

# Turning the Euro-Moroccan Tide: A Reappraisal of Migration Cooperation beyond Existing Areas of Engagement

## **Nabil Ferdaoussi**

Doctoral Research Fellow at HUMA-Institute for Humanities in Africa (UCT)  
Associate Researcher at Center for Global Studies (UIR)  
Associate Researcher at LMI MOVIDA

Apropos the EU's migration cooperation with southern neighbours, Morocco holds the largest migration portfolio in North Africa. Yet as the year of 2021 draws to a close, the EU-Moroccan migration cooperation has been in the doldrums

In February 2021, the European Commission launched the New Agenda for the Mediterranean on a Renewed Partnership with the Southern Neighbourhood. The motto that runs through the fabric of this agenda is a cooperation that is premised on “tailor-made comprehensive, balanced and mutually beneficial partnerships” (European Commission, 2021). Apropos the EU's migration cooperation with southern neighbours, Morocco holds the largest migration portfolio in North Africa and has long-standing relations with EU countries (Hadji, 2021; M'hamdi, 2021). Yet as the year of 2021 draws to a close, the EU-Moroccan migration cooperation has been in the doldrums—starting with the diplomatic logjam between Spain and Morocco in May to the more recent move by France in halving the number of visas for Moroccans (Ferdaoussi, 2021). Similar measures have been taken against Algeria and Tunisia—presented as a punitive response to the countries' alleged refusal to facilitate the return of their undocumented nationals from France (Bloomberg, 2021). To be sure, this simmering geopolitical scenario reignited the as yet unsettled EU-Moroccan negotiations over the joint agreement of readmission and visa-facilitation, which were suspended by Morocco in 2015.

Though negotiations over a readmission agreement with Morocco started in the 2000s, it was not until the two parties signed the Mobility Partnership (MP) in 2013 that visa facilitation policy gained momentum (Carrera et al., 2016). This policy instrument is regularly criticised as a mere bargaining chip meant to foster greater migration

cooperation from southern neighbours, by offering a relaxation of visa restrictions and developing legal pathways through the launch of Talent Partnerships (TPs).

In October 2021, a draft of the European Commission's Action Plan on migration was leaked, revealing the urgent need of maintaining a "partnership of equals" with Morocco through "dialogue, responsibility sharing, mutual trust, and respect". Owing to its geopolitical importance and longstanding cooperation, Morocco is considered by the EU as "a key partner in the shared challenge of preventing and tackling irregular migration, countering the smuggling of migrants, and thereby saving lives". The existing areas of cooperation listed in the Commission's draft include (1) asylum and support to the hosting countries, (2) addressing the root causes of migration, (3) migration governance and management, (4) cooperation with EU agencies, (5) the joint agreement of readmission and visa facilitation, (6) legal mobility and regional, (7) south-south migration cooperation.

#### How Does the EU-Moroccan Migration Cooperation Look Like Up-close?

As to asylum and protection in host countries, the EU encourages Morocco to adopt pending legislations with regards to asylum and human trafficking. It promised to strengthen the Moroccan National Strategy of Immigration and Asylum (SNIA) with "operational support" and "capacity building" provided by the European Asylum Support Office (now 'European Union Agency for Asylum'), aiming to foster better integration of migrants stranded in Morocco and as well as the reintegration of Moroccan migrant returnees. 15,755 refugees and asylum seekers are registered with UNCHR from more than 48 countries in Morocco (UNCHR, 2021). And yet law enforcement frameworks to process applications have not been put place since the launch of SNIA. In December 2021, migrant communities and activists sent a memorandum to the recently elected government, wherein they underline the legal and socio-economic conditions of migrants and refugees. In particular, they urge the government to adopt the legal arsenal on asylum and immigration and racial discrimination provided by SNIA (ENASS, 2022). The development of a legal arsenal for national asylum was dedicated a budget of €35 million under the support programme MFF 2014-2020 (European Commission, 2021b). Reforms included in the SNIA should amend the discrepancies that pose legal hurdles for migrants to renew their residence permits (particularly law no. 02-03), as well as the promulgation of specific laws that penalize racial discrimination and those that ensure the socio-economic integration of vulnerable migrants, including women and children.

