

SUB-SAHARAN IRREGULAR MIGRANTS IN MOROCCO

&

THE EXCEPTIONAL REGULARISATION PROGRAMME IN 2014

Mbarek Naama
Thesis, Spring 2017
Diaconia University of Applied Sciences,
Helsinki Unit
Degree Programme in Social Services
Option in Community Development
Bachelor of Social Services (UAS)

ABSTRACT

Naama, Mbarek. Sub-Saharan Irregular Migrants in Morocco and the Exceptional Regularisation Programme in 2014. Diak South Helsinki Finland. Spring 2017. 43 Pages. Language: English. Diaconia University of Applied Sciences, Degree Programme in Social Services, Option in Community Development, Bachelor of Social Services (UAS).

After decades of ignoring irregular migration and refusing to acknowledge that Morocco is no longer just a transit but also a host country for increasing complex migration flows of refugees, asylum seekers and economic migrants mainly from sub-Saharan African countries, the Moroccan authorities in September 2013 radically changed their attitudes towards this new migration patterns by adopting a new migration and asylum policy. A policy that will mark a major departure from the restrictive migration policy enforced in Morocco since the adoption of the Immigration Law 02-03, criminalizing irregular migration and establishing heavy fines and prison penalties for irregular immigrants, to a more humanitarian and human rights based policy of immigration.

This new policy included a process of an extraordinary regularization programme granting legal status to specific categories of migrants who meet certain criteria, and three new laws on Immigration, Trafficking of Human Beings and Asylum.

This descriptive report intends to examine the circumstances in which the 2014 exceptional regularization programme was implemented in Morocco, in doing so it will address the numbers regularised relative to the numbers of applicants, the migrant eligibility criteria, the benefits offered to migrants, and the actors involved in policy formulation. Further to this, it will present an overall estimate of the size of sub-Saharan irregular migrants in Morocco, their composition, main routes to the country and their living condition in the Kingdom. It will also address the legal context in which the authorities were dealing with this phenomenon.

Keywords: Irregular Migrants, Regularisation Programmes, sub-Saharan migrants, Morocco

CONTENTS

1 INTRODUCTION	4
2 BACKGROUND	6
3 KEY DEFINITION AND CONCEPTS	9
3.1 Irregular Migrant	9
3.2 Refugee	9
3.3 Asylum Seeker	10
3.4 Regularisation Programmes	10
3.5 Types of Regularisation Programmes	11
4 IRREGULAR SUB-SAHARAN MIGRANTS IN MOROCCO	13
4.1 Estimates of Irregular Migrants in Morocco	13
4.2 Main Pathways into Irregularity	15
4.3 Composition of Irregular Sub-Saharan Migrants	15
4.4 Main Routes to Morocco and Conditions of the Journey	16
4.5 Living Conditions, Stereotypes and Attitudes	19
5 THE LEGAL FRAMEWORK	21
5.1 National Laws	21
5.2 International Conventions	23
5.3 EU-Morocco Agreements	24
6 KEY CIVIL SOCIETY ACTORS THAT SUPPORT MIGRANTS AND REFUGEES	26
7 THE NEW MIGRATION POLICY IN 2013	28
7.1 The 2014 Exceptional Regularisation of Foreigners Residing in Morocco Irregularly	29
7.2 Eligibility Criteria	29
7.3 The Outcome of the Regularisation Programme	30
7.4 Beyond the Regularisation Programme	32
8 DISCUSSION	33
REFERENCES	36
ACRONYMS	42

1 INTRODUCTION

Morocco has traditionally been considered as a country of emigration, with over four million citizens living abroad. However, as a result of increasingly tight borders' control imposed by Europeans since the 1990s, Morocco's location in Northern Africa and its geographical proximity to Europe has also turned it into an important transit country mainly for sub-Saharan would-be migrants seeking to cross to Europe irregularly, and as a destination by default to those migrants blocked from heading to Europe preferring to remain in Morocco as a second-best choice to improve their life conditions (Lahlou 2003; de Haas 2005). Most, but not all, sub-Saharan irregular migrants enter from Algeria. According to the Oxford-based migration scholar Hein de Haas, this irregular entry takes place at the border east of Oujda (officially closed border with Algeria), which means that these migrants have crossed the Sahara overland (de Haas, 2009).

So far, most literature on migratory movements assume that migration takes place from developing countries to Western, liberal-democratic countries, even though more than half the world's migration takes place between developing states. (OECD 2011.) In this context, a conjunction of series of factors has driven the growing trend of irregular migration to Morocco in recent years. Among the most important factors pushing sub-Saharan migrants from their countries of origin are political instability, civil unrest, the increased population pressure on natural resources and economic downturns in some West African countries. From the Moroccan side, its geographical proximity to Europe (for those ones with the intention to continue their journey to Europe), the historical-cultural and religious links that tie Sub-Saharan Africa to Morocco and the expectation to find work when the migration project to Europe fails. (Lahlou, 2003.) These factors, combined with technological progress that improved access to information, images and lifestyles transmitted through education and media may have made young sub-Saharan Africans more aware of opportunities that are lacking in their countries, and encouraged more of them to migrate beyond their national borders. In this respect, I think that the "push factor" is much greater than the "pull" of this developing country of the Global South (e.g. economic performance

or labour market needs). Therefore, the problems that increase Sub-Saharan African's irregular migration in Morocco are global and multidimensional.

Irregular migration into and through the country is not peculiar to Morocco, similar developments exist elsewhere, especially in the periphery of Europe (Turkey, Eastern Europe). To cope with this profound change in migration dynamics, Morocco is currently undergoing a deep transformation of its migratory policy, which has become a priority since September 2013. This new immigration approach included a campaign for an exceptional regularisation of foreigners with an irregular administrative status in Morocco, and three new laws on Immigration, Trafficking of Human Beings and Asylum. Thus, the new policy reveals a shifting government perspective concerning the rising numbers of irregular migrants in the country, and how best to manage and monitor the situation.

Assessing the success of any regularization campaign is usually very difficult and requires empirical research on its mid- and long-term outcomes. In the case of Morocco' exceptional regularization programme of 2014, even though several domestic and international rights groups had welcomed this new migration approach, it is too early to draw conclusions on its impact on the life conditions of the regularized migrants including their integration into the Moroccan society. Undoubtedly, this new approach is courageous by a developing country in the Global South, yet there are many fundamental challenges that lie ahead for Morocco.

2 BACKGROUND

Prior to the launching of this new migration policy in 2013, Morocco was widely criticized by both domestic and international rights' groups for abusing the rights of irregular migrants. Perhaps the most shocking violation of sub-Saharan' rights occurred in 2005 when thousands sub-Saharan migrants attempted to storm the fences dividing the Spanish enclaves Ceuta and Melilla from the rest of Morocco, at least 15 sub-Saharan Africans died and a hundred were injured, some of them allegedly killed by both Moroccan and Spanish border guards (Goldschmidt 2006). After these events, several scholars and non-governmental organizations claimed that the Moroccan authorities turned to nationwide raids and arrests of immigrants in cities and makeshift camps in the forests around Ceuta and Melilla. A group of an estimated 1,500 migrants were deported and subsequently abandoned in the Moroccan desert (AI, 2006; de Haas, 2006). Furthermore, Moroccan government raised the number of border guards from 8,000 to 11,000 agents (Sghir, 2008) and, together with Mali and Senegal, installed an air bridge repatriating around 3,000 irregular migrants back to their countries of origin (Lamlili, 2005).

Due to their irregular administrative situation, sub-Saharan migrants in Morocco endure harsh living conditions. Most live in highly degrading circumstances in overcrowded houses or, sometimes, in makeshift camps in the forests and mountains around Ceuta and Melilla (waiting for the right moment to scale the tall border fences separating these Spanish enclaves from Morocco). They are generally denied access to legal assistance and schooling. In 2013, for instance, Doctors without Borders (MSF) published a report titled *Trapped at the Gates of Europe*, where it discloses the precarious living conditions and humanitarian situation of sub-Saharan migrants in the Kingdom. In the same report, David Cantero, MSF head of mission in Morocco declared that the renewed co-operation efforts between Morocco and Spain which, according to these countries, are focused on the fight against cross-border crime, illegal migration and drug trafficking are having a serious impact on the physical and mental health of

sub-Saharan migrants. He also claimed that solely in the Oriental Region their staff treated 1,100 people for violence-related injuries in 2012 (MSF, 2013).

