

# Irregular migrant work in Morocco: Dynamics and governance constellations

Working paper WP4

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## About the DignityFIRM project

The DignityFIRM project is a horizon Europe research project that is driven by the ambition to deepen the understanding of and to improve the policies related to irregular migrant work (IMW) in Farm to Fork (F2F) sectors. This report is part of WP4, which is aimed at understanding the governance arrangements underpinning the national policies addressing IMW in F2F sectors in five EU Member States (namely Germany, Italy, Poland, Spain and the Netherlands) and two Associated Countries (namely Morocco and Ukraine) in the period 2019-2024.

For more information about the project's research activities and deliverables, see <https://www.dignityfirm.eu>.

## Abstract

This report analyzes the issue of undocumented migrant labor in Morocco, highlighting the various national policies that address, explicitly or implicitly, the situation of migrant workers. The analysis focuses particularly on two policies: migrant regularization campaigns and the National Immigration and Asylum Strategy (SNIA), as they represent a major turning point in the evolution of migration policies in Morocco. The report adopts a qualitative methodology, based on the analysis of official reports and documents, as well as a corpus of interviews conducted with stakeholders involved in managing the issue of undocumented migrant labor. This approach allows for an analysis of the context surrounding the development of these two policies, as well as the strategies and rationales of the various actors involved in their formulation and implementation. The analysis highlights that the governance of the migration issue in Morocco is based primarily on a humanitarian approach, which translates into the implementation of public actions such as regularization and integration policies, aimed at guaranteeing migrants, regardless of their administrative status, regular, regularized or irregular, access to essential services, including health, education and legal aid.

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## 1. Introduction

Historically, Morocco was a sending country of migrants. More recently it turned to be a country of transit and reception of migrants, refugees and asylum seekers due to intensified externalization of borders and cross-border cooperation. Morocco hosted approximately 102358 migrants as of 2022 and 148152 foreigners as of 2024<sup>1</sup>. According to the 2024 General Population and Housing Census (RGPH), the number of foreigners residing in the Kingdom increased by 61946 between 2014 and 2024, corresponding to an annual growth of 5.6% in November 2024<sup>2</sup>. It should be noted that there is no official estimate of the number of IMs in Morocco, but according to a recent report, more than 87000 irregular migrants have settled in Morocco in the last past five years in addition to over 12000 asylum applications processed in 2023<sup>3</sup>, which makes the country the second most popular destination in Africa with the highest rate of irregular migrants. The estimations of irregular migrants recorded, according to another report reached 75000 in 2023, mostly originating from Western and Central African countries<sup>4</sup>. The scale of irregular migrants living in Morocco to transit to Europe also shows more clearly in the 80000 illegal migrants reported to be intercepted and rescued in 2024<sup>5</sup>. To sustain themselves, most irregular migrants work informally in sectors that require little qualification and a high labor force in sectors often characterized by seasonal production and flexible or indirect employment arrangements.

The year 2013 marks a juncture in the country's migration policies in which a migration public policy was first established to account for its changing migration dynamics and flows. The first pillar of this policy is the National Immigration and Asylum Strategy (SNIA) aimed to manage flows of irregular migrants in Morocco and ensure their access to public services including the labor market without discrimination on an equal basis with Moroccan citizens. The second pillar is the National Strategy for Moroccans Living Abroad (SNMRE) which aimed to manage relationships with the Moroccan nationals residing abroad and mobilize their skills for the country's development. Following Morocco's strategic orientations with regards to the governance of irregular migration, the country launched two collective regularization campaigns in 2014 and 2017 granted residence permits to more than 50000 irregular

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<sup>1</sup> UN (2022).

<sup>2</sup> These numbers remain estimations that does not cover migrants in the move or in administratively irregular status. See Kirchi (2024).

<sup>3</sup> African Union. (2025, June).

<sup>4</sup> MAP (2024).

<sup>5</sup> Mixed Migration Centre. (2025).

migrants (IMs) in order to ensure their access to labor and welfare rights<sup>6</sup>. This report<sup>7</sup> focuses on how Morocco manages irregular migration internally and how does it address the issue of the employment of migrant workers with a specific focus on the protective measures and regulations of the employment of irregular migrants (IMs) in farm to fork sectors. What strategies and policies are implemented to ensure their labor and living rights? The analysis deals first with the regulatory framework addressing issues related to the employment of migrant workers in general. Second, a policy analysis of two selected general policies namely SNIA and regularizations (also referred to as the new migration policy) will focus on the dynamics which contributed to the formulation, implementation of this new migration policy.