On the emigration aspect, 8,421 arrivals from Morocco to Spain and Canary Islands were registered on a yearly basis as early as August 2021, compared to 5,709 in the same period of 2020. As of September 2021, 6,775 applications for asylum have

been lodged by Moroccan nationals (European Commission, 2021b). This trend places Morocco among the 10 main origin countries in the EU, most of which are war-torn. To address the root causes of clandestine migration, the EU offers to support “the migration legislative and institutional framework of Morocco,” promoting social inclusion, reducing socio-economic disparities at the regional level, enhancing employability of the Moroccan diaspora and migrants settling in Morocco. For instance, the ENABEL-implemented programme ‘Déploiement des politiques migratoires au niveau régional’ was awarded a budget of €8 million under the EU Emergency Trust Fund for Africa (2018-2022) to tackle these objectives.

A partnership that is premised on real institutional democracy, rule of law and creation of socio-economic opportunities for desperate youth is a promising instrument to tackle clandestine migration. While these areas of engagement are important, most of the funding disbursed to address and redress the root causes of irregular migration is handled by European organizations, giving short shrift to local civil society and migrant communities who have direct influence on the lives of vulnerable migrants. It is the onus of Morocco to ensure the socio-economic welfare of its citizens all the same. As revealed in the Commission’s draft, a total of €21.1 million is allocated to these programmes, while €144 million is allocated to the border management package alone. This imbalance reflects the persistent tendency of the EU to keep the ‘migration problem’ at bay. The externalization of the EU border control, along with the readmission of migrants from all EU Member states, purports that the most controversial responsibilities in the areas of migration management will keep being shifted to international partners such as Morocco (Lemberg-Pedersen et al., 2021). In principle, this approach contradicts the motto of “partnership of equals”, while it may also result in grave violations of international and EU law, notably illegal pushbacks which are covertly orchestrated by border patrols and southern neighbouring countries (EPRS, 2021).

### Fostering Migration Cooperation beyond Existing Bilateral Agreements

Morocco has signed readmission agreements with Spain, Germany and France. The Commission’s draft wishes that Morocco would sign readmission agreements with all EU Member States. While countries have legal obligations under international law to readmit their nationals, the EU’s insistence to include a clause relating to the readmission TCNs has frozen negotiations and caused deep friction with Morocco. On this aspect, Morocco seems unwilling to compromise its engagement vis a vis African partners to satisfy European interests. . It is important to note that Morocco’s migration policies are driven primarily by diplomatic considerations, counterbalancing the geopolitical interests of its traditional African allies, on the one hand, and its domestic interests on the other hand (Norman, 2020).

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This joint agreement is far from being cost-effective for Morocco due to its unfair share of responsibilities, and EU efforts on the readmission of TCNs are likely to fall short of an all-encompassing agreement. For a start, Morocco is home to at least 40,000 West African migrants, not to mention the ever-fluctuating number of those transiting its territory to enter Europe. Besides being subject to socio-economic exclusion and structured illegality, West African migrants are victims of racial discrimination which remain unsanctioned in Morocco, given the incomplete adoption of law enforcement frameworks of the SNIA. As such, the readmission of TCNs contributes to intensify this xenophobic trend and results in further racial tensions. These trends of containment and abandonment are amplified by the rampant racism against black migrants in Morocco even after the latter's New Migration Policy reforms (Gross-Wrytzen, 2020). Furthermore, the sensationalist media coverage of black migrants in Morocco favours xenophobic representations in the public discourse.

The joint communication of the European Commission all the more stressed the importance of exploring south-south cooperation in migration governance. However, cooperation with African southern neighbours in migration governance may negatively affect Morocco's overall engagement on the continent. More worryingly, the EU's failure to systematically conclude agreements with countries of origin suggests that all West African migrants transiting through Morocco face limited prospects of being taken back to their countries of origin (Abderrahim, 2021). Indeed, as the situation in the Western Mediterranean keeps drawing policy-makers' attention (Frontex, 2018), it is likely EU pressure on Morocco to ensure border control and cooperate on TCNs will remain high. Long-term reception of TCNs demands solid institutional, legal and infrastructural frameworks, which Morocco can barely provide to fix the socio-economic ills of its nationals (Carrera et al., 2016).