The BBC also broadcasted on September 2013 an investigative documentary where Morocco was accused of human rights breaches over migrant (Mason, BBC 2013). Furthermore, the Moroccan National Council for Human Rights (CNDH) published its thematic report titled *Foreigners and human rights in Morocco: For a radically new asylum and immigration policy on the living conditions of migrants and refugees in Morocco*. This national human rights' watchdog called on public authorities, social actors and state partners of Morocco to take note of these new realities and to act together to develop and implement a genuine public policy that protects human rights, based on international cooperation and integrating civil society. By raising this challenge, Morocco could provide a positive example for many countries of the South faced with similar problems. (CNDH, 2013.)

These reports, which were in contradiction with Morocco's attempts to improve its own human rights record, have caused major international embarrassment for Morocco. Therefore, straight after the publishing of CNDH report, King Mohamed VI requested the government

To elaborate a new global policy in relations to migration-and asylum- related questions, implementing a humanitarian approach in conformity with the international commitments of Morocco and respecting the rights of immigrants. Additionally, he raised migrants' rights issues and the need for greater cooperation with African countries, from which many vulnerable migrants and trafficking victims in Morocco originate; he also publicly recognized that Morocco is increasingly a country of destination for sub-Saharan migrants. (King Mohammed VI royal speech, 2013.)

In response to the increasing criticism concerning the management of irregular migration in Morocco, the government introduced a new comprehensive immi-

gration reform that included three main components: an unprecedented operation of regularization for irregular migrants in Morocco carried out in 2014; reintegrating the Refugee Status Determination (RSD) into the mandate of the Bureau of Refugees and Stateless Persons associated with the Moroccan Ministry of Foreign Affairs and Cooperation (United Nations High Commission for Refugees (UNHCR) retained sole responsibility for issues concerning asylum-seekers and refugees since 2004); as well as the elaboration of three new laws on migration, asylum, and trafficking of human beings to replace the 2003 Migration Act.

This report is largely descriptive, focusing on the legal framework and mechanisms in which the Moroccan authorities were dealing with the issue of irregular migration in the country. Special focus will be on examining the characteristics and outcomes of the exceptional regularization campaign implemented in 2014, in doing so it will address the numbers regularized and approval rate, eligibility requirements used, the benefits offered to migrants, and the actors involved in policy formulation. It gives also a general survey on the new migration policy promised by the Moroccan government since the end of 2013.

3 KEY DEFINITION AND CONCEPTS

In this section, I will present certain concepts and their respective definitions in order to understand better the context of Morocco's new immigration policy. Therefore, definitions are given for the following concepts:

3.1 Irregular Migrant

In its Glossary on Migration, the International Organization for Migration (IOM) defines irregular migrant as a person who, owing to unauthorized entry, breach of a condition of entry, or the expiration of his or her visa, lack legal status in a transit or host country. The definition covers inter alia those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorised or subsequently taken up unauthorized employment. They are also called clandestine/undocumented migrant or migrant in an irregular situation. The term —irregular is preferable to — illegal because the latter carries a criminal connotation and is seen as denying migrant's humanity. (IOM, Glossary on Migration 2011.)

3.2 Refugee

The definition of who qualifies as a refugee at the international law is found in Art 1 A (2) of the Convention Relating to the Status of Refugees. A refugee is a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (Refugee Convention, 1951.)

In our context, de Haas argue that there is evidence that a substantial minority of immigrants to Morocco have migrated for reasons that fall under the 1951 Geneva Convention Relating to the Status of Refugees. However, the Moroccan government assumes that virtually all sub-Saharan immigrants in Morocco are "economic migrants" on their way to Europe. (De Haas, 2005.)

3.3 Asylum Seeker

IOM defines an asylum seeker as a person who seeks safety from persecution or serious harm in a country other than his or her own and await a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds. (IOM, Glossary on Migration 2011.)

3.4 Regularisation Programmes

As stated in Apap et al (2000), a regularisation programme can be defined as the granting, on the part of the State, of a residence permit to a person of foreign nationality residing illegally within its territory. In other words, regularisation programmes are a way of legalising the situation of those who are illegally within a territory. Alternatively, they are also called amnesties or normalisation programmes (Apap et al. 2000.)

It is also defined by the EU Commission REGINE study as a specific regularization procedure, which (1) does not form part of the regular migration policy framework, (2) runs for a limited period of time and (3) targets specific categories of non-nationals in an irregular situation. (Edwards- Baldwin & Kraler 2009.)

There is a variety of opinions regarding regularisation programmes. Proponents of regularisation programmes argue that regularisation programmes provide a

solution for the human rights and human dignity concerns for migrants in an irregular situation. They also claim that such programmes reduce the size of the undocumented population, encourage circular migration, decrease the likelihood of exploitation of the persons concerned, reduce the size of the underground economy and have a positive impact on tax revenues and collection of social security contributions. Those opposed argue that regularisation programmes reward lawbreakers and create a pull effect for irregular migration. They also claim that many persons who are regularised lapse back into irregularity (Levinson, 2005).

3.5 Types of Regularisation Programmes

Baldwin-Edwards and Kraler (2009) suggest that two principle types of regularisations can be distinguished, namely regularisations driven by a humanitarian and human rights logic and non-humanitarian regularisations driven by a regulatory, labour market oriented logic (Baldwin-Edwards & Kraler, 2009).

In the first instance, regularisation is a goal in itself; and may be granted on grounds of family ties or other substantial ties to the country of residence, on grounds of ill health, or to grant complementary forms of protection not covered by the Geneva Convention, subsidiary protection or other existing instruments. In the second instance, by contrast regularisation is a means to achieve wider objectives. For example, to re-regulate the labour market by combating undeclared work and ensuring compliance with tax and social security obligations, and enforcing social rights and labour standards (Kraler, 2009).

In this context, Morocco's regularization campaign, unlike similar regularization programmes implemented in the Northern shore of the Mediterranean (especially in Spain and Italy), was not motivated by economic reasons (for example, reducing the size of the underground economy and increasing tax and social security contributions), it had sought to regularize its irregular population primarily for humanitarian purposes. This new approach aims to facilitate their social

and economic integration into the society, improve their human rights and reduce their exploitation.

4 IRREGULAR SUB-SAHARAN MIGRANTS IN MOROCCO

Unlike preconceived ideas, sub-Saharan Africans are not the only migrants who are in an irregular administrative situation in Morocco, there are also irregular migrants from Europe, Middle East and even from far countries in Asia. I focused on this migrant group because of their increasing numbers in the country, their vulnerability and marginalization, and before all because they are more discussed in both Moroccan and international political and media outlets. Titles and political discourses as “black locusts” invading northern Morocco or “waves of clandestine immigrants from black Africa” are waiting in the North of Morocco to “invade” Europe are found in Morocco as well as in Europe.

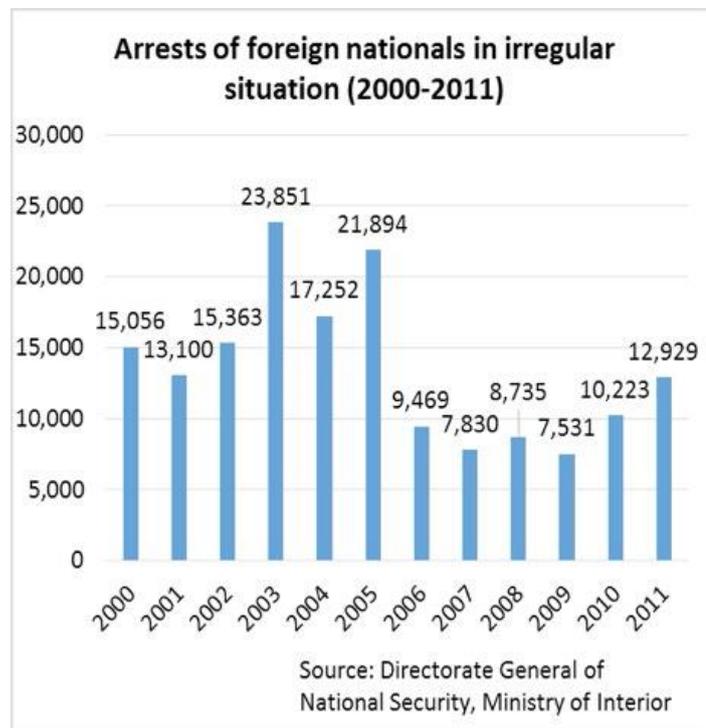
According to Düvell, Irregular migration is not only known in high-income countries but is equally recorded in medium and low-income countries (Düvell, 2006). Morocco is no exception, sub-Saharan Africans are increasingly migrating to Morocco, with some using the Kingdom as a point of transit to Europe and some remaining in the country.

