



European
University
Institute



European
Commission
EuropeAid
Cooperation Office

Financed by the European Commission - MEDA Programme

**Cooperation project on
the social integration of immigrants,
migration, and the movement of persons**



Robert Schuman Centre
for advanced studies

Fatima Sadiqi

***Migration-Related
Institutions and Policies in Morocco***

Analytic and Synthetic Notes 2004/05 - political and social module
© 2004 European University Institute, RSCAS. All rights reserved.

No part of this paper may be used, distributed, or reproduced by any means without prior permission of the Robert Schuman Centre for Advanced Studies. If published online, single download and print for non commercial teaching or personal use is permitted. In quotations, please acknowledge the source. For queries and information, please contact <forinfo@iue.it>

CARIM
Euro-Mediterranean Consortium
for Applied Research on International Migration

Analytic and Synthetic Notes – Political and Social Module
CARIM-AS 2004/05

Fatima Sadiqi
University of Fes

Migration-Related Institutions and Policies in Morocco

Morocco has made important steps to construct an institutional framework for dealing with migration, and has adopted clear policies.

Ten major government agencies deal with migration in Morocco:

- the Delegated Ministry in Charge of the Moroccan Community Residing Abroad,
- the Ministry of Justice,
- the Ministry of the Interior,
- the Ministry of Foreign Affairs,
- the Ministry of Human Rights,
- the Ministry of Labour,
- the Ministry of Social Affairs,
- the Ministry of Health,
- the Ministry of Education,
- and the Parliament.

These government agencies have both a declared and a hidden agenda. Of these governmental agencies, the most important ones are the Delegated Ministry in Charge of the Moroccan Community Residing Abroad and the Ministry of the Interior. This note is limited to describing their functioning and policies.

I. The Delegated Ministry in Charge of the Moroccan Community Residing Abroad

The strategy of this ministry takes advantage of a favourable context, in Morocco as well as internationally.

A national context favourable to tackling migration

This ministry benefits from an overall context favourable to promoting and structuring migration.

First, there is a strong will on the part of the highest executive power in the country, His Majesty the King Mohammed VI, to personally give special care to the Moroccan community abroad. For example, in his throne speech of July 30th, 2004, the King said:

“Since our access to the throne, we have called for a new migration policy in accordance with the speeding structural changes affecting our community abroad as well as the hopes and ambitions of this community to develop and modernize Morocco and enhance its international status. We have opted for a comprehensive and multidimensional policy regarding institutions, diplomacy, society, and culture, as well as the complementarity and homogeneity of the apparatus in charge of it. Our policy is versatile in tracing the contribution of our community abroad to all the facets of our nation. In this respect, we are in the process of studying the best ways that would ensure a fruitful and credible participation of our community abroad in the institutions and the spaces that allow the construction of a democratic and developmental society.”

The King is clearly in favour of promoting and structuring the relationship between Morocco and its residents abroad. This materialized in the creation of a Delegated Ministry in Charge of the Moroccan Community Residing Abroad and the appointment of Mrs Nouzha Chekrouni at its head, as well as in the establishment of specialised departments in other ministries and of various non-governmental agencies such as foundations, etc. The royal will was crucial for promoting the Moroccan community living abroad as an actor on the national scene. During recent years, this community grew considerably in importance and assumed a strategic role through diversifying and structuring its activities.

From an international relations point of view, a clear political strategy of handling migration translates into Morocco's will to guarantee excellent relations with its European neighbours, especially Spain with which the country shares solid historical and strategic interests. The geographical position of Morocco (only 7 miles separate it from Europe by the Strait of Gibraltar) counts in the political will to tackle migration within the framework of Moroccan international relations. Due to the fact that Europe is by far the first commercial partner of Morocco as well as the first place of destination of its emigrants, the government is keen on establishing and maintaining good relations with Europe, and co-operating with Europe in the regulation and control of migration has become part and parcel of these relations. This is more and more so with the growing concern with the spread of terrorism and the growing global need of ensuring security.

