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NOTE

From:	Presidency
To:	Delegations
Subject:	Implementing the Pact – strengthening comprehensive migration partnerships with priority countries in North Africa: Morocco

1. MOROCCO – A COUNTRY OF ORIGIN, TRANSIT AND DESTINATION

As a major country of origin and transit for migrants seeking to reach the European Union (EU), Morocco is of vital importance to the EU and its migration policy. The country's extensive coastline bordering the Mediterranean Sea and the Atlantic Ocean, and the short distance that separates it from European shores are facilitating factors for the development of irregular migration routes towards the European mainland and, more recently and increasingly, to the Canary Islands.

In 2020 there was a 30 % increase in irregular arrivals in Spain compared to 2019, and irregular arrivals in the Canary Islands increased by more than 800 %ⁱ (23 023 vs 2 687). In 2020, of the 17 317 irregular border detections, **13 601 were linked to Morocco as last departure country** (Frontex). Around 2 170 lives were lost at sea in 2020ⁱⁱ. In 2020, 11 759 Moroccan migrants arrived in the Canary Islands, representing 51 % of the total arrivals (Frontex), and the 2019 Arab Barometer reports that 70 % of 18-29-year-old Moroccans want to move to Europeⁱⁱⁱ. In 2019, there were 1.96 million Moroccan legal residents in the EU. Their remittances represent 5.6 % of Morocco's GDP^{iv}.

Morocco is also a major country of **destination**, hosting circa 40 000 migrants. In 2014, Morocco adopted its **National Strategy on Immigration and Asylum (SNIA)**, comprising two campaigns, in 2013 and 2015, that promoted access to public services (including access to schools for 7 300 children), the regularisation of 27 000 undocumented migrants, and irregular migration management including counter-trafficking. Still, many migrants continue to live in precarious conditions (worsened by the COVID-19 pandemic). In 2020, Morocco hosted 8 138 refugees and 5 395 asylum seekers from more than 45 countries^v.

Nonetheless, **Morocco enjoys a positive image in Africa** in the field of migration, and develops close links with the Moroccan diaspora due to their contribution to the development of the country.

2. EU COOPERATION WITH MOROCCO

Morocco is a close neighbour and key partner for the EU, as set out in the Joint Declaration of 2019^{vi}, aimed at addressing the root causes of irregular migration, border management, counter-smuggling, the protection of migrants, readmission and reintegration, and legal migration.

An informal senior level dialogue on migration with Morocco was held in June 2019 in Brussels. Morocco also participated in the Ministerial Conference on anti-smuggling in July 2020¹ where the EU and North African partners confirmed their mutual will to address migrant smuggling. The visit of Commissioner Johansson and Commissioner Várhelyi to Morocco on 1 and 2 December 2020 further strengthened the dialogue.

¹ The Ministerial Conference took place on 13 July 2020 and brought together the Ministers of the Interior of Algeria, Libya, Mauritania, Morocco and Tunisia with their counterparts from Italy (chair), France, Germany (participating as the Council Presidency), Malta and Spain, as well as Commissioner Johansson and Commissioner Várhelyi.

Morocco has made significant efforts to manage migration flows and prevent irregular departures to Spain, after the relaunch of the dialogues with the EU and following the substantial support provided by the EU in 2018, focusing on border management. Technical and financial support for migration cooperation with Morocco mainly takes place via the Southern Neighbourhood component of the **European Neighbourhood Policy (ENP)**. The **new Communication on a renewed partnership with the Southern Neighbourhood**^{vii} focuses on migration and mobility as one of five policy areas, including a dedicated Economic and Investment Plan to promote long-term socio-economic recovery in the Southern Neighbourhood. Of the overall EUR 343 million in EU assistance to Morocco for migration, a substantial amount is linked to support on border management and the fight against irregular migration.

The EU is the biggest contributor of Official Development Assistance (ODA) to Morocco, with the **European Neighbourhood Instrument (ENI)** having delivered EUR 1.4 billion from 2014-2020 for several programmes. Among its neighbours, the EU's second largest cooperation portfolio on migration is with Morocco, with a total of EUR 343 million, of which EUR 238 million is taken from the North Africa window of the European Union Emergency Trust Fund (EUTF). The 2018 EU External Investment Plan sought to leverage private funds to tackle unemployment as a root cause of migration^{viii}. The EUTF has positively contributed to a more coordinated approach to the EU's and Member States' efforts to improve migration management.

Nonetheless, **the alignment of EU and Moroccan objectives on migration has often proved difficult**. In 2018, a major rise in irregular arrivals prompted the EU to **provide EUR 144 million** for the purchase of technical equipment, accompanied by capacity building for border management, in line with the needs of the Moroccan authorities to alter the trend^{ix}. A budget support programme of EUR 100 million has been added to the envelope to support the Moroccan authorities in enhancing border management and counter-smuggling. The Border Police, the Royal Gendarmerie and the Auxiliary Force are the main beneficiaries. While these measures reduced irregular flows in the short term, a resurgence in arrivals in the Canary Islands in late 2020 confirms the need for sustained efforts, a holistic approach and long-term objectives to be jointly developed.

The Moroccan government’s position regarding capacity development, especially border management, coupled with a growing mismatch between European offers and Moroccan expectations, add to the difficulty in aligning objectives. Morocco has often perceived the EU’s proposal for capacity development as an underestimation of Morocco’s capacities. On the other hand, Morocco has regularly claimed the need for support in the form of equipment in this field. Morocco perceives some capacity development programming as either irrelevant or of limited added value.