4.1 Estimates of Irregular Migrants in Morocco

Given its prevailing irregular character, concrete statistics about the number of irregular migrants in Morocco are difficult to obtain. Data from the Moroccan General Directorate of National Security shows that apprehensions of foreign nationals in irregular situation between years 2000 and 2011 was 163.233 apprehensions. In 2005, for instance, the Moroccan Minister of the Interior announced that the Moroccan police had detained 28,250 irregular migrants, among which 21,140 were foreigners. Ninety percent of these foreign irregular immigrants were from sub-Saharan Africa (AMERM study, 2008). Moroccan migration scholars estimate that there are between 10.000 and 20.000 irregular migrants in the country (Lahlou, 2008; Khachani, 2010). They are concentrated in big cities such as Casablanca, Rabat and Tangier, and near the border, especially

in Nador and Oujda where they live in settlements set in the forest, outside of the cities. In addition, the UN's refugee agency, UNHCR, has registered 3,580 people of concern including 643 refugees and 2,937 asylum seekers, mainly from Syria, the Democratic Republic of Congo and Cote d'Ivoire (UNHCR, 2015).

FIGURE 2. Arrests of foreign nationals in irregular situation (2000-2011)



The above figure shows the number of irregular migrants intercepted by Moroccan authorities between 2000 and 2011. It is very important to outline that data could also refer to apprehensions rather than individuals. In other words, if a national from Mali attempts to cross the Algerian- Moroccan border several times within the same year and was sent back several times, he will appear registered as many times, as he apprehended and not just once.

4.2 Main Pathways into Irregularity

In Morocco, non-nationals usually need a valid visa to enter the country, unless bilateral treaties provide for other measures. Hence, any foreigner disembarking or arriving on the Moroccan territory must report to the competent authorities in charge of control at the border crossings, in possession of a passport issued by the State of which it is a national, or any other valid document recognized by the Moroccan State as a valid and subsisting travel document and provided, where relevant, with the required visa, issued by the administration. (Law No. 02-03.) If they fail doing so, they are categorized as 'irregular migrant'. In addition, overstaying a visa is a common breach of immigration regulations and it is assumed that this is a common pathway into irregularity in Morocco. Moreover, in the case of the eight African countries (Senegal, Niger, Tunisia, Mali, Gabon, Ivory Coast, DRC and Republic of Congo), which are exempted from visa requirements, the common breach of immigration legislation is frequently irregular exit. (Düvell & Vollmer, 2009.)

4.3 Composition of Irregular Sub-Saharan Migrants

Sub-Saharan migrants come from an increasingly diverse array of countries and regions, such as Senegal, the Gambia, Sierra Leone, Liberia, Mali, Côte d'Ivoire, the Democratic Republic of Congo, Cameroon as well as Ghana, and Nigeria.

Limited information is available on the characteristics of sub-Saharan African migrants in Morocco (in terms of age, gender, qualification, skill, and so on.) However, according to a survey conducted by Amerm-Afvic-Cisp in 2007 and published in 2008 on 1,000 mostly irregular Sub-Saharan transit migrants in Morocco produced the following proportions of countries of origin in the late 2000s: Nigeria (15.7%), Mali (13.1%), Senegal (12.8%), Ivory Coast (9.2%), Guinea (7.3%), Cameroon (7.0%), Democratic Republic of Congo (6%) and Gambia (4.9%). 60 percent of the migrants interviewed declared having no

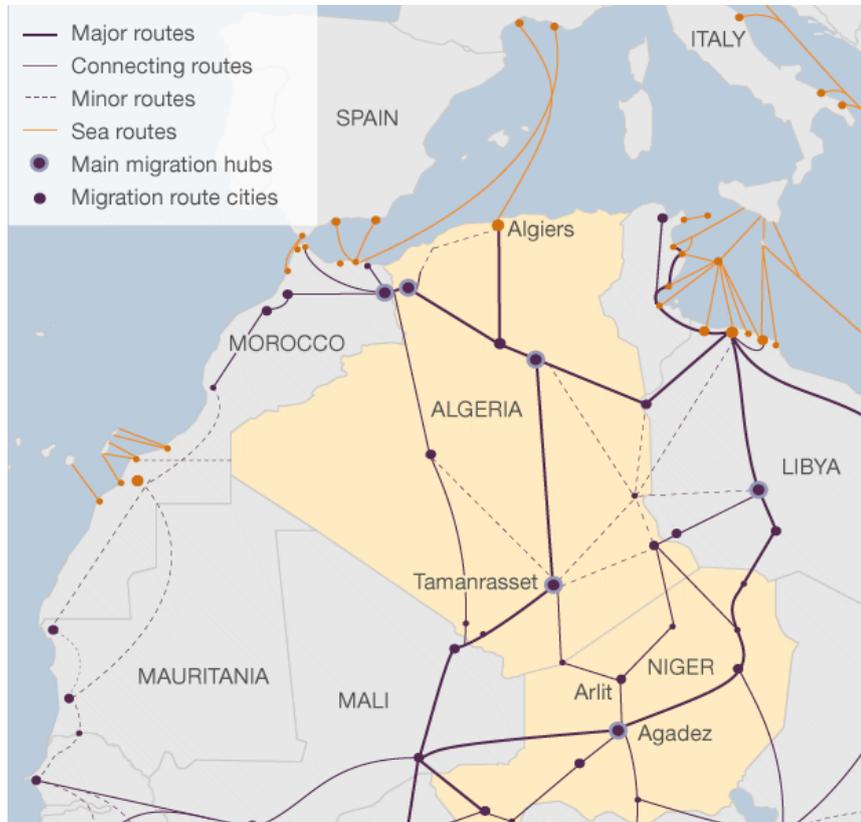
source of income, 19 percent had resorted to begging and 10 percent received aid from charity associations. Only 2.3 percent declared themselves employed, often in the building, retail trade and domestic service sectors. Most were living in rented rooms. The average duration of stay in Morocco was 2.5 years, and 73 percent were intending to leave to go to a third country, 11 percent wanted to go back to their own country and only 2 percent intended to stay in Morocco. (Amerm-Afvic-Cisp, 2008.) The same study pointed out a ratio of irregular migrants in Morocco being 80% men and 20% women, although national discrepancies emerged; females made up 37 percent of Nigerians for instance. Most were in the age group 25-34 (66 percent), most often (82 percent) unmarried. Illiterates made up one-third of the survey sample, but 16 percent were university graduates. Other sources the proportion of women may be about 36% (UNFPA, 2006).

4.4 Main Routes to Morocco and Conditions of the Journey

According to Cherty and Grant (2013), the journey from the country of origin to Morocco can involve a variety of experiences, depending on the migrant's financial resources, social networks and prior knowledge. The possible experiences vary considerably depending on the form of transportation, the funding of the journey en route, the use of professional smugglers, the degree of forward planning or improvisation, and the duration of the journey itself. (Cherty & Grant, 2013.)

A recent study published in 2015 that was conducted by the consulting firm Altai for IOM mentioned these main routes:

FIGURE 2. Map of Sub-Saharan migrants' main routes into Morocco and to Europe.