The report adopts a qualitative research methodology, based on the analysis of two main data sources. (1) The mapping exercise includes secondary data from the exploration of the policies and governance constellations addressing irregular migrant work in Morocco, i.e. as official documents, reports, media declarations of actors involved in the governance of irregular migration, population registers and surveys, as well as existing literature. (2) In-depth interviews were conducted (n=14) with key representatives involved in the framing and implementation of the selected general policies (SNIA and regularizations). In particular, an interview guideline was used to guide the 14 semi-structured interviews we had with representatives of public institutions, an employers' organizations, an international organization, migrants' organizations, unions, and civil society organizations, experts and academics (See Annex 1 for more information about the conducted interviews).

The report is structured into four major sections. The first focuses on the regulatory framework organizing the employment of irregular migrant workers (IMWs), the recent developments and legal gaps in the protection of IMWs. The second provides a detailed policy analysis of two selected general policies, namely SNIA and the regularizations campaigns, addressing migrants and irregular migrants in Morocco. The third and fourth deal with the triggering factors as well with the actors and policy dynamics that accompanied the formulation and implementation of Morocco's 2013 new migration strategy.

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<sup>6</sup> MDCMREAM (2018a).

<sup>7</sup> The report in part of work package 4 of the DignityFIRM project, which is aimed at understanding the governance arrangements underpinning the national policies addressing IMW in the F2F sector five EU Member States (namely Germany, Italy, Poland, Spain and the Netherlands) and two Associated Countries (namely Morocco and Ukraine) in the period 2019-2024.

## 2. National policies and laws addressing IMs and IMW

Over the past decades, and as the number of IMs spiked resulting from the evolving migration dynamics in Morocco, considerable attention was directed to the issue of migration. Given the importance and novelty of this dynamic, our analysis in the following section provides a brief overview of some laws and policies which have addressed the issue of border and work regulations in general.

### 2.1. The Constitution of the Kingdom of Morocco

The rights of migrants in general, and migrant workers in particular, are governed by national and international laws. The Constitution of the Kingdom of Morocco established in its *preamble* its commitment to protecting human rights as they are universally recognized<sup>8</sup>. The Constitution specifically enshrines the following guarantees by prohibiting all incitement to racism, hatred or violence (Article 23). It allows foreigners to enjoy civil and political rights, including participation in local elections, in accordance with the law calling for the application of international agreements (Article 30). The Moroccan Constitution guarantees the right of citizens to work and to obtain support from public authorities in the field of searching for work or practicing self-employment, and to be appointed to public positions on the basis of merit. It also stipulates practices of reciprocity in Article 30: “*foreigners enjoy fundamental freedoms, recognized to Moroccan citizens, in accordance with the Law*”<sup>9</sup>. It should be noted, however, that the Constitution does not specifically mention the situation of migrant workers as a separate category; yet it has established public advisory bodies, such as the National Human Rights Council (CNDH), which is a pluralistic and independent national institution responsible for examining all issues relating to the defense and protection of human rights, including the rights of migrant workers (Article 161)<sup>10</sup>.

### 2.2 Immigration law and policy

The Law 03.02<sup>11</sup> on the entry and the residency of foreigners in the Kingdom of Morocco, illegal emigration and immigration was enacted in 2003. It provides a number of assurances, particularly in relation to the issuance of documents that permit residency and

<sup>8</sup> Kingdom of Morocco (2011).

<sup>9</sup> Ibid.

<sup>10</sup> Website of the Mediator <https://www.mediateur.ma/fr>.

<sup>11</sup> Kingdom of Morocco (2003). Law 03-03 on the entry and the residency of foreigners in the Kingdom of Morocco, illegal emigration and immigration.



travel as well as administrative rulings pertaining to deportation procedures, appeals processes, and redress. Chapter 19 specifies two types of residence permits (Registration Cards and Residence Cards) for foreigners that allow them to obtain work.

In accordance with Law No. 02-03, governing the entry and residence of foreigners in Morocco, migrants in an irregular situation risk criminal penalty, including deportation and forced return to their country of origin. The illegal entry or residence of refugees in Morocco is not criminalized under Article 31-1 of the Convention relating to the Status of Refugees, also known as the 1951 Geneva Convention, which was ratified in 1967. Furthermore, Moroccan jurisprudence, in a 2005 ruling, specifies that expulsion can only be ordered against foreigners guilty of crimes constituting a ‘real danger’, such as murder, pimping, assault and battery, drug trafficking, illegal occupation of premises, hostage-taking, arms trafficking, or robbery with violence. In addition, expulsion or deportation is prohibited for minors and pregnant women.

Following the publication of the report from the National Human Rights Council and other international NGOs on the migration situation in Morocco, royal instructions were issued on September 10, 2013 for the development of National Immigration and Asylum Strategy (SNIA). Subsequently, a regularization campaign for 23,096 migrants started in January 2014 and finished in December 2014 with the adoption of the SNIA. The strategy created an institutional framework allowing space for state, non-state actors, civil society and European partners to help implement the new migrant integration policy in Morocco and revise the regulatory framework of immigration, asylum and human trafficking<sup>12</sup>. SNIA recognized the right of IMs to have an administrative status by applying a humanitarian perspective and facilitating their integration, including their economic integration.