The findings of the survey conducted by theEMM5-EuroMeSCoshow that 46% Moroccan respondents consider the absence of policy instruments on return and reintegration as the stumbling-block for Euro-Moroccan cooperation. Along with these legal infrastructures, 31% of Moroccan respondents consider the weak socio-economic infrastructures no less an issue to Euro-Moroccan cooperation in terms of readmission of nationals and TCNs alike. Furthermore, while 34% of Moroccan respondents suggest that the EU support to Morocco should be directed towards post-return reintegration assistance in the country, only 4% of respondents consider capacity building for local authorities responsible for voluntary return programmes as needful of EU support.

What we glean from such metrics is that it is far-fetched to believe Morocco can effectively assume the role of the 'waiting room' of Europe's gated communities in light of such infrastructural absence. The EU should reconsider its cooperation with Morocco in migration governance through humane and democratic policy instruments

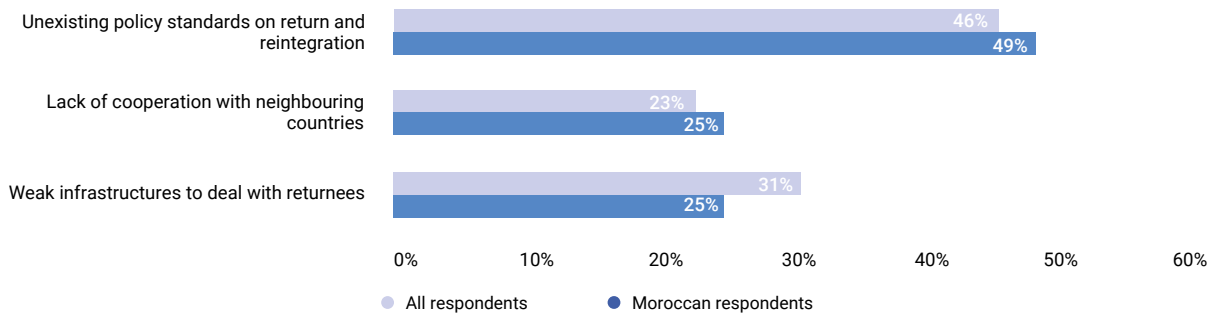
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that are sketched out in the Joint Communication on the renewed partnership with the Southern Neighbourhood. While only 12% of Moroccan respondents assessed the Euro-Moroccan cooperation on return and reintegration as positive, 28% of respondents consider it as negative. A balanced and mutually beneficial Euro-Moroccan migration partnership should go beyond the existing agreements that rely solely on financial assistance and unequal division of responsibilities.

GRAPH 1

Q.16 Based on your experience, what are the main issues? (categories developed from the open-ended answers)



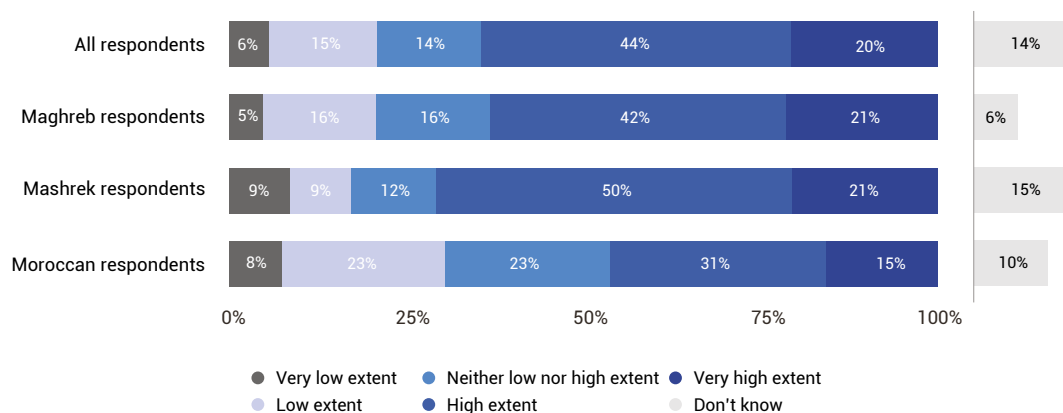
Source: Compiled by the IEMed based on the results of the EMM5-EuroMeSCo Euromed Survey

Migration visa requirement favours primarily skilled labour, thus benefiting exclusively the privileged citizens who are already internationally mobile

Meanwhile, it is noteworthy to weigh the incentives of the visa facilitation against the structural challenges arising from the readmission of TCNs. Safe and orderly migration through visa facilitation favours primarily skilled labour, thus benefiting exclusively the privileged citizens who are already internationally mobile. As such, it is unclear how such policy instrument will gain traction in the case of Morocco.

