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MPC - MIGRATION PROFILE

Morocco

The Demographic-Economic Framework of Migration
The Legal Framework of Migration
The Socio-Political Framework of Migration

Report written by the

MPC Team

on the basis of CARIM South database and publications

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The Demographic-Economic Framework of Migration

Today, Morocco remains a major sender of migrants with annual flows towards OECD countries estimated at 123,754 individuals in 2010 (OECD.stat). It has been continuously so since the 1960s. At that time, emigration from Morocco was mainly directed towards France, Belgium and the Netherlands. In the 1980s, however, after limitations had been put in place by the traditional receiving countries in Europe, Moroccan low-skilled, often irregular migration, instead increased in Spain and Italy. In North America, the United States and Canada currently play an important role in attracting highly-skilled Moroccans.

Since 1990s, Morocco has also evolved into an important transit and immigration country, receiving migration flows mainly from Sub-Saharan countries. Sub-Saharan migrants generally attempt to cross to Europe illegally, but many of them also tend to stay in Morocco to improve their life conditions.

Outward migration	Inward migration																																																																																																																		
<p>Stock</p> <p>Data from Moroccan Consulates shows evidence of a rising propensity to emigrate: Moroccans residing abroad more than doubled from 1993 (1.5 million) to 2012 (3.4 million), with an average annual growth rate of 9.9% (compared with a 2.2% population growth rate in Morocco).</p> <table border="1"> <caption>Moroccan emigration stocks by country of residence according to Moroccan consular statistics (1993, 2012) and destination countries' statistics (years around 2012)</caption> <thead> <tr> <th rowspan="2">Country of residence</th> <th colspan="2">Moroccan consular statistics</th> <th rowspan="2">Destination countries' statistics</th> </tr> <tr> <th>1993</th> <th>2012</th> </tr> </thead> <tbody> <tr> <td>Europe</td> <td>1,275,567</td> <td>3,056,109</td> <td>2,320,262</td> </tr> <tr> <td>of which France</td> <td>678,917</td> <td>1,193,540</td> <td>663,985</td> </tr> <tr> <td>Spain</td> <td>65,847</td> <td>671,628</td> <td>759,590</td> </tr> <tr> <td>Italy</td> <td>91,699</td> <td>486,558</td> <td>402,318</td> </tr> <tr> <td>Arab countries</td> <td>196,017</td> <td>214,438</td> <td>27,834</td> </tr> <tr> <td>of which Libya</td> <td>102,413</td> <td>69,276</td> <td>n.a.</td> </tr> <tr> <td>Algeria</td> <td>54,576</td> <td>45,451</td> <td>18,661</td> </tr> <tr> <td>North America</td> <td>70,000</td> <td>86,843</td> <td>109,453</td> </tr> <tr> <td>of which Canada</td> <td>40,000</td> <td>53,707</td> <td>40,570</td> </tr> <tr> <td>Other countries</td> <td>3,452</td> <td>14,589</td> <td>158,088</td> </tr> <tr> <td>Total</td> <td>1,545,036</td> <td>3,371,979</td> <td>2,615,637</td> </tr> </tbody> </table> <p>Source: Moroccan consular records and destination countries' statistics (population censuses, population registers, register of foreigners, etc.).</p> <p>In 2012, 90.6% of Moroccans abroad lived in Europe, mainly in France (35.4%), Spain (19.9%) and Italy (14.4%). Since 1981, about 445,000 Moroccans have been regularized in four EU countries (France, Belgium, Italy and Spain), highlighting Moroccan irregular migration. Gender parity has been attained through family reunification in the traditional receiving countries. For example, in France 56.0% of Moroccan migrants are male, while women are underrepresented in the new destinations: 64.9% of Moroccan migrants in Spain and 63.2% in Italy are male.