Migration being one among the main sources of relations with the rest of the world, it has become a political priority for Morocco. It helps to understand the decisive

progress achieved by Morocco in the implementation of a liberalisation process, of which the new Family Law is just an illustration. It is in relation with its emigrant community that Morocco could capitalize on modernity, openness, and identity.

A top priority on the political agenda

According to the Delegated Ministry in Charge of the Moroccan Community Residing Abroad, the national context of Morocco is extremely favourable to promoting migration-related issues.

Linking the Moroccan Diaspora with national goals has been declared the Morocco's second top priority after the defence of the territorial integrity of the country. In fact, Morocco has set four national priorities, which are: the defence of its vital and national interests, mainly the territorial integrity, the involvement of the Moroccan community residing abroad in the process of Morocco's national development, the implementation of the principles of equal opportunities and full citizenship, and the enhancement of the civil society as a partner of the government.

An emerging issue on Morocco's international agenda

The international context also gives importance to the Delegated Ministry in Charge of the Moroccan Community Residing Abroad, for the following reasons.

- 1) The way the global economy impacts on developing countries such as Morocco is a first reason. Developing economies are more and more forced to compete on international as well as on domestic market in order to survive. The success of the global economy depends on the success of local economies and both depend on a control of migration-related problems. Thus, cooperation between all countries in this domain is a clear requirement for development.
- 2) Migration has emerged as a sensitive issue at the global level. The rise of international concern with migration translates into a spectacular increase in governmental and non-governmental agencies specialised in migration, as well as in academic activity on migration.
- 3) The international community pays a growing attention to human rights—a matter regarding which migrants are a particularly vulnerable population—and more generally to the rights of migrants.
- 4) Migration is at stake in several bilateral and multilateral negotiations between Morocco and various countries.
- 5) The implementation of numerous NGO agreements or regional partnerships with Europe, the USA and the rest of the world, in which Moroccan migrants can be involved.
- 6) The reinforcement of the UN mechanisms in the field of conflict resolution and peace settlement.

The Delegated Ministry in Charge of the Moroccan Community Residing Abroad in Morocco is expected to coordinate and encourage the implementation of effective ways to make the above factors benefit to Moroccan and its emigrant community, and at the same time satisfy Morocco's priorities.

In response to the growing importance of migration on the national as well as on the international scene, the Delegated Ministry in Charge of the Moroccan Community Residing Abroad has set a number of objectives relating to both the sending and the host countries.

Objectives of the ministry at the level of the host countries

The Delegated Ministry in Charge of the Moroccan Community Residing Abroad pursues seven main objectives relating to the host countries:

- 1) To consolidate the rights and the assets of the Moroccan community residing abroad and to protect this community from all forms of discrimination, racism, and violence.
- 2) To promote a global approach of migration and to update migration policies through awareness campaigns.
- 3) To encourage integration in the host countries while preserving the Moroccan identity, with its Muslim, Arabic and Berber dimensions.
- 4) To organise the Moroccan community abroad as a powerful Diaspora and a lobbying force that will play an important role in the development of various strategies at both the national and the international level.
- 5) To encourage the Moroccan community abroad to defend national interests and to create the conditions required to facilitate its participation in the public life.
- 6) To intensify co-operation with the host countries in order to set rational policies and adopt a global approach to legal migration.
- 7) To involve the Moroccan community abroad in the process of decision-making.

These objectives are all geared towards the welfare of migrants. At the same time, they serve Morocco's overall political orientation. This is done through capitalizing on the protection of the human and legal rights of the Moroccan community living abroad, and sensitizing the population through campaigns to the importance of migration.

Objectives of the ministry at the national level

At the national level, the Delegated Ministry in Charge of the Moroccan Community Residing Abroad has defined four objectives:

- 1) To improve the conditions offered in Morocco to return migrants.
- 2) To promote direct investments in Morocco by Moroccans residing abroad, and to consider their remittances a driving force in the economic development.
- 3) To transfer through migrants the expertise and technology that are necessary to development.
- 4) To modernize the sector of national tourism in order to attract Moroccans residing abroad by setting competitive offers and coming up with creative new ideas and a variety of activities to satisfy the needs of the younger generation of emigrants.