Source. <http://maghrebi-voices.swarthmore.edu/?p=1163>

- Route through Mauritania: mainly Senegalese migrants move from Dakar and over the border into Nouakchott (Mauritania), then to Nouadhibou, then over the border into Bir Gandouz (Morocco) and then to Dakhla and Laayoune and subsequently to towns such as Casablanca, Rabat, Tangier, Oujda and Nador in the north of Morocco.
- Desert route: English speaking migrants generally come through Agadez and French speaking migrants through Gao. They all move to Tamanrasset (Algeria), then to Ghardaia, then to Algiers or Oran, then to Maghnaia and over the border into Oujda (Morocco).
- Smuggling: the hotspots are in Agadez (Niger) and Gao (Mali). Arlit in Niger is

a hotspot for trafficking and prostitution. The migrants usually deal with a front man, who is working for the smuggler and who is from the same country of origin as the migrants. Some migrants also spoke of nominating a guarantor who would pay the smuggler once the migrant had successfully arrived in destination.

- Trafficking: the clear majority of Nigerian women that arrive in Morocco have been trafficked for the purposes of sexual exploitation. In 2014, the number of Cameroonian women being trafficked for sexual exploitation started to surpass the number of Nigerian women in the same situation.

- Routes from Morocco to Spain: the sea route traditionally crossed the Strait of Gibraltar from Tangier to Tarifa and the land routes moved from Morocco into the enclaves of Melilla and Ceuta. In last recent years, there have also been sea routes from Morocco into Melilla and Ceuta. (Malakooti/Altai, 2015.)

Characteristics of the journey differ from one route to the other. The journey to Morocco can take up to several years. On their way, migrants stay in migratory hubs to work in the informal sector (often in commercial activities) and save money to pay for the next leg of their journeys. Means of transportation usually consist of pick-up trucks in the Western route or land-cruisers and crowded buses in the North-eastern route. Prices for the journey vary depending on the type of transportation used, the number of people traveling together, capacity of negotiation with smugglers and/or bribes paid. In the Western route, the amount paid from Agadez to Tamanrasset is about \$90, and from Tamanrasset to Maghnia, depending on the mode of transport, the price is around \$70. Some parts of the journey are completed overland, such as the trip to Oujda from Maghnia. To cross the border to Oujda, prices range between \$20 and \$60. (IOM, 2013.) Furthermore, the Moroccan researcher Mehdi Lahlou estimated that in 2003 a boat crossing from Morocco to Spain cost from \$200 for minors to \$500 to \$800 for Moroccans, and up to \$800 to \$1,200 for Francophone and Anglophone sub-Saharan Africans, respectively. (Lahlou, 2003.)

4.5 Living Conditions, Stereotypes and Attitudes

It is essential to note that residing experiences of sub-Saharan Africans in Morocco are very mixed, ranging from a legally settled professional class to the clandestine population of irregular migrants, many of whom live in a state of chronic poverty and exclusion. There are also differences of experience between living in key urban areas in central Morocco, such as Rabat and Casablanca, and border areas such as Tangier, Oujda, and Nador. Additionally, a common language can positively influence the integration of migrants into the Moroccan society, while the lack of a shared language acts as a significant barrier. For instance, surveys conducted by the HIV integrated behavioural and biological surveillance for irregular migrants in Rabat, carried out by Johnston et al (2013) for the Health Ministry, pointed out that 35.4% of Francophone migrants in the capital are employed compared to 28.8% of Anglophone migrants. 34.9% of Anglophones stated charity to be their main source of income while for Francophone migrants this percentage is just 3.5%. Regarding access to healthcare, 47.3% of the Francophone migrant population received medical care since their arrival to Morocco, compared to 33% of the Anglophone migrant population. (Johnston et al, 2016.)

Anyway, most of sub-Saharan migrants in Morocco, due to their lack of legal status, are vulnerable to severe exploitation. Most live in highly degrading circumstances in overcrowded houses or, sometimes, in makeshift camps in the forests and mountains around Ceuta and Melilla (waiting for the right moment to scale the tall border fences separating these Spanish enclaves from Morocco). Furthermore, despite the growing effort by the state in the last years to promote integration, social interaction among migrants and Moroccans remain limited notes Katherina Natter of Oxford University's International Migration Institute (Natter, 2015). For instance, a study carried out in 2009, by the Moroccan Association of Migratory Studies on the relations between Moroccans and Sub-Saharan migrants, pointed out that 49% of Moroccans interviewees stated that they have contact and/ or relations with Sub-Saharan migrants, and 63% accepted the idea of living in the same neighbourhood as migrants. However,

when asked about the option of shared housing with migrants, positive responses were reduced. Only 30% stated they would be open to this scenario. Amongst the reasons to reject said situation, racism was mentioned by only 2.3% of interviewees, religion by 20%, living customs by 40% and security by 33%. The fear of illnesses and avoiding problems with the police was mentioned by 14% of interviewees each. Other reasons such as lack of hygiene and noise were mentioned by 42%, which highlights the existence of clichés and prejudices. When speaking about the possibility of getting married with a Sub-Saharan migrant, only 23.9% of those interviewed answered positively. The main reasons to reject this possibility were nationality (79%) and religion (68%). (Alami M'Chichi & Khachani, 2009.)

The same scholars claim that the general idea concerning the presence of racism in Morocco was not widely confirmed by the study, which shows a vast discrepancy between the perceived discrimination reported by migrants and the perceptions of Moroccans regarding their discriminatory behaviour and the rejection of the other. Either way, some data from the survey identified cases of direct verbal and physical aggression.

5 THE LEGAL FRAMEWORK

During the last two decades, Morocco has undergone profound changes in migration dynamics, namely transit and irregular migration patterns. In order to control such migratory movements affecting the Moroccan state, the Kingdom has adopted a set of legal and administrative measures that affected migratory issues.

In this section, I will introduce both the national laws currently in effect governing migration, and international conventions relating to migration that Morocco have signed and ratified. Both provide limited protection provisions for immigrants, especially to refugees, pregnant women and minors, but they are either not respected in practice, or not translated into policy measures that respect international standards on protecting the rights of migrants.

5.1 National Laws

At the national level, Law 02-03 on the entry and stay of foreigners in the Kingdom of Morocco, emigration and irregular immigration is the most important legal regulation governing migration in Morocco. After decades of ignoring the phenomenon of irregular migration, and six months after adopting a law related to struggle against terrorism, the Moroccan authorities radically changed their attitude and issued its Law n°02-03 of November 11, 2003. Thus, it is sometimes considered an emergency law introduced with the view to prevent irregular migration to the EU, as Lahlou (2008) criticizes. This new regulation aimed for a comprehensive reform of the legal framework governing migration, previously adopted under the French Protectorate (CARIM, 2009). Hence, it aims at ruling every aspect of migration, but as El Madmad appropriately noted, this Act of 2003 focuses more on the sanctioning irregular immigration and emigration than on legal emigration and immigration and the protection of the migrants' rights (El Madmad,2004). 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. Article 42 of this law, for instance, criminalizes the entry and presence of irregular migrants who have not presented themselves to the border authorities with a valid passport or travel document

Any foreigner entering or attempting to enter Moroccan territory, in violation of Article 3 of this Act, or who remained on Moroccan territory beyond the period authorized by his visa, except in cases of overriding circumstances or excuses recognized as valid; shall be punished by a fine of 2,000 to 20,000 dirhams (approximately 200 to 2000 Dollars) and imprisonment of one to six months, or one of these penalties. (Law n°02-03, 2003.)

It also strengthens repression against people who, even without taking advantage of this opportunity, facilitate or organize irregular entry into or exit from the country, and penalizes irregular emigrants, should they be foreign or national citizens (CARIM, 2009). Meanwhile, Morocco established two high level and specialized organizations: Directorate for Migration and Border Surveillance (DMBS), a sub-agency in the Ministry of the Interior, as well as an observatory for migration to collect and generate reliable information about irregular migration. These were specifically created to combat irregular migration flows and especially irregular exits from Morocco across its sea borders (Lahlou, 2008).