</p> <p>As to their socio-economic profile, Moroccan emigrants in OECD countries are more likely to have a low level of education (59.3%), especially in Italy (76.6%) and Spain (78.6%), and to be</p>	Country of residence	Moroccan consular statistics		Destination countries' statistics	1993	2012	Europe	1,275,567	3,056,109	2,320,262	of which France	678,917	1,193,540	663,985	Spain	65,847	671,628	759,590	Italy	91,699	486,558	402,318	Arab countries	196,017	214,438	27,834	of which Libya	102,413	69,276	n.a.	Algeria	54,576	45,451	18,661	North America	70,000	86,843	109,453	of which Canada	40,000	53,707	40,570	Other countries	3,452	14,589	158,088	Total	1,545,036	3,371,979	2,615,637	<p>Stock</p> <p>In 2012, 77,798 foreign nationals held a valid residence permit, or 0.2% of the total population living in Morocco. Most of them came from France (29.2%) and Algeria (13.4%).</p> <table border="1"> <caption>Foreign population holding residence permits in Morocco by country of nationality, 2012</caption> <thead> <tr> <th>Country of nationality</th> <th>Number</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>African countries</td> <td>29,650</td> <td>38.1</td> </tr> <tr> <td>of which Algeria</td> <td>10,424</td> <td>13.4</td> </tr> <tr> <td>Senegal</td> <td>2,889</td> <td>3.7</td> </tr> <tr> <td>Mauritania</td> <td>1,956</td> <td>2.5</td> </tr> <tr> <td>European countries</td> <td>31,483</td> <td>40.5</td> </tr> <tr> <td>of which France</td> <td>22,683</td> <td>29.2</td> </tr> <tr> <td>Italy</td> <td>1,595</td> <td>2.1</td> </tr> <tr> <td>Turkey</td> <td>1,524</td> <td>2.0</td> </tr> <tr> <td>Other countries</td> <td>16,665</td> <td>21.4</td> </tr> <tr> <td>of which US</td> <td>1,648</td> <td>2.1</td> </tr> <tr> <td>China</td> <td>1,319</td> <td>1.7</td> </tr> <tr> <td>Total</td> <td>77,798</td> <td>100.0</td> </tr> <tr> <td>% of the total resident population</td> <td>0.2</td> <td></td> </tr> </tbody> </table> <p>Source: Direction Générale de la Sûreté Nationale - Morocco</p> <p>Flows</p> <p>Besides regular migrants, Morocco has received large irregular flows from sub-Saharan African countries. 2000-2009, 136,603 foreign nationals were apprehended at Morocco's borders.</p> <table border="1"> <caption>Foreign nationals apprehended at Moroccan borders, 2000-2009</caption> <thead> <tr> <th>Year</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>2000</td> <td>14,395</td> </tr> <tr> <td>2001</td> <td>15,000</td> </tr> <tr> <td>2002</td> <td>15,300</td> </tr> <tr> <td>2003</td> <td>23,851</td> </tr> <tr> <td>2004</td> <td>17,252</td> </tr> <tr> <td>2005</td> <td>21,894</td> </tr> <tr> <td>2006</td> <td>9,469</td> </tr> <tr> <td>2007</td> <td>7,830</td> </tr> <tr> <td>2008</td> <td>8,735</td> </tr> <tr> <td>2009</td> <td>2,877</td> </tr> </tbody> </table> <p>Source: Ministry of Interior - Morocco</p>	Country of nationality	Number	%	African countries	29,650	38.1	of which Algeria	10,424	13.4	Senegal	2,889	3.7	Mauritania	1,956	2.5	European countries	31,483	40.5	of which France	22,683	29.2	Italy	1,595	2.1	Turkey	1,524	2.0	Other countries	16,665	21.4	of which US	1,648	2.1	China	1,319	1.7	Total	77,798	100.0	% of the total resident population	0.2		Year	Number	2000	14,395	2001	15,000	2002	15,300	2003	23,851	2004	17,252	2005	21,894	2006	9,469	2007	7,830	2008	8,735	2009	2,877
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employed in low-skilled occupations: plant and machine operators, assemblers or elementary occupations (27.0%), craft and related trades workers (13.4%), service, shop and market sales workers (13.1%) and plant and machine operators. In North America, 51.7% of Moroccan emigrants are tertiary-educated (44.9% in the US and 62.7% in Canada) showing how selective migration policies adopted in these countries have helped in progressively building a skilled profile of Moroccans (year 2006 - OECD.stat.)