## 2.3 The Labor Law

The Labor Law 65.99<sup>13</sup>, in force since June 2004, complies with the fundamental principles set out in the Moroccan Constitution and international standards, as provided for by United Nations conventions and their specialized institutions in the field of labor. In addition, the consolidated version of the Labor Code of October 26, 2011 aims to meet the needs of collective and individual labor relations in order to respect certain CSR principles such as respect for human dignity, improvement of standard of living, improving work conditions, protecting workers’ rights, and ensuring them freedom of association.

The Labor Code includes provisions that are compatible with the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the ILO Equal Remuneration Convention, 1951 (No. 100), both of which Morocco is a party. The fifth part of the Labor code

<sup>12</sup> Gross-Wyrtzen (2020).

<sup>13</sup> Kingdom of Morocco (2003). Law 65.99 relating to the Labor Code.

Regarding union rights, foreign workers in Morocco have the right to join trade unions. However, Article 416 of the Labor Code stipulates that members responsible for the management and administration of professional unions must be Moroccan nationals. Furthermore, Article 465 and 337 of the same law limits the participation of foreigners in leadership positions in unions, as well as in elections for employee representatives in the

<sup>15</sup> The number of applications for work permits is limited to 5 applications for recruiting high-skilled foreign worker per employer and job profile and each year. The process necessitates a public announcement facilitated by ANAPEC to make sure no Moroccan candidate postulates for the job. Employers pay 6500DH per each application to get the activity certificate from the ANAPEC. In case the public announcement does not yield to any Moroccan candidate to fill the position, the employer pays an extra1500DH.

private sector, works councils, and health and safety committees. Despite these constraints, notable initiatives have emerged, such as the formation of a group of migrant workers within the Democratic Labor Organization (ODT), aimed at defending the rights of migrant workers and promoting a dignified and safe working environment.

## 2.4 The National Employment Strategy

Morocco launched a set of strategies and plans aimed at promoting job creation, developing the human capital, strengthening labor market intermediation and developing the governance framework of the labor market. In this sense, Morocco implemented the National Employment Strategy (SNE) 2015-2025 and the National Employment Promotion Plan (PNPE) 2018-2021<sup>16</sup> which aims to create 1.2 million jobs by 2021. This strategy puts employment at the core of public policies and Morocco's development model. It identifies the management of migration for professional purposes as one of its cross-cutting objectives for social equity and recognizes the specific needs of three categories of migrants, namely: a) Moroccan returnees forced to return, b) legal migrants to support the specific needs of companies in terms of skills, and c) lastly transit illegal migrant workers. The explicit mention of migrant workers in the National Employment Strategy can be considered one of the direct results of the implementation of the National Migration Assessment, which has contributed to the integration of migration issues into several national policies, particularly in the areas of employment, health and education.

## 2.5 The National Action Plan to Fight Human Trafficking

The National Action Plan to Fight Human Trafficking (2023-2030) was launched to strengthen border control measures to manage irregular migration more effectively. The strategy came after the enactment of the Law 27-14 on Combating Human Trafficking<sup>17</sup> in 2016, which includes requirements to prohibit the crime of human trafficking and protect its victims, provide mechanisms for coordination, care, support, and allocate foreign victims with appropriate protection against all forms of exploitation, including exploitation from forced labor. The plan includes a national referral mechanism for victims to combat human trafficking, considers cooperation with the European Union to combat smuggling networks and also improves border security as an essential element<sup>18</sup>. This cooperation culminated in December 2023 with a Morocco-EU agreement on a migration pact after seven years of negotiations. The pact includes cooperation on border management and efforts to combat

<sup>16</sup> MIEPEEC (2015).

<sup>17</sup> Kingdom of Morocco (2016). Law 14.27 on Combating Human Trafficking.

<sup>18</sup> Stylianos (2017).

human trafficking. Morocco intensified its role as a gatekeeper for the EU, stopping a large number of migrants from crossing into Europe<sup>19</sup>.

Morocco works closely with the IOM and other UN agencies to implement the Global Compact for Safe, Orderly, and Regular Migration. This includes hosting dialogues and workshops to discuss best practices and strategies for managing migration<sup>20</sup>. Morocco signed bilateral agreements with several countries to manage migration flows. These agreements often include provisions for the return and reintegration of migrants, as well as cooperation on border security and the fight against human trafficking<sup>21</sup>. These policy configurations reflect Morocco's evolving approach to migration, and its effort to manage irregular migration humanely and integrate irregular migrants into society. As the only North African country to implement large-scale regularization campaigns, Morocco's policies have been recognized by the international organizations and have contributed to its reputation as a leader in migration policies in Africa.