GRAPH 2

Q.18 To what extent to you consider that the following avenues [B. Bilateral visa facilitation mechanisms] could contribute to improve cooperation on return and reintegration?



Source: Compiled by the IEMed based on the results of the EMM5-EuroMeSCO Euromed Survey

This implies that disfranchised social categories in Morocco will not benefit from such policy instruments and might keep envisaging clandestine channels to enter Europe. As such, while the EU has been successful in deploying visa facilitation as a negotiation incentive with Turkey, such incentive is less popular within Morocco (El Qadim, 2018). As evidenced by the EMM5-EurMeSCO public survey, 50% of Mashrek respondents assessed the visa-facilitation negotiation mechanism as effective, whereas only 31% of Moroccan respondents are positive about it. Along with the financial and logistical resources, visa facilitation is far from being an enticing incentive for Morocco when weighed against the otherwise burdensome repercussions of acceding to the EU's demand of TCNs readmission.

### Redressing Migration Governance: Steering Euro-Moroccan Cooperation away from Security-driven Approaches

The stringent border control that followed the outbreak of the pandemic reshuffled the entire migratory landscape. New migratory trends keep arising, with distinctive patterns of mobility for families, women and unaccompanied minors from Morocco, sub-Saharan Africa and further afield, which have been propelled by the contingency of the pandemic. Such trends in North Africa have brought the EU's counter-smuggling policy in North Africa under critical scrutiny (Sanchez, 2020; Sanchez et al., 2021, Fakhry, 2021). Whilst migrants fall prey to acts of violence, threats and scams at the hands of smugglers, a copious body of literature challenges the moral economy attached to smuggling, moving

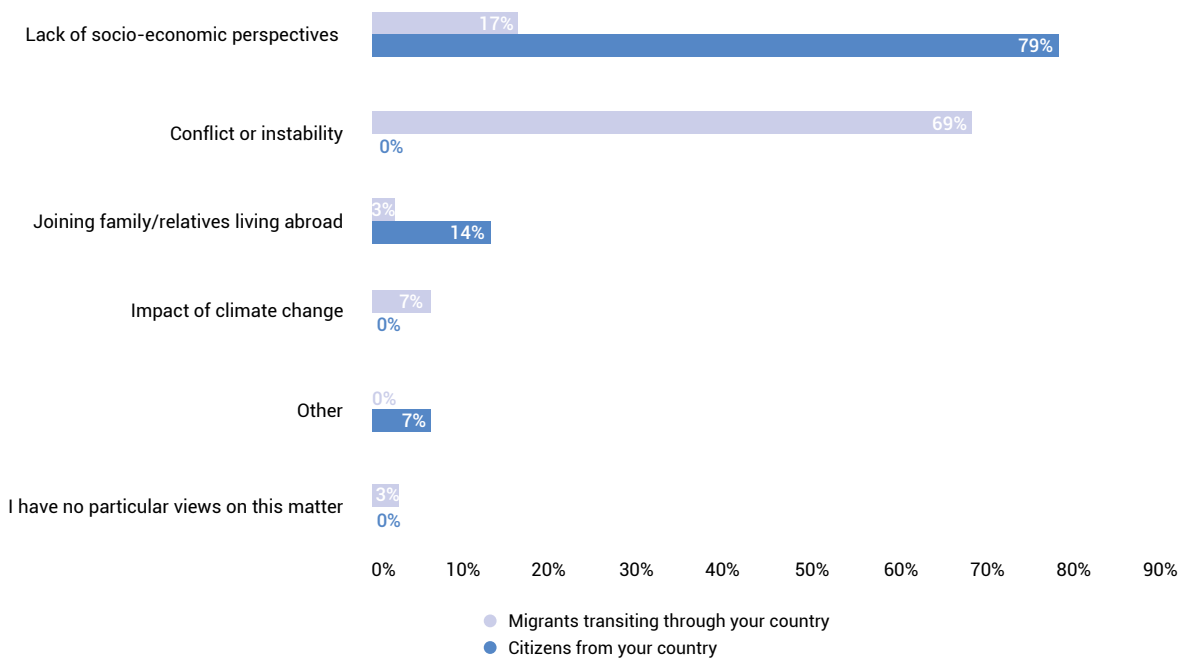
The stringent border control that followed the outbreak of the pandemic reshuffled the entire migratory landscape. New migratory trends keep arising, with distinctive patterns of mobility for families, women and unaccompanied minors

away from the dominant Western narratives that peg smugglers as villains, criminals and law-breakers (Achilli, 2018; Brachet, 2018; Achilli et al., 2019; Zhang, 2019).