Flows

In 2010, the flow of Moroccan emigrants towards OECD countries was 123,754 (against 52,300 in 2000). The highest annual growth rates have been registered in Spain (63.7%, from 10,600 to 71,400) and Italy (34.2%, from 7,300 to 29,800) confirming the continual and growing importance of these destinations. In Canada too the growth rate is notable (24.1% from 1,200 to 3,800) (OECD.stat).

Emigration brings important resources to Morocco. These financial transfers, in fact, represent the second source of hard currency after tourism receipts, themselves brought by Moroccan expatriates spending the summer break in Morocco. In 2011, transfers amounted to 6,877.4 million USD, 6.9% of GDP (source: Office des changes – Maroc).

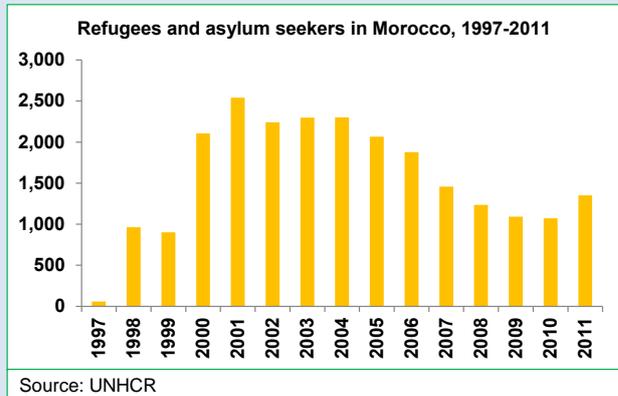
Remittances sent to Morocco by country of origin of remittances, 2011		
Country of origin	Number	%
France	2,781.5	40.4
Spain	740.0	10.8
Italy	734.2	10.7
Belgium	417.7	6.1
US	343.3	5.0
Others	1,860.7	27.1
Total	6,877.4	100.0

Source: Office des changes - Morocco

Remittances mainly arrived from France (40.4%), Spain (10.8%) and Italy (10.7%).

The number of apprehended migrants and dismantled trafficking networks has, however, decreased. After 23,851 apprehended migrants in 2003 – the highest to date – the number went down to 2,877 in 2009. A survey conducted by the *Association Marocaine d'Etudes et de Recherches sur les Migrations* drew an interesting profile for the sub-Saharan migrant: male (79.7%), relatively young (mean age 27.7 years old), single (82.2%) with a medium-high level of education (48.5%).

Morocco is a transit and immigration country for asylum seekers and refugees as well as normal migrants. At present, it plays host to 1,351 individuals. These come mainly from sub-Saharan and Middle Eastern countries: 25.0% are minors and, among the adult population, 17.0% are women. After a peak in 2001 (2,540), this population has fallen, mainly due to border control measures and the difficulty involved in obtaining refugee status.



The Legal Framework of Migration

In recent years Morocco has seen intense legislative activity, a large part of which has affected migratory issues. Six months after adopting a law related to struggle against terrorism, the government issued its law n°02-03 of November 11, 2003 on the “entry and stay of foreigners in Morocco, irregular emigration and immigration”. This new regulation amounted to a comprehensive reform of the legal framework governing migration, previously adopted under the French Protectorate. It aims at ruling every aspects of migration. Besides clarifying the rules concerning the entry and stay of foreign nationals in Morocco, the new law sets conditions and sanctions regarding irregular emigration and immigration. It strengthens sanctions against irregular migration, but also guarantees some rights.

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

Managing opportunities of employment abroad and maintaining a strong link with Moroccan expatriates is a priority for the Kingdom, as evidenced by Morocco’s long history of establishing governmental institutions to address the issue. Beginning in 1949, Royal Decree of 8 November created a service to centralize applications of Moroccan workers for employment abroad, and during the 1990s several royal decrees established the Ministry for the Moroccan Community Residing Abroad and the Hassan II Foundation for Moroccans Living Abroad. Most recently, in December 2007 a royal decree established the Council for the Moroccan Community Abroad.

