴: not ratified</p>	
	<p>Retention of foreign nationals waiting for deportation or being readmitted after a transit through the country (15 days, possible extension to 10 more days). Judicial control.</p> <p>Protection of some foreign national categories from deportation (pregnant women or minors).</p>	<p>Readmission agreements (only national citizens)</p> <p>with Germany (1998), France (1993, 2001), Portugal (1999), Italy (1998, 1999) and Spain (1992, 2003).</p>
Rights and settlement	<p>Family reunification: with card of residence (Law n°02-03).</p> <p>Access to Employment: labour contract submitted for work authorization. No access to the liberal professions, except through bilateral agreements.</p> <p>Equal access to public services: Yes.</p>	<p>National authorities may check that Moroccan workers wanting to leave Morocco have a regular contract, a medical certificate and respect entry conditions of the destination country: Law n° 65.69 on the <i>Labor Code</i>.</p>
	<p><i>Nationality code</i>, 2007: jus sanguinis by descent of a father and a mother, whatever the birthplace: though persisting sex discrimination – optional right for children of a Moroccan mother. Double jus soli (nationality at the age of majority for resident children born in Morocco to parents born in Morocco; nationality of origin for children born in Morocco to resident parents if the father born in Morocco belongs to an Arab or a Muslim country).</p> <p>The time needed for a foreign woman married to a Moroccan citizen to apply for Moroccan nationality has been extended from 2 to 5 years. A foreign man married to a Moroccan woman does not gain any specific right in applying for Moroccan nationality.</p>	
Refugees	<p><i>1951 Convention</i>⁵: ratified</p> <p><i>1969 Convention</i>⁶: ratified</p> <p>No national procedure. Country agreement with HCR in 2007.</p> <p>Recognition of the UNHCR RSD⁷, granting of a residence permit, though a previous regular entry is required.</p>	

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, and Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000.

⁵ Geneva Convention relating to the status of refugees.

⁶ OAU Convention governing specific aspects of refugees in Africa.

⁷ Refugee Status Determination.

The Socio-Political Framework of Migration⁸

While emigration is still high on the Moroccan government's agenda, new forms of migration, namely transit and irregular migration patterns, have gained importance, requiring the government to redefine its policy-making imperatives.

Notwithstanding the uneasy relationship between governmental policies and immigrant status in Morocco, a vibrant associative sector - consolidating links with Moroccan Diaspora communities and safeguarding undocumented immigrants and asylum-seekers' rights in the country - has flourished.

In regional terms, Morocco has, since the 1990s, acquired a pivotal role in border management and control. This status has conferred a key position for Morocco in Euro-Mediterranean migration governance, while leading to significant controversies regarding Morocco's regional role in the management of migration flows.

Morocco's socio-political framework	Outward migration	Inward migration
Governmental Institutions	Ministry of the Interior; Ministry of Labour; Ministry of Foreign Affairs and Cooperation; Ministry of Justice; Delegated Ministry in Charge of Moroccans Residing Abroad (MRE); the Council of the Moroccan Community Residing Abroad (CCME); The Advisory Council on Human Rights	Ministry of the Interior ; Ministry of Labour; Ministry of Justice; Ministry of Foreign Affairs and Cooperation; Ministry of Justice
Governmental Strategy	Devising policies for successful Moroccan emigration; establishing and enhancing links with Moroccan Diaspora communities; devising action plans for the socio-economic, cultural and political integration of Moroccans abroad; devising policies facilitating remittances and return; passing bilateral agreements for economic emigration; fighting irregular emigration; combating the long-term causes of irregular emigration; assisting Moroccan institutions in creating awareness as to the negative effects of irregular emigration.	Defining policies that regulate the entrance, residence and departure of foreign nationals; regulating the status of foreign workers; issuing permission for the recruitment of foreign workers; fighting irregular immigration and transit migration through various practices such as frontier control, expulsion and repatriation; identifying asylum seekers and refugees; defining their status as well as conditions for their stay.
Civil Society Action	Initiatives of civil society groups and transnational associations focusing on: <ul style="list-style-type: none"> - Fostering and consolidating links among Moroccan Diaspora communities; safeguarding their rights; providing them with services; ensuring their socio-economic integration; and contributing to development in the homeland (e.g. Association des Jeunes Marocains 	Initiatives in the associative sector aimed at: <ul style="list-style-type: none"> - Providing immigrants with services as well as safeguarding and enhancing their socioeconomic and human rights (Groupe Antiraciste d'Accompagnement, de Défense des Etrangers et des Migrants (GADEM); Association Beni Znassen pour la Culture, le Développement et la Solidarité...);