### 3. Policy analysis of SNIA and Regularizations

#### 3.1 Agenda setting

##### 3.1.1 Context and triggering factors

In general, the new migration policy is part of the promotion of human rights, as well as the implementation of the requirements of the Constitution of the Kingdom of Morocco. Emphasis was then placed on respect for human rights, both for Moroccan citizens and foreigners. In accordance with the new constitutional requirements, which give primacy to the country's international commitments over national legislation, SNIA was adopted in order to: *"implement Morocco's international commitments" and "not carry out expulsions" as one expert pointed out. [Interview\_14].*

In addition, the impetus came from Morocco' ratification of a number of instruments of the International Labor Organization related to employment and governance<sup>22</sup>. The pledge was to

<sup>19</sup> The Charter was developed with the support of the AMEM project (Support for Fair Migration for the Maghreb) implemented by the ILO and funded by Italian Cooperation (AICS). CDT et al. (2022).

<sup>20</sup> IOM (2023).

<sup>21</sup> Dinia (2021).

<sup>22</sup> For instance, convention No. 144 on Tripartite Consultations in 2013; several provisions of Convention No. 87 on Freedom of Association are already part of the national labor code, with

create a comprehensive migration policy that includes asylum-seekers and refugees, as well as aims to align national laws with the international instruments, in particular the International Convention on the Protection of the Rights of all migrant workers and members of their families; the General Comment No. 2 of the Migrant Workers Committee; the International Labor Organization Convention No. 143 on Migration in Abusive Conditions ratified in 2016, and the ILO Convention No. 97 on Migrant Workers<sup>23</sup>. Within this general context, one of the major actions that triggered the launch of the regularizations of IMs and the adoption of SNIA afterwards<sup>24</sup> started with the guidance document that the Inter-ministerial Unit on Human Rights and the IOM prepared in July 2013, which stressed the need to establish a legislative and institutional framework that could accommodate the new dynamics of migration and comply with the country's commitments under the international human rights and refugee law<sup>25</sup>. In the same year, the CNDH published afterwards a report in which it called on the authorities to adopt a new migration public policy that includes the situation of refugees and asylum seekers, undocumented migrants, and the rights of regular migrants<sup>26</sup>. The recommendations of the CNDH were approved by HM King Mohammed VI who called on the Government to undertake the necessary reforms to effectively develop a new migration and asylum policy. An interviewee confirmed that: *"this parallel report led to the development of the National Immigration and Asylum Strategy, initiated from the CNDH report and on the instructions of the highest authority in the country, the King, who ordered the implementation of this strategy."* [Interview\_1]. On 18 December 2014, the government approved the National Strategy for Migration and Asylum, making Morocco the first country in the Middle East and North Africa region to draft a strategic plan on migration and asylum as well as grant residence permits for irregular migrants.

Furthermore, interest in the issue of irregular migration was sustained by a number of events organized under the leadership of HM King Mohammed VI, due to which the Kingdom was given the role of "Leader of the African Union on the issue of Migration" following the 28th African Union Summit in 2017. By means of its new migration policy, Morocco contributed to the international dissemination of a positive narrative surrounding migration. The first initiative exemplifying this role is the African Alliance for Migration and Development, which was introduced in October 2013 on the fringes of the Second High-Level Dialogue on International Migration and Development (HLD) hosted by the United Nations. Morocco's new

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trade unions being considered elements of social peace and a bridge for relations between workers and employers.

<sup>23</sup> Zaanoun (2023).

<sup>24</sup> It should be noted that the regularization of migrants in irregular situations is an integral part of SNIA even if the first regularization campaign was launched before the SNIA.

<sup>25</sup> CNDH (2013, p.5).

<sup>26</sup> CNDH (2013, p. 3-4).

policy handles migration concerns in a multifaceted manner. As noted by an activist from the Moroccan Labor Union: *“Morocco did not launch a single migration strategy, but two: one is concerned with immigration and asylum at the national level, while the other is dedicated to Moroccan migrants abroad.”* [Interview\_5]. Besides, the emphasis of SNIA was on *human-oriented* rather than *security-oriented*. HM King Mohamed VI stated in this respect: *“As was the case with the approach I advocated with regard to the African Agenda for migration and in the Marrakech Compact, the aim is to ensure greater coherence between regional and global commitments and to move as closely as possible towards the objective of optimizing and organizing migration, instead of fighting it”<sup>27</sup>*.

Another external factor of influence comes from the inscription of Morocco in an international dynamic of cross-border cooperation with the neighboring countries, namely with the EU. In particular and since 2004, Morocco’ migration initiative started to be shaped with the EU’s close partnership on migration and border management. This was strengthened by the 2013 EU-Morocco mobility partnership, which entailed a joint collaboration of the EU and Morocco in combating the smuggling of migrants and trafficking in human beings and providing assistance for victims. The European Commissioner, in the fringes of the signing of this mobility partnership, stated that the partnership commit both partners *“to work closely in order to ensure that Morocco can establish a national asylum and international protection system. (...) I am delighted that Morocco is the first country from the Mediterranean region to enter into a partnership of this kind with the EU. The formation of structural cooperation on migration and mobility is a turning point for our relationship with Morocco”<sup>28</sup>*.