However, the new constitution, adopted as a reaction to popular demands for democratic reform in 2011, marked the first step towards offering entitlements for migrants in Morocco. It guarantees protection of rights for immigrants in the country, contains articles that refer to migration, and reaffirms Morocco's attachment to the Human Rights such as they are universally recognized. It subscribes in its article 30 that foreigners enjoy fundamental freedoms recognized to Moroccan citizens; those who reside in Morocco can participate in local elections by virtue of the law, application of international conventions or reciprocity (Article 30, 2011 constitution). Furthermore, in its preamble, the kingdom of Morocco commits itself to ban and combat all discrimination whenever it encoun-

ters it, for reason of sex, or colour, of beliefs, of culture, of social or regional origin, of language, of handicap or whatever personal circumstance that may be. (Preamble of the 2011 constitution.) It also worth to mention the revision of the family Code in 2004 that was followed by the 2007 reform of the nationality Code, which finally enables women to transmit their nationality to their children (CARIM, 2009).

5.2 International Conventions

Concerning International Conventions, Morocco has ratified all the major international treaties concerning migrants, refugees and human rights, including the 1951 UN Refugee Convention and its 1967 Protocol, as well as to the 1969 OAU Convention on the rights of refugees. The UN High Commissioner for Refugees (UNHCR) has had a permanent office in Rabat since 2007 and is now able to determine refugee status. However, the country lacks a legislative and institutional framework in relation to asylum and refugee protection (UNHCR, 2010). Prior to 2013, refugees holding a UNHCR certificate have generally been permitted to remain in the country, but they were not granted residency permits, leaving them vulnerable to irregular status and a lack of access to most rights, including access to the labour market.

Furthermore, Morocco was the first nation to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families on 21 June 1993 and entered into force in 2003. This convention, which emphasizes the connection between migration and human rights, could be an important international instrument to promote migrants' human rights in Morocco, especially in combating discrimination and racism. Nevertheless, the convention has not been yet translated into national legislation and there have been reports of arbitrary expulsions of regular migrants from the country (EMHRN 2010, GADEM, 2009). The convention includes protection of irregular migrants, including women and children from abuse. Nevertheless, there appears to be a wide gap between law and practice when it comes to the treat-

ment of migrant women and children. Pregnant women and children, who are protected from expulsion under the Migration Act 02-03 (Arts. 26, 29-31) have reportedly been amongst those dumped at the Moroccan-Algerian border by security forces (GADEM 2013).

In 2011, Morocco ratified the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, but it reportedly has made little effort to address human trafficking, instead focusing on arrests and expulsions while not proactively attempting to identify trafficking victims—mostly sub-Saharan—and provide them with the protection and assistance (MSF, 2013). The legislative recast announced at the end of 2013 includes legislation on trafficking.

5.3 EU-Morocco Agreements

Spain is located only 14 kilometres from the Moroccan coast and the Spanish enclaves of Ceuta and Melilla on the Northern Moroccan coast literally represent “Europe in Africa”. Despite intensified border controls (e.g. of the main routes from Africa into Europe, the Moroccan passage is now the least used), thousands of Sub-Saharan Africans continue to depart from their home states and enter Morocco each year with the hope to cross over into Spain.

Several EU countries have reacted to increasing sub-Saharan immigration by attempting to “externalize” border controls. In this context, Morocco is increasingly subject to pressures from the EU and the Northern Mediterranean countries to clamp down on irregular migration and to sign readmission agreements. Consequently, Spain and Morocco had already reached readmission agreement in 1992. Morocco signed further bilateral readmission agreements with France (1993, 2001), Germany (1998), Italy (1998, 1999) and Portugal (1999, 2004) (CARIM, 2009).

Morocco is a key strategic partner for the EU in the Mediterranean and the co-

operation between Morocco and the European Union over migration control and the prevention of irregular migration require a thesis on its own. Anyway, for the purpose of this report, it is very important to emphasize that the EU security approach strategy towards irregular migration and its political pressure over Morocco to contain migratory flows had started already in 1995 with the Barcelona Process, also known as the Euro-Mediterranean Partnership (EMP). This so-called 5+5 Dialogue provided the framework in which the EU and the Maghreb countries discuss migration trends, irregular migration, human trafficking, migration development and rights, integration, and migration flow management (IOM, 2015). One year later (1996), Morocco signed a separate association agreement, entered into force in 2000, in which the Kingdom and EU states agree to enhance cooperation in order to avoid and combat illegal immigration and to establish a regular dialogue on irregular migration and the condition governing the return of irregular migrants (CARIM, 2009). Furthermore, EU policy documents first referred to 'transit migration' in relation to Morocco in the 1999 Morocco Action Plan, drawn up by the European Council's High Level Working Group on Asylum and Migration (EC, 1999). This document called on Morocco to criminalize undocumented migration into and out of Morocco. At the time, Morocco rejected this call but much of the 1999 Action Plan found its way into Moroccan Law 02/03, passed in 2003. As stated above, this law was Morocco's first post-independence migration legislation, which amongst other things makes undocumented migration a criminal offence (Belguendouz, 2003). Morocco obtained an advanced status with the European Union in 2008. European economic aid and visa facilitation for Moroccan citizens are conditioned on Morocco's ability to effectively control migration flows (EMHRN, 2015). In 2013, a Mobility Partnership was signed between the EU and Morocco. The main objective of the agreement, however, is to focus on the possibilities of developing better management of migration from Morocco to the involved European states "recognizing that the issue of migration is a key element of the exemplary partnership which has linked Morocco and the EU for several decades (European Council, 2013).

6 KEY CIVIL SOCIETY ACTORS THAT SUPPORT MIGRANTS AND REFUGEES

The active presence of both international and domestic NGOs played a crucial role in shaping the new migration policy in Morocco. Moroccan civil society is very dynamic and includes many associations providing support to migrants and defending their fundamental rights. Several organizations such as the Anti-Racist Group for the Defence of Foreigners and Migrants (GADEM), specializing in migrant advocacy, or human rights bodies such as the Moroccan Association of Human Rights (AMDH) and the Moroccan Organization of Human Rights (OMDH) are in the frontline in the fight against human rights abuses in Morocco, and pressuring the authorities to respect existing national laws banning removal of minors, asylum seekers, and pregnant women (Law 02-03). Furthermore, they exert pressure on the government to adapt a just migration system in conformity with international human rights and refugee protection norms.

Additionally, migrants grass roots' associations, such as the Council of sub-Saharan migrants in Morocco (CMSM), the Collective of sub-Saharan communities in Morocco (CCSM), and the migration branch of the labor union Organisation Democratique du travail (ODT) have been established by sub-Saharan migrants themselves to make their voices heard and contest the violent practices they are facing in Morocco. Even though they are not all legally recognized, these associations have not only been engaged in providing needed humanitarian and social assistance directly to their fellow migrants, but also have actively lobbied with other Moroccan associations to put pressure for the advancement of this new migration approach.

In parallel with the informal migrant associations, formal national and international organizations working on irregular migration issues in Morocco including Doctors without Borders (MSF), Caritas, the United Nations High Commissioner for Refugees (UNHCR), La Fondation Orient-Occident (FOO), and other NGOs serve as counselling offices for migrants and offer operational assistance as

medical and psychological support, access to education and training, legal aid and administrative assistance, income-generating activities, and integration programmes for migrants and refugees.

Despite their limited resources and capacity, all these civil society groups have played an undeniable role in shedding light on the human rights violations and racism that sub-Saharan migrants encounter in the Kingdom. Üstübcı points out that, civil society has worked towards putting the EU and the Moroccan state accountable of the rights abuses and vulnerable situation of irregular migrants on the Moroccan soil. As a partial response to the political pressure exercised by these organizations, the Moroccan government has announced a new migratory approach and launched a regularization campaign being implemented since January 2014 (Üstübcı, 2016.) This take us to this new migration policy where Morocco try to move away from a security-centred hard-line approach to more humanitarian and human rights based policy of immigration.