Similar narratives surround the EU’s counter-trafficking policy, producing polarised discourses of vulnerability and criminality (Serughetti, 2018; Tyszler, 2020; Ferdaoussi, 2020). These stacks of literature contest ill-informed policy studies with little to no empirical evidence to support claims of existing nexus between smuggling, crime and terrorism. Forced and clandestine migration is driven by socio-economic and stability factors, as is evidenced by the findings of the EMM5-EuroMeSCo survey. 79% of Moroccan respondents suggest that lack of economic prospects as the main driver of Europe-bound Moroccans, 69% of the same respondents consider political instability as the main driver of sub-Saharan migrants transiting through Morocco.

GRAPH 3

Q.8 What is the main driver of outwards irregular migration from your country? (Moroccan respondents)



Source: Compiled by the IEMed based on the results of the EMM5-EuroMeSCo Euromed Survey

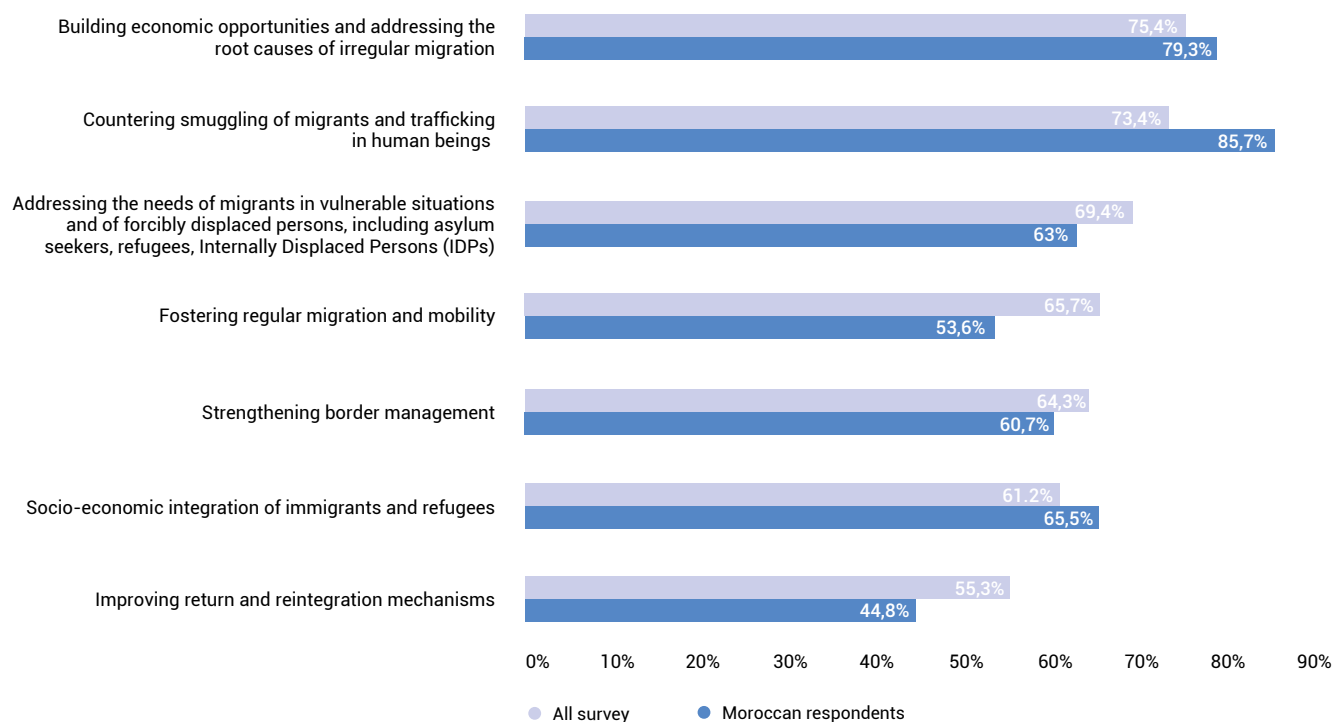
Sub-Saharan migrants transiting through Morocco undergo double displacement, induced by a combination of lack of economic prospects and political instability