### 3.1.2 Strategic Objectives

In 2014, the government of Morocco developed and started to implement a comprehensive national strategy for Immigration and Asylum to promote the integration of immigrants and refugees in Morocco. The SNIA is an inter-ministerial endeavor that pursues four strategic objectives: **(1)** Managing migration flows in a manner consistent with human rights; **(2)** Facilitating the integration of regular immigrants by strengthening the territorialization of SNIA; **(3)** Implementing an appropriate institutional framework; **(4)** Upgrading the regulatory framework<sup>29</sup>.

With regard to the second strategic objective, the integration strategy of regular migrants aims to guarantee equal opportunities for immigrants and refugees. To improve their access to labor and welfare rights and precisely change society’s perception of foreigners, SNIA includes *7 sectoral programs* concerned with education and culture, youth and entertainment,

<sup>27</sup> King Mohammed VI (2022).

<sup>28</sup> Ibid.

<sup>29</sup> MDCMREAM (2018b).



health, employment, vocational training, housing, humanitarian and social assistance; and 4 *horizontal programs* concerned with strengthening legal protection for migrants and refugees, managing borders, combating human trafficking and migrant smuggling, and enhancing international cooperation and partnerships.

To meet SNIA's integration objectives, Morocco started by regularizing irregular migrants first. The process was ensured by the Ministry of the Home Affairs in coordination with local level authorities and actors in regions and Municipalities. Second, various attempts are made with the aim of improving the cross-cutting nature of migration policies through inter-ministerial coordination bodies, and strengthening the vertical coherence of these policies with the various decentralized governance bodies at the local level, particularly territorializing the migration policies across the various regions and municipalities<sup>30</sup>.

### 3.1.3 Sources and modes of funding

In its evaluation report of the support program of SNIA, MCMREAM stated that “*the financial contribution of the Moroccan state to the implementation of the SNIA is not made visible as a cross-cutting policy budgeted in the organic finance law*”<sup>31</sup> (MCMREAM, 2016, p.6). A number of state ministries and public institutions mandated to monitor progress or implement actions for SNIA contributed with the human, financial and technical resources they dispose. In addition, reports and interviews confirmed that SNIA has benefited from the financial support of the EU. An expert stated: “*At one point, the funding for the implementation of SNIA came from Europe. A small portion of the debts to civil society associations was financed by the ministry.*” [Interview\_14].

Another major contributor to Morocco's new migration policy is the United Nations system in Morocco beside other contributing agencies participating in the program such as, IOM, ILO, UNHCR, UN Women, UNAIDS, UNDP, UNESCO and UNFPA, which signed, for instance, a joint program worth 12 million dollars on September 9, 2016 in Rabat with aim to support SNIA. This signing took place as part of the celebration of the SNIA's third anniversary between Mr. Anis Birrou, Minister in charge of Moroccans living abroad and Migration Affairs, and the United Nations system represented by the Resident Coordinator Mr. Philippe Poinot. The program included a budget targeting six areas of intervention: Governance; Education; assistance to vulnerable migrants and refugees; professional integration; Human trafficking and South-South cooperation<sup>32</sup>.

### 3.2. Policy formulation

<sup>30</sup> MDCMREAM (2018b, p.13).

<sup>31</sup> MCMREAM (2016).

<sup>32</sup> UNHCR (2013).

Unlike many countries where migration governance is often a highly contested and politicized public policy issue, the formulation of Morocco's national migration policy has not been influenced by electoral cycles, political party agendas, or public opinion. SNIA was officially announced by His Majesty King Mohammed VI as a strategy with a humanitarian approach to migration and asylum at the end of 2013. The King, within the framework of his constitutional prerogatives, is empowered to exercise direct authority over his government by shaping the country's strategic choices, which define the actions to be undertaken and the responsibilities and modes of actors' involvement. Contrary to Morocco's traditionally centralized mode of public policy formulation, the migration policy demonstrates a more participatory approach to policy formulation, characterized by coordinated efforts. Various actors exerted a degree of influence over the migration policy started by the royal vision. A member of parliament emphasized the central role of the royal vision in launching SNIA, stating: *"These transformations were made possible thanks to Morocco's will and, above all, the enlightened vision of His Majesty the King, who plays a central role in the country's foreign policy. We must continue on this path, but we must also work to improve our practices in order to strengthen Morocco's international credibility, which is growing day by day."* [Interview 10]

Reports state that the formulation of collective regularizations was conducted collaboratively by the Ministry of Home Affairs and the Ministry of Foreign Affairs and International Cooperation in charge of Moroccans Residing Abroad and Migration Affairs (MDCMREAM) and that both “ (...) managed to distribute in December 2013 the first residence permits to asylum seekers and their families, followed by the regularization of irregular residents in January 2014.”<sup>33</sup> Two factors could help in the analysis of the way regularizations were decided. First, this is made clear in the implementation arrangements used in regularization campaigns, which allowed for a self-regulated and progressive formulation model based on the multi-actor cooperation. Second, Morocco’s adoption of a new migration policy encouraging the settlement of migrants demonstrates its commitment to promoting a more humane and inclusive approach to migration management.