7 THE NEW MIGRATION POLICY IN 2013

The country is currently undergoing a deep transformation of its migratory policy, which has become a priority since September 2013, when the CNDH published its thematic report titled *Foreigners and human rights in Morocco: For a completely new asylum and immigration policy on the living conditions of migrants and refugees in Morocco*. Based on the information it gathered, the CNDH stressed the need to adopt new mechanisms for dealing with irregular foreign residents that respect United Nations agreements and global treaties. The same report outlined inhumane treatment towards these irregular migrants, including racism and aggression and the absence of basic civil rights such as housing, health insurance, and education. Moreover, the report stressed that by raising this challenge, Morocco could provide a positive example for many countries of the South faced with similar problems. (CNDH, 2013.) After the publishing of this report, King Mohamed VI requested the government to elaborate a new global policy in relations to migration-and asylum-related questions, implementing a humanitarian approach in conformity with the international commitments engagements of Morocco and respecting the rights of immigrants. (Royal speech, 2013.)

In the framework of the new approach, four commissions were created to implement these reforms: The first ad hoc Committee was entrusted with adapting national laws concerning migration to align them with international conventions signed by Morocco. Until now, three law projects have been elaborated concerning Immigration, Trafficking of Human Beings and Asylum. The second ad hoc Committee was responsible for verifying files of refugees recognized by UNHCR to regularize their situation (which has resulted in the recognition of 608 refugees by the Moroccan government and the expedition of residency permits). The third ad hoc Committee was responsible for establishing the review criteria, on a case by case basis, of the legal status of certain categories of foreigners in irregular administrative situation in Morocco, with a priority to vulnerable humanitarian cases and foreigners engaging in a regular professional activity. The last

one was an inter-ministerial committee for diplomatic consulting to set up the proposals of the Kingdom of Morocco in the main forums dealing with migration, and collaborate with other international partners in the implementation of the new policy. In addition to this, Morocco's new government, appointed on 10 October 2013, includes, for the first time ever in Morocco, a Minister for Migration Affairs associated with the portfolio of Moroccans Residing Abroad (Malakooti, 2015).

7.1 The 2014 Exceptional Regularisation of Foreigners Residing in Morocco Irregularly

As part of the new Moroccan immigration policy, a campaign for the exceptional regularisation of foreigners with an irregular administrative status in Morocco took place from 1 January to 31 December 2014. Under this campaign, eighty-three foreigners' offices equipped with the necessary human (3000 civil servant) and material resources were set up in each prefecture and province of the Kingdom to examine the submitted applications by a commission that meets on a regular basis and delivers, in a period not exceeding two months after the application was filled, a positive or negative answer to the application. Applicants whose files were turned down have the possibility to re-apply at a national appeal commission presided over by the National Council for Human Rights (CNDH). Applicants who were notified a positive reply were delivered one-year registration cards.

7.2 Eligibility Criteria

Historically, regularization programmes implemented worldwide have had different criteria for eligibility and acceptance. In the case of Morocco, to receive legal residency, applicants had to meet one of several benchmarks, including:

- Foreign spouses of Moroccan citizens, married and living together for two years and more (before 31 December 2011);

- Foreign spouses of other foreigners in a regular situation in Morocco, married and living together for four years and more (before 31 December 2009);
- Children of the two above categories, providing they hold a valid birth certificate;
- Foreign nationals holding a valid labour contract, employed at least for the past two years (since 1 January 2012);
- Foreign nationals able to prove a five-year long continuous residence in Morocco;
- Chronically-ill persons receiving care in Morocco since 31 December 2013.

Persons that qualified for regularisation received a one-year residency card, which, according to a February 2015 government announcement, will be renewed automatically on expiration. (MAP, 2013.)

7.3 The Outcome of the Regularisation Programme

On 9 February 2015, the Moroccan State Minister of Interior presented the results of the exceptional regularization campaign of irregular immigrants implemented during 2014. The total number of applications submitted as of 31 December 2014 was 27,332, of which 17,916 received a positive decision. This results in an overall recognition rate of 65%. Following a recommendation of the CNDH, it was decided in spring 2014 that all women and children would be automatically regularized, leading to all applications submitted by women and children (10,178), given their vulnerability, being accepted 100 per cent. (L'Economiste, 2015.) Furthermore, the national appeals commission presided by CNDH increased the number of those regularized to 25.000 making the final rate of regularization 92 percent. The recognition rate varies across different regions of the country, however (for example, the recognition rate in Nador was lower than the overall recognition rate), indicating that the process was not al-

ways applied in the same way in all locations.

Regularisation benefited nationals of 116 countries, with Senegalese forming the largest group (6,600), followed by Syrians (5,250), Nigerians (2,380), Ivoirians (2,281), Cameroonians (1.410), Guineans (1.408), and Malians (1.119). (L'Economiste, 2015.) UNHCR explained that Syrians that applied for regularisation did not go through a Refugee Status Determination (RSD) process. Some Syrians explained that they did not wish to apply for asylum as they felt that it might create problems for them when they eventually return home.

From the government perspective, the regularisation campaign was a success and was implemented according to the best practices existing in this field. Yet, many non-governmental associations advocating for the rights of migrants considered that the regularization campaign did not go far enough and many irregular migrants were unable to meet the overly strict requirements set (long presence in the country or requiring proof of employment when most irregular migrants in Morocco work informally and without contracts). In addition, it was reported that there was lack of common interpretation for the eligibility criteria among the government authorities in different provinces (e.g. the calculation of the length and continuity of residence in the country). Additional criticism was that the regularisation campaign has benefited people who in principle fall under other categories such as student who are entitled to a residence permit in respect of their studies or Syrian refugees fleeing the civil war, which should normally receive protection as refugees (FIDH & GADEM, 2015). It is also worth noting that Khadija Elmadmad, law professor and holder of the UNESCO Chair for Migration and Human Rights, declared one month after the launching of the operation that eighty per cent of the people who will be regularized thanks to this operation are in fact people who are already entitled to a residency card according to international rights to which Moroccan right is subscribed to by virtue of its international engagements. (Yabiladi, 2014)

7. 4 Beyond the Regularisation Programme

Looking beyond the exceptional regularization process, the Ministry in Charge of the Moroccans Living Abroad and Migration Affairs worked out a National Strategy on Immigration and Asylum. Such a strategy, adopted by a Government Council on its meeting on 18 December 2014, would theoretically give immigrants the same fundamental rights to citizens and would codify the state's long-term recognition of migrants. Its main vision is to ensure a better integration of the immigrants and a better management of the migration flux within the framework of a coherent, overall, humanistic and responsible policy. This strategic vision has three main objectives: To facilitate the integration of the new regularized immigrants, to set up and to raise an adapted institutional and regulation framework, and to manage the flow of immigrants in respect of human rights. (Lahlou, 2015). Furthermore, this strategy comprises programmes touching upon eleven fundamental areas, such as education and culture (integration in the school system, language teaching, Moroccan culture); youth and sports (integration of immigrants into programmes and services offered by public youth centres and local sports centres); health (accessing the public health care system and medical coverage for the most deprived); housing (fostering the right of immigrants and refugees in state-subsidized social housing programmes and the establishment of agreements with banking institutions on real estate loans for regular immigrants); social and humanitarian assistance (establishment of specific programmes of assistance to immigrants and refugees including victims of ill-treatment or trafficking in human beings); employment and social development (integrate immigrants into the professional workforce and facilitating their access to employment) (FIDH & GADEM, 2015)

The same Ministry announced three projects of law relative to asylum, immigration and the fight against human trafficking were elaborated under the coordination of the Interdepartmental Delegation to the Human rights. However, there is no timetable to submit the draft to parliament for consideration, and details of the law's actual impact remain unclear. (Lahlou, 2015).

8 DISCUSSION

As has already been indicated, Morocco's new migration approach represent a positive shift from its previous restrictive migration policy and its unwillingness to acknowledge its migrant communities. In this sense, both national and international organizations advocating for the rights of irregular migrants had welcomed the implementation of an "exceptional" regularization procedure for irregular migrants in Morocco in 2014. However, in my opinion, some constraints and uncertainties still faces this new migration approach.

The first question of concern is that the regularization campaign of 2014, like others implemented worldwide, failed at 'wiping the slate clean'. Thousands of irregular migrants remained undocumented because the required conditions for regularization were inconsistent with the real conditions under which irregular migrants live in Morocco. Consequently, some migrants were not able to prove they had lived in Morocco for five years, the primary qualification for residency permit, present employment contract, and even identification such as passports.