In the past, Morocco was reluctant to conclude international agreements on human trafficking as well as a general readmission agreement with the European Union. On 25 April 2011, however, Morocco accepted the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and in 2013, after multiple rounds of negotiations, Morocco and the EU signed a political agreement agreeing to the text of a Mobility Partnership between the two parties which would include readmission.

In the wake of the Arab Spring, and following protests for democratic reform, the Moroccan Kingdom promulgated a new constitution in July 2011. Whereas the 1996 Constitution made no reference to Moroccan citizens abroad or foreigners within the Kingdom, the 2011 Constitution guarantees protection of rights for Moroccans abroad and foreigners within the country, as well as the right for Moroccans abroad to participate in Moroccan elections.

Currently, Morocco does not have a national procedure for asylum, yet it has in recent years requested UNHCR assistance in developing and establishing a national asylum system.¹

¹ UNHCR (2013). *2013 UNHCR Regional Operations Profile – North Africa*. Retrieved from <http://www.unhcr.org/pages/49e4860d6.html>

Legal Framework	Outward migration	Inward migration
General Legal References	<ul style="list-style-type: none"> • 2011 Moroccan Constitution² • 2004 Judgment of the Court of First Instance of Tetouan on the crime of illegal immigration and emigration and encouraging illegal immigration³ • 2003 Law n°02-03 on the entry and stay of foreign nationals into Morocco, emigration and irregular immigration⁴ • 2003 Law n° 65-69 on the Labour Code⁵ • 1958 Code of Moroccan nationality modified in 2007⁶ 	
Entry and Exit	<p style="text-align: center;">Visa</p> <p>Even if not required by law, the authorities expect foreign and national citizens leaving the country to show an entry visa for the country of destination.</p> <p>Since 1994, the border with Algeria has been officially closed.</p>	<p style="text-align: center;">Visa</p> <p>Foreigners may be asked for means of living, reasons for entering, and repatriation guarantees.</p> <p>Visa exemption for citizens from Algeria, Libya, Tunisia, Mali, Niger, Senegal, Guinea, Congo-Brazzaville, Ivory Coast; the European Union, the United States, Mexico, among others.</p>
Irregular Migration	<p>Law n°02-03 strengthens repression against people who, even without taking advantage of this opportunity, facilitate or organize irregular entry into or exit from the country. It also penalizes irregular immigrants or emigrants, should they be foreign or national citizens.</p> <p>Retention of foreign nationals waiting for deportation or being readmitted after a transit through the country (15 days, possible extension to 10 more days). Protection of some foreign national categories from deportation (pregnant women or minors).</p> <p style="text-align: center;">Agreements regarding irregular migration</p> <ul style="list-style-type: none"> ➤ Readmission agreements (for Moroccan nationals only) <ul style="list-style-type: none"> • Spain (1992, 2003, as well as 2007 agreement on cooperation to prevent the illegal emigration of unaccompanied minors, for their protection and their concerted return). • France (1993, 2001) • Germany (1998) • Italy (1998, 1999) • Portugal (1999) ➤ Other <ul style="list-style-type: none"> • EU-Morocco Association Agreement (1996, entering into force in 2000): parties agree to a dialogue on illegal immigration and the conditions governing the return of irregular immigrants. • Palermo Protocols: in 2011, Morocco accepted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. 	

² Kingdom of Morocco General Secretariat of the Government. (2011). *La Constitution Edition 2011*. http://www.sgg.gov.ma/constitution_2011_Fr.pdf

³ CARIM. *Legal Database – Morocco*. Retrieved from <http://www.carim.org/index.php?callContent=400&callCountry=1310>