Another proof for the open and participative formulation of the criteria for the regularization of the second phase of the exceptional regularization process is that 23000 applications were approved in 2018 compared to 20000 after claims were reconsidered by the National Appeals Committee, which relied on less strict criteria to resolve the status of irregular migrants. The National Appeals Committee has adopted flexible criteria to enable the largest number of migrants to benefit from the regularization process. IMs were regularized based on the criteria of gender, age, and humanitarian criteria, marriage with Moroccan citizens, education and length of stay, in addition to a labor activity.

<sup>33</sup> Global Forum on Migration and Development (2015, p. 4).



### 3.2.2 Actors' involvement

The political supervision of the SNIA underwent several institutional changes between 2014 and 2025. Initially attached to the Ministry in charge of Moroccans living abroad and Migration Affairs in 2014, it was transferred in 2016 to a cross-functional department under the authority of the Head of Government. In 2017, supervision was entrusted to a delegated ministry in charge of Moroccans living abroad and Migration Affairs, attached to the Ministry of Foreign Affairs, African Cooperation and Moroccans living abroad, before becoming, in 2019, a delegated ministry focused solely on Moroccans living abroad. In 2025, this department was integrated into a broader reorganization of ministerial responsibilities. These changes reflect a gradual adaptation of institutional arrangements according to current priorities, as well as a readjustment of migration governance arrangements. The evolution of the positioning of migration in the government architecture thus reflects a desire to adapt management instruments to the national and international dynamics surrounding this issue.

In its capacity as a consultative body, the CNDH was formally tasked to inform and guide policy making. Dedicated to Human Rights and mandated to submit its annual reports directly to the king, this public institution established itself as one of the main triggers for public action in the field of migration policy in Morocco<sup>34</sup>. It was recognized as member of all three governance committees of SNIA. A media declaration of Ali Serhani, the representative of the General Confederation of Moroccan Enterprises (CGEM), emphasized also the role the private sector and employers' organizations have had on supporting the formulation of SNIA and ensuring the implementation of its socio-economic integration programs for migrants<sup>35</sup>. He also highlighted the importance of a participatory approach, highlighting the constructive contributions of civil society in the process of developing public policies, and emphasizing the added value that their commitment represents in enriching discussions and promoting better consideration of the needs on the ground.

### 3.2.3 Actors' frames and strategies

Following a 2013 royal directive for a new migration policy, the government established a national committee to regularize the status of IMs and asylum seekers<sup>36</sup>. Morocco's first major

<sup>34</sup> Ibid.

<sup>35</sup> Atlas info (2018).

<sup>36</sup> It should be noted that Asylum seekers have also benefited from regularization processes even if they have a legal pathway on their own. This may be because of the complex procedures in effect at the UNHCR and the Office for Refugees and Stateless Persons and which involves a multiplicity of actors: the Ministry of home Affairs, Foreign Affairs, Justice, and Human Rights, etc.

irregular migrant regularization campaign occurred during 2014, and the second began from December, 2016 to December, 2017. To encourage migrants to submit applications, regional and state governors have worked in cooperation with the CNDH and certain civic organizations to ensure the good running of local operations. At the same time, regional offices in provinces and communes were opened to receive regularization applications<sup>37</sup>. The campaigns resulted in granting 50000 migrants residence cards for three years by the General Directorate of National Security. The coordination structure of SNIA was designed following a multi-stakeholder management model that constituted a number of state, non-state, national and international actors involved in a coordinated, convergent and integrated manner in the governance of the migration policy in its cross-cutting aspects. The National Committee created a specialized committee, overseen by the CNDH, on June 6, 2014 to monitor regularization files and re-examine applications that had been rejected in the past.

Considering SNIA's multi-stakeholder management model, content analysis of interviews revealed the effect of actors' positionality and ideology on their perspectives regarding irregular migration in general and the issue of migrant workers in particular. Actors' perspectives vary among actors. **The socio-economic approach** to migration and labor market needs emphasizes both the adoption of a selective migration policy that meets the country's economic needs and labor market demands, as well as the promotion of migration as a contributor to Morocco's development, similar to organized labor migration programs in other countries. This viewpoint is expressed by the head of the social commission of the CGEM. The same socio-economic framework is also present among other actors, particularly civil society organizations, which view the regularization and socio-economic integration of migrant workers as a measure to combat the irregular economy and informal labor, as illustrated by the following excerpt: "*The National Human Rights Council (CNDH) recommends not employing migrants in irregular situations. However, without the possibility of regularization, they will continue to work illegally, primarily in the informal economy.*" [Interview\_1]. This socio-economic perspective is also shared by a representative of the AMDH, who emphasizes the economic risks associated with irregular migrants. Irregularity in residence status gives no chance for IMs to work regularly. "*We closely monitor their situation and find that most of them do not have stable jobs. Those who work often do so illegally. It is rare to find Sub-Saharan Africans with formal employment.*" [Interview\_9].