Added to this, there is still the issue of how Morocco will deal with the new arrivals from Sub-Saharan Africans on their way to Europe. The regularization process was supposed to be exceptional and "one-time only", but Morocco has launched again another "exceptional" regularization campaign started on 15 December 2016 and will continue until 15 December 2017 with the same eligibility criteria of that one in 2014

The second question that requires special attention is the tougher stance on irregular immigrants in which this new policy was combined, including increased cooperation with the Spanish authorities to prevent irregular crossings of the Ceuta and Melilla fences. The same day that the balance of the regularization campaign was presented, the Minister of the Interior affirmed that he would no longer tolerate migrant settlements near borders, before showing images of how Moroccan police dismantled the temporary camps put up by sub-Saharan irreg-

ular migrants near Ceuta and Melilla. These roundups had prompted human rights protests once again (FIDH & GADEM, 2015)

The third issue concerns the employment rate of the applicants; only 5.4 of the regularized migrants had a work permit. Compared to Europe, Morocco high rates of poverty and the unviable economic conditions make it difficult for immigrants and refugees to stay in the country. Thus, granting residence permits to irregular immigrants is not enough. The challenge remains to entitle them basic rights which a big proportion of Moroccan nationals themselves lack, and integrate them into the labour market, but this is not a simple matter in a country with less than half of its working age population in employment

The fourth matter concerns the integration of immigrants into society; the growing presence of immigrants confronts Moroccan society with an entirely new set of social and legal issues around diversity and integration. In this sense, regularisation should be part of a two-way integration policy aiming to enrich and strengthen the social and cultural fabric of Moroccan society, and lead to a better social inclusion of the new immigrants into society. Moreover, Moroccan society's capacity for integration will also depends on the geographical distribution of the communities in questions, and the effectiveness of local integration policies. By contrast, the concentration of immigrants in certain cities has created social tensions between some local communities and immigrants. Thus, lack of local integration prospects or hostile environment (e.g. discrimination, racism, racial violence) could play part in preventing immigrants from settling down in Morocco and instead provoke them to move on.

The fifth question is related to the tight border controls by the Moroccan forces and Spanish Guardia Civil that has caused an increase in the resident stock of irregular immigrant and turned Morocco into Europe's border policeman (Mass arrests of migrants storming the fences of Ceuta and Melilla). Therefore, this cooperation has increased the burden for Morocco, and might prevent the authorities from the ability to safeguard and protect the human rights of those migrants using Morocco merely as a transit country and have no desire to be

regularized. According to critics, Moroccan authorities are perceived to give in to the European policy of outsourcing the management of migration flows (Lahlou, 2008). However, the new reforms are broadly seen as an assertion of independence and refusal to obey the wishes of the European Union (de Haas, 2014).

In other words, Morocco is subjected to dual pressures: on the one hand, the EU's continuing insistence on the country to stem the flow of irregular migrants (both its own citizens and the citizens from other African countries). On the other hand, its limited resources to host large numbers of immigrant from sub-Saharan Africa with their initial intention is to cross through the Kingdom to the 'Eldorado' in Europe and not to settle down permanently in Morocco. Additionally, Morocco has a very strong interest to maintain good relations with sub-Saharan countries and continuing poor treatment of African nationals on Moroccan soil might harm strategic political and economic relations with sub-Saharan countries.

To conclude, while acknowledging the positive development in the management of irregular migration in Morocco, I think migration to the Kingdom from sub-Saharan countries, both as a destination and transit country will continue despite the restrictive and security-oriented immigration policies implemented by both Europeans and the Moroccan authority. Factors such as, the current and expected differential in economic gap between more and less-developed countries; the demographic imbalance between sending and receiving countries, added to the unequal distribution of income within immigrants' countries of origin; violation of human rights and a low level of governance, are intersecting and reinforcing each other stimulating further increase of the proportion of those would-be migrants fleeing persecution in their countries or in search of better life beyond their national borders. In other words, irregular migration flows from sub-Saharan countries, especially irregular exits from Morocco will not be prevented without tackling the structural problems in the immigrants' countries of origin, and global changes in the wider political, social and economic system that provide a holistic approach and long-term solutions to irregular migration.

REFERENCES

Alami M'Chichi, Houria & Khachani, Mohamed 2009. Les marocains et les migrants subsahariens: quelles relations? Association marocain d'étude et de recherche sur les migrations.

Amerm- Afvic-Cisp 2008. L'immigration subsaharienne au Maroc. Analyse Socio - économique. Publication de l'Association Marocaine d'Etudes et de Recherche sur les Migrations. Rabat. Maroc. Available online at: <http://amerm.ma/wp-content/uploads/2014/02/Del%E2%80%99afrique-subsaharene-au-Maroc-Lesr%C3%A9alites-de-la-migration-irreguli%C3%A8re.%20pdf> (Accessed 15.7.2016)

Amnesty International 2006. Spain and Morocco: Failure to protect the rights of migrants. Ceuta and Melilla one year on.

Apap, Joanna, de Bruycker, Philippe & Schmitter, Catherine 2000. Regularisations of Illegal Aliens in the European Union: Summary Report of a Comparative Study. Brussels, Bruylant Publishers.

Baldwin-Edwards, Martin & Kraler, Albert 2009. REGINE-Regularisations in Europe. Pallas Publications.

Belguendouz, Abdelkarim 2003. Le Maroc non-africain, gendarme de l'Europe? Sale, Imprimerie Beni Snassan.

CARIM- Migration Profile Morocco 2009. The Demographic-Economic Framework of Migration. The Legal Framework of Migration. The Socio-Political Framework of Migration," European University Institute.

Cherty, Myriam & Grant, Peter 2013. The Myth of Transit, sub-Saharan Migration in Morocco. London, Institute for Public Policy Research.

CNDH (National Council of Human Rights) 2013. Thematic report “Foreigners and human rights in Morocco: For a radically new asylum and migration policy”. Available online at: http://cndh.ma/sites/default/files/foreigners_and_human_rights-conclusions_and_recommendations.pdf (Accessed 22.1.2016)

Constitution of Morocco 2011. Available online at: http://www.wipo.int/wipolex/en/text.jsp?file_id=311565 (accessed 5.4.2017)

De Haas, Hein 2005. Morocco's migration transition: Trends, Determinants and Future Scenarios. Global Migration Perspectives research papers series No 28. Geneva: Global Commission on International Migration. <http://www.refworld.org/pdfid/42ce528d4.pdf> (Accessed 4.7.2016)

De Haas, Hein 2006. Trans-Saharan Migration to North Africa and the EU: Historical Roots and Current Trends. Migration Information Source.

De Haas, Hein 2009. Morocco: Migration Profile. Focus-Migration 16. Available online at: <https://heindehaas.files.wordpress.com/2015/05/2009-focus-migration-country-profile-morocco.pdf> (Accessed 05.04.2016)

De Haas, Hein 2014. Morocco: Setting the Stage for Becoming a Migration Transition Country? Migration Policy Institute

Düvell, Franck 2006. Illegal Immigration in Europe - Beyond Control, Hound mills. Palgrave/Macmillan.

Düvell, Franck & Vollmer, Bastian 2009. Irregular Migration in and from the Neighbourhood of the EU. A comparison of Morocco, Turkey and Ukraine. Centre on Migration, Policy and Society (COMPAS), University of Oxford.

EMHRN, 2010. Study on Migration and Asylum in Maghreb Countries. Inadequate Legal and Administrative Frameworks Cannot Guarantee the Protection of Migrants, Refugees and Asylum Seekers. Available online at: <http://www.refworld.org/pdfid/515018c62.pdf> (Accessed 14.2.2016)

EMHRN 2015. Analysis of the Mobility Partnership signed between the Kingdom of Morocco, the European Union and nine Member States.

European Council 1999. High Level Working Group. Action Plan for Morocco. 11426/99. European Council, Brussels.

European Council 2013. Joint Declaration Establishing a Mobility Partnership between the Kingdom of Morocco and the European Union and Its Member States. Council of the European Union, Brussels.