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

Rights and Settlement	<p>Right of foreigners to leave the country when and where they want (Law n°02-03).</p> <p>Protection of the rights of Moroccan citizens abroad and encourage their contribution to development of Morocco (Article 16 and 163, Constitution).</p> <p>Full rights of citizenship granted to residents abroad including the right to vote and run as candidates to the elections at the local, regional and national electoral levels (Article 17, Constitution).</p>	<p>Foreigners enjoy fundamental freedoms recognised 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, Constitution).</p> <p>Family reunification: with card of residence (Law n°02-03).</p> <p>Access to Employment: labour contract submitted for work authorization. No access to the liberal professions, except through bilateral agreements.</p> <p>Equal access to public services: Yes.</p>
Labour	<ul style="list-style-type: none"> ➤ Bilateral agreements regarding labour migration <ul style="list-style-type: none"> • Morocco-Jordan (1983) on manpower • Morocco-France (1987) regarding stay and employment of Moroccans in France • Morocco-Spain (2001 and 2005) regarding employment of Moroccan seasonal agricultural workers ➤ International agreements regarding labour migration <ul style="list-style-type: none"> • 1990 Convention on the protection of all migrant workers and members of their family (ratified in 1993) • Several ILO conventions ratified (49 conventions total)⁷ 	
Citizenship	<p>Dual citizenship allowed by Moroccan legislation. Dual citizenship granted at birth from children born to a Moroccan father and foreign woman or Moroccan mother and foreign man (provided that the law of the foreigners' country of origin enables them to pass on their nationality).</p>	<p>Nationality Code 2007: <i>jus sanguinis</i> by descent of a father and a mother, whatever the birthplace (optional right for children of a Moroccan mother). Double <i>jus soli</i> (nationality at the age of majority for resident children born in Morocco from parents born in Morocco; nationality of origin for children born in Morocco from resident parents if the father born in Morocco belongs to an Arab or a Muslim country). The time needed for a foreign woman married to a Moroccan citizen to apply for Moroccan nationality has been extended from 2 to 5 years. A foreign man married to a Moroccan woman does not gain any specific right in applying for Moroccan nationality.</p>

⁷ Including convention C111 concerning Discrimination in Respect of Employment and Occupation, but excluding conventions C118 Equality of Treatment of Nationals and Non-Nationals in Social Security, C97 concerning Migration for Employment and C143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers.

International Protection		<p>No national procedure for refugees and asylum.</p> <p>Country agreement with UNHCR in 2008. Recognition of the UNHCR refugee status determination, granting of a residence permit, though a previous regular entry is required.</p> <p>International agreements: 1951 Convention relating to the status of refugees (succession in 1956) and 1967 Protocol relating to the status of refugees (accession in 1971).</p>
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The Socio-Political Framework of Migration

While emigration is still high on the Moroccan government's political agenda, new forms of migration, namely transit and irregular migration patterns, have gained importance, requiring the government to redefine its policy-making imperatives. Notwithstanding the uneasy relationship between governmental policies and immigrant status in Morocco, a vibrant associative sector - consolidating links with Moroccan Diaspora communities and safeguarding undocumented immigrants and asylum-seekers' rights in the country - has flourished.

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

Socio-Political Framework	Outward migration	Inward migration
Governmental Institutions	<ul style="list-style-type: none"> • Ministry of the Interior • Ministry of Labour • Ministry of Foreign Affairs and Cooperation • Ministry of Justice • Delegated Ministry in Charge of Moroccans Residing Abroad (MRE) • Council of the Moroccan Community Residing Abroad (CCME) • Advisory Council on Human Rights 	<ul style="list-style-type: none"> • Ministry of the Interior • Ministry of Labour • Ministry of Justice • Ministry of Foreign Affairs and Cooperation • Ministry of Justice
Governmental Strategy	<p>Devising policies for successful Moroccan emigration; passing bilateral agreements for economic emigration.</p> <p>Establishing and enhancing links with Moroccan Diaspora communities; devising action plans for the socio-economic, cultural and political integration of Moroccans abroad; devising policies facilitating remittances and return.</p> <p>Fighting irregular emigration; combating the long-term causes of irregular emigration; assisting Moroccan institutions in creating awareness as to the negative effects of irregular emigration.</p> <p>Launching and sustaining an active regional and international cooperation on outward migration; consolidating cooperative mechanisms with international organisations (e.g. IOM) with a view to mobilising Moroccan expatriate competencies abroad and facilitating participation in development (e.g., Mobilization of Moroccans residing in Belgium for the Development of Morocco two-year pilot project started in August 2012), and their return and reintegration; facilitating cooperation between</p>	<p>Regulate the entrance, residence and departure of foreign nationals</p> <p>Regulating the status of foreign workers; issuing permission for the recruitment of foreign workers.</p> <p>Fighting irregular immigration and transit migration through various practices such as frontier control, expulsion, and increasing cooperation with neighboring countries (e.g., Morocco convened the International Conference on Cooperation in the field of border control in the Sahel and the Maghreb in March 2013 to cooperate with neighbouring countries to fight against cross-border terrorist threats and criminal).</p> <p>Combat trafficking and smuggling through development of cooperative mechanisms with international organisations (e.g. IOM) and with the EU.</p> <p>Identifying asylum seekers and refugees; defining their status as well as conditions for their stay; engaging in Confidence-Building Measures (CBM) with the Polisario Front such as expanded family visits programme bringing via aircraft Sahrawi refugees in Tindouf (Algeria) and their families in Western Sahara; providing humanitarian assistance to refugee populations (recently Mali and Syria).</p>