Another perspective, more focused on access to the **social rights and the human rights approach**, is advocated by actors such as representatives from the CNDH and the Moroccan Union of Labor (UMT). This view of migration is manifested by the desire to protect the social rights of all migrant workers, regardless of their legal status, whether they are engaged in concealed work or formal professions. It is important to note that those interviewed position the regularization process within a humanitarian framework rather than an economic one

<sup>37</sup> Zaanon (2023).

related to labor market needs, thus reflecting the significant progress Morocco has made in terms of human rights. AMDH adopts the humanitarian perspective, considering Sub-Saharan irregular migrants to be the most vulnerable category among migrants in Morocco. The UMT, for its part, advocates for migrant workers' access to social rights, emphasizing that these rights can only be fully protected if they are regularized. Regularization would allow them not only to benefit from a work contract but also to be registered with social security, pension, and tax authorities. According to IOM, IM workers are defined as vulnerable people who need protection. The IOM representative highlighted the increased vulnerability of migrants and their precarious situation, especially when they are in an irregular status. At the same time, the IOM representative reflected the need to align the regularization of IM with the profiles needed in the labor market in Morocco.

From an **efficiency and access-to-rights perspective**, ANAPEC believes that regularizing migrant workers is crucial for enabling them to access public employment services. Regularization allows irregular migrant workers to register with ANAPEC and have access to all labor related services, including formal employment opportunities. In addition, while government and political actors adopt a **diplomatic and legal perspective**, the Ministry of Justice considers that the integration of migrant workers must comply with bilateral agreements, particularly those with countries like Tunisia and Senegal, which allow their citizens to work in Morocco without a specific work permit. The representative of the Ministry of Justice recognized the cross-cutting dimension of the issue of migrant workers, which includes migration, labor relationships between employees and employers, and the national economy. Another frame revealed by a member of parliament highlighted the role of the regularization of migrants in reducing the projected need in the labor force in Morocco. He considered it an anticipation of the demographic transition in Morocco, which is marked by the decrease of natality, the increase in the number of elderly people, and a prospective shortage of local labor.

### 3.3 Policy Implementation

#### 3.3.1 The institutional governance model

To capitalize on the competencies of all stakeholders involved, the new migration policy was implemented through three main bodies with various mandates, shares of responsibility powers, performance metrics, and reporting mechanisms.



In terms of labor enforcement measures, as noted by our ANAPEC representative: ANPEC is “amongst the stakeholders involved in the National Immigration and Asylum Strategy (SNIA) and it participate in regular meetings.” [Interview\_6]. SNIA allowed IM to benefit from: “an exceptional regularization card and a work card, as well as access to qualification and employment support programs, even if the residence permit has expired.” [Interview\_11]. She also mentioned other measures, such as awareness-raising carried out by labor inspectors with the aim of protecting migrant workers. The opening of the service offer of the ANAPEC for the benefit of regularized migrants was one of the measures of the enforcement of the strategy. Simplifying the procedure for validating their work contracts, by exempting their employers from the activity certificates issued by the ANAPEC to prove the lack of national competencies to fill the job position proposed<sup>38</sup>.

In addition, ANAPEC plays a focal point role in the implementation of SNIA, particularly through the third program, which concerns employment and training. For instance, ANAPEC launched a partnership program, in collaboration with eight associations active in the training and professional integration of regularized migrants, between 2015 and 2017. These associations mediated contact with migrants, informed them about the services provided by ANAPEC, supported them, and facilitated the link with companies. The residence status of migrants enhanced their access to the labor market. In 2022, more than 1,024 regular migrants registered with ANAPEC, an increase of 34% compared to 2021. Among them, 33% were women. In total, 221 migrants benefited from orientation interviews, 146 participated in job search workshops, and 16 were integrated into the labor market<sup>39</sup>.

As for the Ministry of justice, a set of administrative measures have been implemented at the level of facilitating migrants' access to the justice system in Morocco. For instance, migrant workers including irregular migrants who can prove their labor relationship with their employers can benefit from legal assistance. In addition, the Ministry of Justice is taking measures in favor of the most vulnerable categories of migrants *"by facilitating their access to justice and guaranteeing the rights of users before the courts, within the framework of social assistance provided by social workers. Migrant women, for example, can go to this body*

<sup>38</sup> OIT (2023).

<sup>39</sup>MIEPEEC (2023).