El Madmad, Khadija 2004. La place de la Convention sur la protection des droits de tous les travailleurs migrants dans l'ordre juridique international et le droit marocain. In: Ministère des Affaires Etrangères.

FIDH & GADEM 2015. Maroc. Entre rafles et régularisations. Bilan d'une politique migratoire indécise. Available online at: http://www.gadem-asso.org/wp-content/uploads/2016/05/MarocMigrations657f_1_.pdf (Accessed 17.3.2015)

GADEM, 2009. Note_analyse_PV_refugies_juillet2009. Available online at: http://www.gadem-asso.org/wp-content/uploads/2016/05/GADEM-Note_analyse_PV_refugies_juillet2009.pdf (Accessed 04.03.2016)

GADEM, 2013. Report on Morocco's implementation of the international convention on the protection of the rights of all migrant workers and members of their families. Executive summary. Rabat.

Goldschmidt, Elie 2006. Storming the Fences: Morocco and Europe's Anti-Migration Policy. Middle East Research and Information Project. Available online at: <http://www.merip.org/mer/mer239/storming-fences> (Accessed 14.4.2016).

Johnston, Lisa; Oumzil, Hicham; El Rhilani, Houssine. et al. 2016. Sex Differences in HIV Prevalence, Behavioural Risks and Prevention Needs Among Anglophone and Francophone Sub-Saharan African Migrants Living in Rabat, Morocco.

IOM 2011. Glossary on Migration. Perruchoud, Richard & Jillyanne, Redpath-Cross. Second edition; International Migration Law Journal, N-25. Geneva, Switzerland.

IOM 2013. World Migration Report 2013. Geneva, Switzerland.

IOM 2015. 5 +5 Dialogue on Migration in the Western Mediterranean. Available

online at: <https://www.iom.int/55-dialogue-migration-western-mediterranean>
(Accessed 15.12.2016)

Khachani, Mohamed 2010. Maroc – Migration, marché du travail et développement. Organisation internationale du Travail. Genève, Suisse.

King Mohammed VI, 2013. Full text of the Royal speech to the nation on 38th anniversary of Green March. Available Online at: <http://www.maroc.ma/en/royal-speeches/hm-king-delivers-speech-occasion-38-anniversary-green-march>

Klarer, Albert 2009. Regularisation: A misguided option or part and parcel of a comprehensive policy response to irregular migration? ICMPD, Austria.

Lahlou, Mehdi 2003. Filières migratoires subsahariennes vers l'Europe (via de Maghreb).

Lahlou, Mehdi 2008. Undocumented Migration Counting the Uncountable. Data and Trends across Europe. Country Report prepared for the research project CLANDESTINO.

Lahlou, Mehdi 2015. Morocco's Experience of Migration as a Sending, Transit and Receiving Country. Istituto Affari Internazionali.

Lamlili, Nadia 2005. Médias et migration: Touche pas à mon pays! Afkar/Idées. Revue trimestrielle pour le dialogue entre le Maghreb, l'Espagne et l'Europe N° 8, automne 2005.

Law 02-03, 2003. Entry and Stay of Foreigners in Morocco, Emigration and Irregular Immigration, enacted by Royal Decree: Dahir n° 1-03-196.

L' Economiste 2015. Immigrés clandestins Après la régularisation, l'intégration. <http://www.leconomiste.com/article/966512-immigres-clandestinsapres-la-regularisation-l-integration> (Accessed 14.3.2016)

LEVINSON, Amanda 2005. The Regularisation of Unauthorized Migrants: Literature Survey and Country Case Studies. Centre on Migration, Policy and Society (COMPAS) University of Oxford 2005.

Malakooti, Arezo 2015. Migration Trends Across the Mediterranean: Connecting the Dots. Report by Altai Consulting for the International Organisation for Migration(IOM). Available online at:

[http://www.alticonsulting.com/docs/migration/Altai Migration trends accross the Mediterranean v3.pdf](http://www.alticonsulting.com/docs/migration/Altai_Migration_trends_accross_the_Mediterranean_v3.pdf) (Accessed 02.03.2016)

MAP 2013. Morocco Unveils Criteria for Exceptional Regularization of Illegal Immigrants. December 19, 2013.

Mason, Paul 2013. Morocco accused of human rights breaches over migrants. BBC Newsnight, 4 September 2013. Available online at: <http://www.bbc.com/news/business-23959892>. (Accessed 10.2.2016)

Medecins Sans Frontieres(MSF) 2013. Violence, Vulnerability and Migration: Trapped at the Gates of Europe. A report on the situation of sub-Saharan migrants in an irregular situation in Morocco. http://www.msf.org/sites/msf.org/files/migrants_in_morocco_report.pdf (Accessed 15.6.2016)

Natter, Katharina 2015. Almost Home? Morocco's Incomplete Migration Reforms. World Politics Review.

OECD 2011. Tackling the Policy Challenges of Migration. Organization for Economic Cooperation and Development, Paris: OECD.

Refugee Convention 1951. Art 1(A) (2). Convention relating to the status of Refugees 1951 as modified by the 1967 Protocol.

Sghir, Jilali 2008. Stratégie nationale de lutte contre le trafic des etres humains: les victimes, au coeur du dispositif de protection et de prévention, in Conseil consultatif des droits de l'homme (Ed.), Table ronde: La protection des réfugiés au Maroc, Rabat: 92–96.

UNFPA 2006. Towards Hope: Women and International Migration.

UNCHR 2010. Refugee protection and international migration: a review of UNHCR's role and activities in Morocco.

UNHCR 2015. Morocco Fact Sheet. Available online at: http://reliefweb.int/sites/reliefweb.int/files/resources/4c907df39_1.pdf (Accessed 13.1.2016)

Üstübici, Ayşen 2016. Political Activism between Journey and Settlement: Irregular Migrant Mobilisation in Morocco, Geopolitics, 21:2, 303-324. Available

online at: <http://dx.doi.org/10.1080/14650045.2015.1104302> (Accessed 25.12.2016)

Yabiladi 2014. Régularisation des migrants : Nombreux dossiers déposés mais encore de la méfiance. Available online at: <https://www.yabiladi.com/articles/details/22704/regularisation-migrants-nombreux-dossiers-deposes.html> (Accessed 13.4.2016)

ACRONYMS

AI	Amnesty International
AMDH	Association Marocaine des Droits Humains (Eng. The Moroccan Association for Human Rights)
AMERM	Association Marocaine d'Etudes et de Recherche sur les Migrations (Eng. Moroccan Association for Studies and Research on Migrations)
AFVIC	Amis et Familles des Victimes de l'Immigration Clandestine (Eng. (Association of Friends and Families of the Victims of Clandestine Migration))
CARIM	Consortium for Applied Research on International Migration
CISP	Comitato Internazionale Per Lo Sviluppo Dei Popoli (Eng. International Committee for the Development of Peoples)
CCSM	Collectif des Communautés Subsahariennes au Maroc (Eng. Collective of sub-Saharan Communities in Morocco)
CMSM	Conseil des Migrants Subsahariens au Maroc (Eng. Council of sub-Saharan Migrants in Morocco)
CNDH	Conseil National des Droits de l'Homme (Eng. National Human Rights Council)
DMBS	Directorate for Migration and Border Surveillance

EMHRN	Euro-Mediterranean Human Rights Network
EU	European Union
FIDH	Fédération internationale des ligues des droits de l'Homme (Eng. Worldwide Movement For Human Rights)
FOO	Fondation Orient Occident (Eng. East-West Foundation)
GADEM	Groupe Antiraciste D'Accompagnement Et De Defense Des Etrangers Et Migrants (Eng. The Antiracist Group for Support and Defence of Foreigners and Migrants)
IOM	International Organization for Migration
MSF	Médecins Sans Frontières (Eng. Doctors without Borders)
OAU	Organization of African Unity
ODT	Organisation Démocratique du Travail (Eng. Democratic Labor Organization)
OECD	Organisation for Economic Cooperation and Development
OMDH	Organisation Marocaine des Droits Humains (Eng. The Moroccan Organisation for Human Rights)
RSD	Refugee Status Determination
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commission for Refugees