The above objectives are organised into priorities and an action plan.

Priorities of the ministry

The Delegated Ministry in Charge of the Moroccan Community Residing Abroad has identified five major priorities:

- 1) To defend the strategic national causes, especially the territorial integrity of Morocco.
- 2) To modernize the system of education and teaching for the benefit of the children of migrants.
- 3) To create multidisciplinary centres in the main foreign capitals in order to organize various activities for the Moroccan community, and to strengthen the bonds with the populations of the host countries.
- 4) To propagate the religious and cross-cultural values founded on tolerance, dialogue and cohabitation within the Moroccan community living abroad.
- 5) To guarantee the full citizenship rights of Moroccans residing abroad by ensuring a better political participation of their community in Morocco.

The ministry is determined to make migration a political success. The will of Morocco to entertain excellent relations with Europe explains the ministry's insistence on keeping the cross-cultural and religious dialogue going. Moreover, encouraging the political inclusion in Morocco of Moroccans residing abroad is a guarantee for the enhancement of these relations.

Action Plan of the ministry

The action plan has short-term and medium-term aspects.

Short-term actions are the following:

- Initiating pilot projects by creating three cultural spaces under the framework of decentralized cooperation with Andalusia (Spain), Belgium, and The Netherlands, as well as with other countries when possible.
- Elaborating a coherent vision of associative actions to better respond to the new challenges of migration.
- Adopting educational programmes that are in conformity with modern scientific methods to meet the needs of Moroccan children abroad through an active cooperation with the corresponding authorities of host countries.
- Negotiating with host countries to make the learning of the Arabic language a possible choice for natives at all levels of the educational system in order to enhance cultural diversity.
- Creating a website for the Moroccan community abroad to encourage the exchange of suggestions, creative ideas, and experiences.
- Setting up a free phone line to orient and inform the Moroccan community abroad.
- Multiplying efforts to facilitate transit procedures and improve the conditions of return migration for Moroccans residing abroad.

- Simplifying administrative and judicial procedures through a permanent co-operation with the corresponding ministries and organisations to find suitable solutions to the various problems of the Moroccan community abroad.
- Setting of a National Day for the emigrant.
- Organising an annual Marathon for the Moroccan community during holiday time.
- Elaborating radio and TV programmes for the Moroccan community abroad and initiating informative campaigns to raise the youth's awareness of the dangers of illegal migration.

On the medium-term actions planned cover the legislative, the diplomatic, the civil society, the economic, and the cooperational levels.

Medium-term actions at the legislative level

- To update and enforce the provision of bilateral agreements with the different partners and to establish new ones that ensure the respect of the dignity, rights, freedom, and property of the Moroccan migrants.
- To find suitable solutions to the problems related to the emigration of minors, family reunification, and personal status.
- To propose and establish judicial provisions that can facilitate administrative procedures for the Moroccan community abroad.
- To look for solutions to the problems related to the customs, taxes, road security, and aerial transportation, and work for the international recognition of the Moroccan driving licence.

Medium-term actions at the level of Moroccan diplomatic missions

- To participate in the efforts made by the Ministry of Foreign Affairs and Cooperation to update and adjust the consular map.
- To ameliorate the level and quality of the services provided by the social and economic counsellors working in the diplomatic and consular missions.
- To decentralize the administration by simplifying the administrative procedures at the consulate level.
- To work for ameliorating the life conditions of the Moroccan community, especially the one living in marginalized zones, in partnership with the public authorities of host countries.

Medium-term actions at the level of the civil society

- To guarantee the full citizenship rights through a better political participation of the Moroccan community residing abroad.
- To promote the policy of proximity and dialogue through organised networks of associations.
- To create suitable conditions to defend Moroccans' common interests.

- To encourage partnership between Moroccan and foreign associations to fight violence and all forms of discrimination, and to defend human rights.