*(social workers) in all situations, particularly in cases of violence or rape, in order to benefit from support and guidance from the social worker.”[Interview\_8]*

### 3.3.3 Modes of involvement

Regarding implementation, within the framework of the socio-economic integration of migrants whose situation has been regularized, other actors at the local and international levels are involved. At the local level, governance is ensured by the public entities such as regions, municipalities, communes as well as civil society organizations. The territorialization of migration policies at the municipal level, especially in the Souss-Massa and Oriental regions, has been one of the key aspects of implementation that delegates decisional power to act at lower levels of government. Interventions for the implementation of SNIA take the form of cooperation projects monitored by the Steering Committee, created upon signing a number of institutional and sectoral partnerships with international organizations. The committee is responsible for the strategic management of the intervention and general supervision of the execution of the cooperation service. Partnerships, in the framework of the implementation of SNIA and in the field of integrating immigrants, are established between stakeholders, international partner organizations, United Nations agencies, European union, or European member states in addition to partnerships with civil society associations. During the 2017-2018 period, the MDCMREAM provided annual subsidies to SCOs and supported more than 100 projects led by associations to help implement the actions of SNIA<sup>40</sup>. Beside their role in implementation, civil society organizations serve as mediators establishing contacts between Moroccan public authorities and migrants<sup>41</sup>. At the same time, feedback from CSOs on government policy instruments serves for policy adjustment. These projects involved social and humanitarian assistance, migrants’ access to the non-formal education system, academic support, preschool education, the teaching of Moroccan languages and cultures, and the participation of migrants in summer camps<sup>42</sup>.

For the implementation of the socio-economic integration of migrants, in 2017 ANAPEC relied on cooperation projects, based on which it developed a mobile application called welcome ANAPEC<sup>43</sup>, which provides information and advice on job searching exclusively to migrants in regular situations and brings together information on the actors and associations that can

<sup>40</sup> Here are Some of the CSOs which helped in the implementation of SNIA : Moroccan Association for Human Rights; Gadem; Refugee Association “Living Together”; Groupe Antiraciste de Défense et d’Accompagnement des Etrangers et Migrants; Association des Amis et Familles des Victimes de l’Immigration Clandestine, Association des Sans-papiers et Demandeurs d’Asile au Maroc; Rassemblement des Réfugiés Ivoiriens au Maroc.

<sup>41</sup> Atlas info (2018).

<sup>42</sup> MCMREAM (2018, p.96).

<sup>43</sup> ANAPEC website. <https://www.emtiaz.ma/fr/services/application-mobile-welcome-anapec-1>





## 4. Conclusion

SNIA reflects Morocco's evolving approach to migration, and its effort to manage migration humanely and integrate irregular migrants into society. As the only North African country to implement large-scale regularizations, Morocco's migration policy contributed positively to its reputation as a leader in progressive migration policies. This is mainly because the policy was driven by human rights considerations, not by the demands of the labor market. The regularization and integration operations of migrants have laid the foundations for a more organized and humane governance of migration in Morocco. By involving several actors, both state and non-state, SNIA demonstrates that the migration issue concerns the whole of society. It reflects Morocco's new committed journey in the field of human rights, particularly the rights of migrants. This strategy has therefore contributed to changing practices and strengthening knowledge around a more responsible and supportive management of migration.

Our final reflection highlights the challenge posed by the issue of irregular migration and emphasizes that any legislative measure adopted by Morocco is part of a committed and sustainable dynamic. The phenomenon of migration, whether regular or irregular, is characterized by a certain degree of complexity, as declared by the Minister of employment<sup>51</sup>. It poses multiple challenges and issues at the level of its management, not only for exporting or destination countries, but also for transit countries, which in many cases become, de facto, countries of residence for migrants in the move, and from here stems the need for an integrated vision that places migration at the heart of the country's development model.

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<sup>51</sup> Madar (2024).



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## Annex 1 –Interviews conducted

Inter. code and mode	Interviewed representatives (from January to December 2024)
[Interview_1]	Moroccan Association for Aid to Migrants in vulnerable Situations
[Interview_2]	National Council for Human Rights
[Interview_3]	General Confederation of Moroccan Enterprises
[Interview_4]	National Social Security Fund
[Interview_5]	UMT- the Moroccan Labor Union
[Interview_6]	National Agency for the promotion of Employment and Skills
[Interview_7]	International Organization for Migration
[Interview_8]	Ministry of Justice
[Interview_9]	Moroccan Association for Human Rights
[Interview_10]	Member of parliament from the Socialist parliamentary group
[Interview_11]	Ministry of Economic Inclusion, Small Business, Employment and Skills
[Interview_12]	Member of parliament from PAM parliamentary group
[Interview_13]	Ministry of Agriculture, Maritime Fisheries, Rural Development and Water and Forests
[Interview_14]	Professor and expert in Labor migration

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# **Irregular migrant work in Morocco: Dynamics and governance constellations**

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