Indeed, the abrupt socio-economic repercussions that followed nationwide lockdowns have had a clear effect in terms of border crossings. The resurgence of community-based migration propelled a large number of migrants to engage in auto-smuggling of their friends and families, with no criminal or lucrative intentions whatsoever. In fact, turning to clandestine means is the last resort for North Africans who have been

denied a visa and are distrusting of the EU member states' claims of encouraging regular, safe and orderly migration (Capasso,2021). Sub-Saharan migrants transiting through Morocco undergo double displacement, induced by a combination of lack of economic prospects and political instability.

GRAPH 4

Q.1 To what extent do you consider that the following areas of migration policy are important for your country.  
(% of high and very high answers)



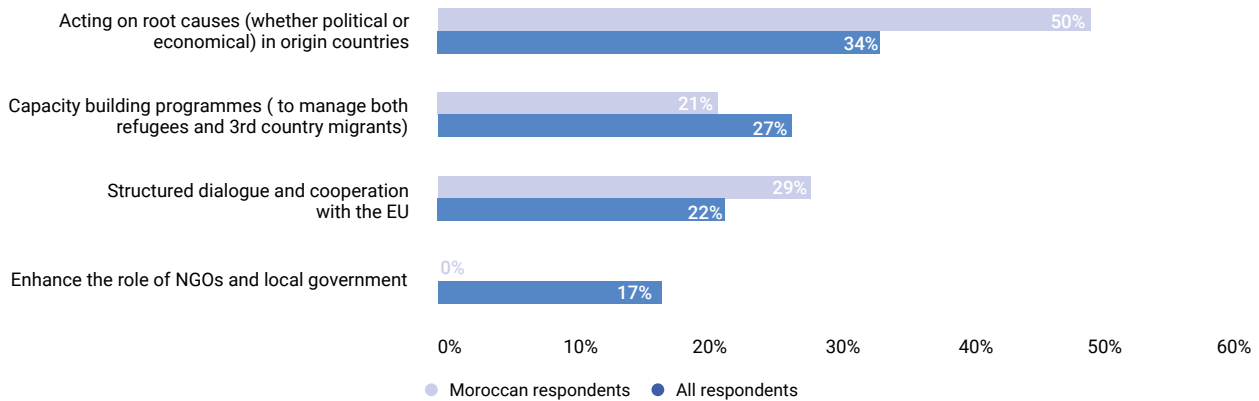
Source: Compiled by the IEMed based on the results of the EMM5-EuroMeSCo Euromed Survey

Quite recently, a dozen of West African countries have witnessed a comeback of military coups, harking back to the 'coup culture' of the 1970s (Campbell, 2021). A large number of sub-Saharan migrants are forced to escape such politically unstable contexts, and many of them transit through or sojourn in Morocco before reaching Europe. As part of the EU's externalization strategies, indiscriminate clampdowns on sub-Saharan migrants by authorities, sometimes by local communities, fuel racism and result in the expulsion and dispersal of vulnerable groups such as women and children. Although these measures set out to combat smuggling and trafficking networks, little substantial evidence has been brought forward.



GRAPH 5

Q.7 What do you expect from the EU to do or to do differently in order to help your country deal with forced displacement and better assist those in need? (categories developed from the open-ended answers)



Source: Compiled by the IEMed based on the results of the EMM5-EuroMeSCo Euromed Survey

Addressing the root causes of forced displacements should be the centerpiece of the EU's cooperation area with transit and origin countries

As suggested in the findings of the survey, addressing the root causes of forced displacements should be the centerpiece of the EU's cooperation area with transit and origin countries. Without such a step Mediterranean neighbours, including Morocco, will not assume the responsibilities of countries of origin, nor will they be able to cooperate with them, given their own ongoing political turbulence. More than that, the EU would benefit from reconsidering its approach to cooperation assistance. Fostering multi-level governance of urban migration by building capacities of local authorities, NGOs and migration communities through resources and legal competences should be a priority in this regard, since they are stakeholders who have more tangible impact on the lives of vulnerable migrants. This strategy is more likely to bear fruit than the current focus on security-driven programmes.

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