Medium-term actions at the economic level

- To facilitate investment procedures in partnership with the corresponding organisms, mainly the Regional Centres of Investments (C.R.I.).
- To encourage Moroccan banks to give loans with low interest rates to the Moroccan migrants, and make investments with their savings.
- To stimulate partnership with representatives of the civil society, of NGOs, and of specialised international organisms to implement projects in favour of the Moroccan community abroad.
- To insure the monitoring of Moroccan migrants' investment projects in collaboration with economic experts.
- To create a database of Moroccan scientists working abroad and encourage them to integrate the national economy.
- To back-up Morocco's economic potential to the decision-makers of the host countries.

Medium-term actions at the co-operation level

- To establish a partnership with a global and human approach to the problems of migration.
- To defend the rights of legal immigrants, mainly, the right to equal treatment, social integration, family reunification, social security, and to maintain cultural and religious identity.
- To encourage Morocco's partners to ameliorate the conditions of life, stay, work, and professional mobility of Moroccan migrants.
- To inject dynamism into the cultural co-operation between Morocco and various partners in order to embetter the mutual understanding of cultures and to build a constructive intercultural dialogue.
- To implement a policy of co-development with Morocco's partners.
- To fight illegal migration.
- To encourage Morocco's partners to be more involved in think-tank reflections on transit migration through Morocco, a new phenomenon which affect the country.

II The Ministry of the Interior

Regarding migration, the Ministry of the Interior is first of all concerned with illegal migration: illegal emigration of Moroccans to other countries, in particular to Europe, and illegal immigration of aliens to Morocco. In this respect, the ministry pursues two goals:

- To stop illegal migration
- To uproot and combat its causes

2.1. The State of Illegal Migration in Morocco

Illegal migration from, and through, Morocco has recently gained momentum and started to have a serious negative impact on the political, economic, social, human, and security levels in Morocco and Europe.

The major causes of illegal migration from Morocco to the countries of Europe are economic in essence. People migrate illegally to improve their economic status in the face of the serious economic problems they face in Morocco.

In addition, due to its strategic geographical position at the crossroads between Africa and Europe, and its strong historical, political, and economic ties with Europe, Morocco was fated to become a country of transit for migrants from Saharan countries on their way to Europe. Sizeable numbers of African illegal migrants began to arrive in Morocco during the 1990s. This put Morocco in a difficult position: the country is no longer only a sending country but also a host country of illegal migration from Sub-Saharan countries. This has created economic, human, and security problems on both sides of the Mediterranean.

Illegal migration has greatly increased during the last ten years. Social and economic factors are behind this increase. In addition, illegal migration has been encouraged by international highly structured networks which are monitored by criminal groups, specialists of papers falsification and the lucrative trade in humans. Even minor children and women are targeted by these networks which exploit illegal migrants by “using” them in forced menial jobs, prostitution, and other illegal means of survival.

This background explains the above-mentioned aims of the Ministry of the Interior, namely, to reduce illegal migration and uproot its causes. These aims are in accordance with His Majesty King Mohamed VI’s instructions as to the urgency of combating national and international criminal networks specialising in human trafficking with no regard whatsoever to the human principles on which civilisation, as well as inter-country legal agreements and conventions, are based.

2.2. The 2003 Law

It is within this context that the 2003 Law was passed. This law includes three parts:

- 1) The organisation of the entrance and residence of foreigners in Morocco.
- 2) The rules of illegal migration.
- 3) The transitional rules allowing the application of the laws.

The 2003 law is an application of the Dahir No 1.03.196 which was issued on November 11th, 2003 and which concerns the entrance and residence of foreigners in Morocco. It is a new approach, dictated by a new management of the foreigners' affairs in Morocco in an attempt to adjust Moroccan laws to the international agreements on migrants' rights. The law also answers Morocco's will to combat the phenomenon of illegal migration at both the national and the international levels.