	<p>national institutions and international organisations so as to identify the root causes of irregular emigration, finding common ground for action and facilitating the reintegration of irregular migrants in Morocco (e.g., the IOM Assisted Voluntary Return and Reintegration Project of 2010 followed by a new Assisted Voluntary Return and Reintegration Project in 2013, and projects with Italy, Spain and Belgium to return minor Moroccan migrants); enhancing cooperation with the EU in mobility partnership and circular migration; exploring with the EU – in addition to the migration dialogue – alternative ways in order to enhance development in Morocco (e.g. EU-Moroccan cooperation in the field of economic liberalisation and transition).</p>	<p>Engaging in consultative processes on migration such as the 5+5 Dialogue in order to promote more efficient migration governance in the Euro-Mediterranean area.</p> <p>Strengthening partnerships with international organizations dealing with immigration issues such as UNHCR and IOM – e.g. signing the <i>accord de siège</i> with UNHCR in 2007 which gives the international organisation full-fledged representation and which has various implications for improving the situation of asylum seekers and refugees in Morocco.</p>
<p>Civil Society</p>	<p>Initiatives of civil society groups and transnational associations focusing on:</p> <ul style="list-style-type: none"> • Fostering and consolidating links among Moroccan Diaspora communities; safeguarding their rights; providing them with services; ensuring their socio-economic integration; and contributing to development in the homeland (e.g. Association des <i>Jeunes Marocains de France</i> (AJMF), <i>Migrations et Développement</i>, <i>Club des investisseurs des Marocains Résidant à l'Étranger</i> (CIMRE)) • Sensitising the population to the negative effects of irregular emigration through awareness raising and advocacy. 	<p>Initiatives in the associative sector aimed at:</p> <ul style="list-style-type: none"> • Providing immigrants with services as well as safeguarding and enhancing their socio-economic and human rights (<i>Groupe Antiraciste d'Accompagnement de Défense des Étrangers et des Migrants</i> (GADEM); <i>Association Beni Znassen pour la Culture, le Développement et la Solidarité</i>) • Safeguarding the rights of immigrant categories, especially undocumented ones (e.g. <i>Association des Amis et Familles des Victimes de l'Immigration Clandestine</i> (AFVIC), <i>Organisation Marocaine des Droits de l'Homme</i> (OMDH), <i>Association Marocaine des Droits Humains</i> (AMDH), ASILMAROC, CARITAS)
<p>International Cooperation</p>	<p>Morocco is a member of several international organisations in which it actively works to address issues of migration, including: International Organization for Migration (IOM); International Labour Organization (ILO); UNHCR; Arab League; and Organization for African Union (OAU), among others. Morocco is a participant to the European Neighbourhood Policy (ENP). Morocco is a member of the Union for the Mediterranean (a multilateral partnership within the European Neighbourhood Policy) and participates in the 5 + 5 Dialogue.</p>	