⁸ The socio-political framework provides insights into essential socio-political and policy-making features, for migration related-issues in Morocco. Based on data and contributions provided by CARIM experts and derived from CARIM publications, it does not claim exhaustive coverage, but aims at providing an overview of the socio-political environment defining outward and inward migration in the country.

	<p>de France (AJMF), Migrations et Développement, Club des investisseurs des Marocains Résidant à l'Étranger (CIMRE);</p> <ul style="list-style-type: none"> - Sensitising the population to the negative effects of irregular emigration through awareness raising and advocacy. 	<ul style="list-style-type: none"> - Safeguarding the rights of immigrant categories especially undocumented and underprivileged ones (e.g. Association des Amis et Familles des Victimes de l'Immigration Clandestine (AFVIC), Organisation Marocaine des Droits de l'Homme (OMDH), Association Marocaine des Droits Humains (AMDH), ASILMAROC, CARITAS...)
<p>Challenges</p>	<p>Addressing controversial policy developments such as the political participation of Moroccan expatriates in their homeland; settling tensions between official Moroccan policies granting Moroccan citizenship to Moroccan descendants and policies in European destination countries; developing a more efficient and comprehensive emigration policy to see how migration and particularly remittances could contribute to sustainable development in the country</p>	<p>Overhauling policy-making in immigration-related matters & developing active immigration policies so as to deal with Morocco's new status as a destination and transit country for migrants coming from Sub-Saharan Africa, and ensuring the integration of immigrants in Moroccan society; addressing policy-making and border management challenges caused by the phenomenon of the Harragas and transit migration; developing policy-making instruments dealing with different categories of 'irregular' and 'transit' migrants; making clearer and sharper identification rules allowing for the distinction between economic immigrants and asylum seekers; enhancing cooperation between Morocco and the EU so as to resolve current policy divergences between the two – for example, the Moroccan government's reluctance to sign readmission accords or policy gaps stemming from disagreements over the implications and scope of Morocco's role in managing migration flows against the backdrop of EU's external migration policy.</p>
<p>International Cooperation</p>	<p>Launching and sustaining an active regional and international dialogue on outward migration; consolidating cooperative mechanisms with international organisations (e.g. IOM) with a view to mobilising Moroccan expatriate competencies abroad and facilitating return and reintegration; facilitating cooperation between national institutions and international organisations so as to identify the root causes of irregular emigration, finding common ground for action and facilitating the reintegration of irregular migrants in Morocco; enhancing cooperation with the EU in mobility partnerships and circular migration; exploring with the EU – in addition to the migration dialogue – alternative ways in order to enhance development in Morocco (e.g. EU-Moroccan cooperation in the field of economic liberalisation and transition)</p>	<p>Engaging in consultative processes on migration such as the Tripoli Conference, and the 5+5 Dialogue in order to promote more efficient migration governance in the Euro-Mediterranean area; strengthening partnerships with international organizations dealing with immigration issues such as UNHCR and IOM – e.g. signing the accord de siège with UNHCR in 2007 which gives the international organisation full-fledged representation and which has various implications for improving the situation of irregular immigrants, asylum seekers and refugees in Morocco; developing cooperative mechanisms with international organisations (e.g. IOM) and with the EU so as to better deal with trafficking and smuggling.</p>