This law was a special concern for the king who expressed his wish to see it implemented in the right way. He gave orders to create a Directory of Migration and a Laboratory of Migration, and to tighten the control of the frontiers, a frank letter to Morocco's neighbours that the latter is most keen on respecting bilateral and international agreements and conventions which it ratified. Morocco also made clear that it will deal with the migration phenomenon from a security perspective, in addition to the human and developmental aspects.

His Majesty the king also gave orders to organise a national conference by a joint effort of the Ministry of the Interior and that of Justice. Given the urgency of security concerns and the insecurity that illegal migration creates nationally and internationally, and also after the terrorist attacks necessitating vigilance inside Morocco and cooperation with other similar institutions in Europe, the ministry of the Interior works in close collaboration with another powerful ministry in Morocco: the ministry of Justice.

The conference reflects the new concept of authority (established by the king soon after he took power). This new concept gives a new perspective to security and authority. It is based on spirit of the Constitution of 1996 which states that Morocco will adopt Human Rights as agreed upon internationally. Ever since 1996, Morocco started to revise its legal system to make it conform to the spirit of the Constitution. The most important laws that have been subject to revision are those relating to public freedoms and Criminal laws, especially those relating to women and children. Other laws relate to dangerous crimes like terrorist and information crimes. Note that in parallel, the Family Law has been revised, which is a genuine social revolution.

The law also takes into consideration the following aspects:

- the rights of migrants, as these are among the most exposed to human rights violations;
- the general interest of the countries involved, because of the differences in the vision and approach to various problems that exist between sending and hosting countries of migrants.

2.3. The objectives of the law of 2003

The 2003 law pursues the following objectives:

- 1) The harmonisation and actualisation of the legal texts which organise and structure migration.
- 2) The organisation and rationalisation of the conditions of foreigners' residence in Morocco.
- 3) The enactment of laws on misdemeanour and crime, as well as punishments relating to attempts of illegal migration or organisation of illegal migration within criminal networks.

- 4) The compatibility of punishment laws in the field of migration with those of the Moroccan Criminal Law.
- 5) The setting up of the conditions under which foreigners could enter Morocco.
- 6) The establishment of the Moroccan administration's right to refuse entrance to any foreigner if the latter constitute a danger for the internal or external security of the country, especially in matters relating to terrorism.
- 7) The issuing of residence cards to foreigners subject to pre-determined legal conditions which take into consideration the causes and residence conditions of foreigners in Morocco. In addition, Moroccan authorities have the right to refuse, withdraw, or dismiss a foreigner from Morocco if the latter is not found to satisfy the legal conditions of residence. In return, dissatisfied foreigners are guaranteed the right to take their case to the court.
- 8) The prescription of severe punishment, which may go to life imprisonment, for the organisers of illegal migration in case a candidates to this type of migration dies.
- 9) Illegal migrants or persons attempting to migrate illegally need to pay a fine of 3,000 dirhams and be imprisoned for six months. This punishment is hardened in cases of resumption.
- 10) Foreigners residing in Morocco illegally are punished by imprisonment, infliction of important fines, dismissal, or banishment from entering Morocco again.
- 11) In what concerns practical measures, the security administration works in continuous cooperation and coordination with the wali's and governors at all levels through security regional commissions whose role is to adopt local strategies in combating crimes of all sorts, including illegal migration. In this regard, special groups have been created to combat illegal migration at the level of all regional security wilayas.

In practical terms, His Majesty King Mohamed VI gave strict orders to reinforce the role of the Ministry of the Interior in this respect by adding two new administrative structures to this ministry:

- 1) **The Direction of Migration and the Control of the Frontiers**, which is expected to fulfil the following:
 - The application of the national strategy in combating networks of illegal migration, and the control of the frontiers.
 - The creation of new regional delegations in the following wilayas and provinces: Tangiers, Tetuan, Al Huseima, Nador, Larache, Oujda, and El-Ayoune. The role of these new structures is to apply the national strategies for combating illegal migration at the regional level.
 - The creation of local commissions in the rest of the wilayas and provinces. These commissions fall under the direct responsibility of the city wali's and governors. The role of the commissions is to gather information relating to migration and to pass it on to the central administration.
- 2) **The National Observatory of Migration**, which aims at conceptualising a national strategy geared towards gathering all types of information relating to

migration, as well as providing results of special researches carried out on urgent matters, and passing them to the appropriate administrations. The observatory also makes suggestions as to the improvement of the means of combating the dangers of illegal migration. This is generally done through annual reports released by the observatory.

2.4. The Strategy of the Ministry of the Interior

The strategy of the Ministry of the Interior is based on two things: on the one hand, bilateral, regional, and international coordination, and, on the other hand, the involvement of all the components of society, government officials, civil society, researchers, and all those interested in a global treatment of illegal migration at the national level. This strategy involves sensitising and protecting the population, security measures, fighting poverty, unemployment, and illiteracy. The latter are considered to be the main background causes of illegal migration.

In addition to these administrative measures, the law of 2003 on the entrance and residence of foreigners in Morocco, and illegal migration (see above) aims to make the Moroccan migration legal system congruent with the UN Protocol and the international agreements on the rights of legal migrants and foreigners residing in Morocco. It also aims to make Morocco abide by its obligations towards its European partners in combating illegal migration. The Ministry of the Interior's endeavours are enhanced by the fact that European migration laws are becoming stricter every day. This is in line with Morocco's ratification of human rights conventions, this law has evolved at the international level: sovereignty lost its meaning in front of the globalisation of law. Morocco's ratification of the UN agreement to combat organised crime through citizenship bound it to adjust its legal system with agreement as well as the Protocol on combating migrant trafficking appended to it.

Morocco had to take immediate and decisive measures to counter illegal migration. The 2003 law actualises, homogenises, and gathers of all the texts organising the entrance and residence of foreigners in Morocco in one single legal text. Thus, migrants trafficking, facilitation of this trafficking, provision of false ID cards, or facilitating it, helping illegal citizens or residents to stay in a foreign country, endangering the life of migrants, etc. are all crimes.

The law fills a legal gap. It is also in agreement with the evolution of illegal migration: public and legal authorities have now a legal tool to both control the residence of foreigners in Morocco and fight illegal migration which has been used by criminal groups and networks to make huge financial gains.

Like all comparative laws, the Moroccan law gives a legal definition of the term "foreigners": "individuals who do not have Moroccan citizenship, or who do not have a recognised citizenship, or who cannot define their citizenship." This definition is in accordance with international agreements and conventions.

The law also organises the legal conditions which legitimise the residence of foreigners in Morocco, these are: the registration card or the residence card. These documents are obtained according to objective conditions and legal procedures. The law reserves the Moroccan administration the right to deport illegal foreigners either by leading the frontiers or by expelling them if they constitute a danger for the public order. The law allows for the possibility of abolishing or temporarily withdrawing this decision at any time. In parallel, the new law gives a number of legal guarantees for

illegal foreigners driven to the Moroccan frontiers or expelled: these can attack the judgments and take matters to the president of the administrative in his/her capacity as urgencies judge.

The law also takes into consideration the human aspect of illegal migration. The following categories of individuals are exempt from expulsion: pregnant women, minors, parents of children residing in Morocco, and legal Moroccan citizens.

As a result of these efforts, more than 1,200 networks specialised in human trading have been dismantled and more than 65,000 illegal migrants from various foreign countries have been arrested.

The Ministry of the Interior has mainly focused on combating illegal migration. Its role will increase with the increasing need for security nationally and internationally. After the May 16, 2003 terrorist attacks in Casablanca, the ministry of the Interior and the ministry of Justice organised an important national conference in Marrakech on December 19 and 20 2003 on the occasion of the Migrant's Day which is December 18.

The Ministry of the Interior is in charge of the following specific instruments for the control of immigration and settlement of aliens.

The entrance of foreigners in Morocco

Any foreigner who wishes to enter Morocco has to produce a legal and valid passport or a valid and nationally recognised travel document. For example, refugees or people without a citizenship need a travel document that fits the requirements of the Geneva Convention and which Morocco ratified on November 7th, 1957. These documents need to be accompanied, when required, by a visa.

The control at the border verifies the means of survival, the reasons for visiting Morocco, and the guarantees for the return.

Persons who are considered to represent a danger for the country will be prevented from entering. This prevention also applies to previously expelled migrants.

In parallel, the law of 2003 stipulates new rights for non-accepted foreigners: they may inform their contact in Morocco, the consulate of the country of origin, or a lawyer of his/her choice.

Foreigners' residence in Morocco

If a foreigner belongs to a country that does not need a visa for Morocco and wishes to become a resident of this country, he needs to fill an application before 3 months during which he is considered a tourist. If the foreigner belongs to a country which need a visa for Morocco, the visitor wishing to become a resident needs to apply before his/her visa expires.

The application is sent to the central administration, accompanied by the required documents testifying the foreigner's wish to become a resident: bank account, copy of the passport, proof of residence (rent receipts or property papers), work permit with the signature of the Ministry of Labour is the foreigner is wage earner, school certificate in the case of students, trade register and the company's constitution in the case of tradesmen, businessmen, etc.

The law stipulates that any foreigner who resides in Morocco and is above 18 years of age needs a residence certificate. The exception are people involved in diplomatic missions and members of consulates, as well as their wives and family, their minor or unmarried children who live with them in the same house. Another exception are foreigners residing in Morocco for a period going up to 90 days upon a valid travel document on the condition they belong to a country that does not need a visa for Morocco.

The registration card (*carte d'immatriculation*)

This is a residence permit for a period going from 1 to a maximum of 10 years. The card is renewable for the same period according to the justifications given by the applicant. The card may be issued for a person whose age is between 16 and 21 if legally justified in case the applicant wishes to work for wages and if one of his/her parents have the registration card.

Foreign residents also need a circulation permit in they fall in the following categories:

- Minors under 18 whose fathers or mothers have a registration card.
- Minors under 18 fulfilling the conditions of article 17.
- Minors under 18 entering Morocco to continue their studies with a visa that exceeds 3 months.

Article 8 stipulates that the registration card must be shown to officers in charge of controlling foreigners within 48 hours.

If a foreigner is refused a registration card or has it withdrawn, the law gives him/her to leave the country.

The residence card

Article 16 of the 02.03 law stipulates that foreigners living legally and without interruption in Morocco for a period of no less than 4 years have the right to the residence card which allows them permanent residence. The administration issues the card upon the consideration of the papers showing the foreigner's wish to reside permanently in Morocco. The card needs to be renewed every 10 years.

The residence card is in accordance with entrance and residence conditions. The following are the beneficiaries :

- 1) The foreigner married to a Moroccan spouse.
- 2) A foreign child of a Moroccan mother and who does not benefit from the rules of the September 6th 1958 Dahir concerning Moroccan citizenship on the condition that the person is major or under the tutelage of a Moroccan mother. The residence card is also given to a Moroccan's foreign family members or to a foreign spouse of a Moroccan citizen.
- 3) A foreign parent to a child born in Morocco and residing in it and having Moroccan citizenship during the two years preceding the child's being major (21 solar years). The foreigner in this case needs to have legal tutelage on the child and be responsible for him/her.

- 4) The husband and minor children of a foreigner having the residence card.
- 5) A legally refugee foreigner, their spouse and minor children or during the year following their major age.
- 6) The card is also given to :
 - A foreigner residing in Morocco for over 15 years.
 - A foreigner who has been living in Morocco since he or she was 10 at most.
 - A foreigner who has been legally a resident for more than 10 years.

However, if the foreigner constitutes a danger, he will not be issued a residence card even if he fulfils all the conditions.

Further, a foreigner with a residence card and wishing to move from one place to another should inform the police or gendarmerie station nearest to his/her residence. He/she should notify these authorities about his/her new address within 10 days.

If the foreigner leaves Morocco for a period that exceeds two years his/her card ceases to be valid.