Bilateral cooperation with EU member states

At bilateral level, Morocco is engaged in close cooperation with some Member States, including Spain and France, with a focus on border management and combating trafficking in human beings: Morocco regularly coordinates patrols with Spain’s Guardia Civil, and France supports Morocco’s migration policy in the Souss-Massa and Oriental regions. Member States’ cooperation on border management is, in turn, supported by the EU, via Frontex, whose cooperation with Morocco is quite unique in the region. Through support provided under the EUTF for Africa, Member States (Belgium, Germany, France and Spain) work on improving cooperation on migration in legal migration, migration and development, social cohesion and south-south cooperation.

A joint programming exercise on a proposed **Team Europe** Initiative on migration is ongoing, aiming at addressing the common objectives related to migration management.

Migration management

Morocco has made significant efforts to manage migration flows and prevent irregular departures from its northern coast to Spain, especially since the relaunch of the overall dialogue with the EU and the **substantial support provided by the EU**, since the second half of 2018. These measures reduced flows in the northern Mediterranean route, but the **recent resurgence in arrivals in the Canary Islands suggests the need for a joint holistic approach and long-term objectives.**

Return and readmission

Return, readmission and reintegration are integral parts of comprehensive migration partnerships. The EU sees the readmission of those who do not have a right to stay as a key element of the overall engagement on migration, and also important to deter irregular migration, and has made readmission of own-country and other nationals an integral part of mobility partnerships, including with Morocco. There are three key dimensions to consider:

- **Returns of Moroccan nationals from the EU to Morocco.** In 2019, around 35 000 Moroccans were notified to leave the EU (ranked first among third countries). 29 % of those effectively returned. Cooperation with Member States on readmission remains uneven. Around 10 000 Moroccans were returned each year from 2014 to 2019^x, comprising between 5 % (2016) and 7 % (2019) of all returns in the EU. Recently, more Moroccans are choosing to return voluntarily, with the help of IOM and Member States.
- **Readmission and forced returns of non-Moroccan nationals from the EU to Morocco.** The European Commission started negotiating the EU-Morocco readmission agreement in 2003, based on a mandate from the Council of European Union, but the talks stalled in 2015 and have not yet resumed (although in 2018 Morocco agreed to relaunch the negotiations and later reiterated this position on several occasions, although it was agreed that the discussion on the third nationals' clause would be left for the end of the negotiations). The visit of Commissioners Johansson and Várhelyi in December 2020 sought, inter alia, to improve the EU's ability to return migrants who do not have a right to stay, in exchange for visa facilitation, and the next Informal Dialogue on Migration will include resumption of these negotiations.
- **Returns of other nationals from Morocco to origin countries.** Since 2017, IOM and the Moroccan government have helped an average of 1 500 vulnerable migrants per year to return from Morocco to their countries of origin under the Assisted Voluntary Return and Reintegration (AVRR) programme.

Legal migration

A number of bilateral and multilateral pilot projects were launched via the EUTF for Africa and via the AMIF-funded Mobility Partnership Facility (with Belgium, France and Spain). Another three (with Italy and Spain) are in the pipeline. Morocco is also part of the multilateral EUTF-funded THAMM (Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa) project^{xi}, together with Egypt, Tunisia, Belgium, France and Germany, for the development of legal migration pathways, usually targeting students and young professionals. The Talent Partnerships concept in the New Pact for Migration and Asylum (Pact) is being developed on the basis of these pilot projects, and Morocco's previous experience with them could facilitate their potential scaling-up.

Global approach to cooperation at continental and global level

Morocco actively contributes to shaping the continental and global migration agenda in international forums. Morocco is a founding state of the Rabat Process, co-chaired the Global Forum on Migration and Development in 2018, and hosted the Marrakesh Intergovernmental Conference on the Global Compact for Migration in 2018. Morocco also hosts the African Observatory for Migration and Development, for migration research and coordination between African countries in support of the Global Compact for Migration. Morocco's expectation of a leadership role on migration matters in Africa presents an opportunity to deepen cooperation. At a 2018 African Union meeting, its Minister of Foreign Affairs underlined border management as the most promising factor for mutual EU-Morocco gains – a position also relayed in the Rabat process.

3. WAY FORWARD: AREAS TO EXPLORE / TOPICS FOR DEBATE

At their meeting of 15 March 2021, the Ministers of Foreign Affairs and Ministers of Interior agreed on deepening comprehensive, tailor-made and mutually beneficial partnerships with key partner countries of origin and transit, and that migration should be central to our foreign policy agenda, and overall relations with partner countries. They also agreed that political engagement was key.

Morocco-EU irregular migration trends are likely to continue in the near term. The socioeconomic challenges exacerbated by COVID-19 in countries of origin and Morocco, as well as conflicts in neighbouring regions, are unlikely to be offset by border and law enforcement actions. The announcement of the new Pact led to the re-emergence of certain Moroccan sensitivities such as: how to respond to Morocco seeking an enhanced relationship with the EU with a special status vis-à-vis other countries in the region; and how to achieve improved cooperation on readmission/returns, while maintaining good cooperation on border management.

To keep sufficient financial engagements on migration, in line with Morocco's expectations, bolder solutions are needed, including more mutually beneficial approaches pursuing the comprehensive approach to migration and mobility provided for in the Joint Declaration.

If, on the one hand, it is necessary to continue to build common ground on border security, on the other hand, limiting it to EU-led capacity building alone may not be sufficient to capture Morocco's interest and engagement in cooperation. Lessons can be learned from Member States with longstanding cooperation successes.

The EU needs to **strengthen the following aspects**: cooperation on the prevention of irregular departures and the fight against migrant smugglers; information exchange with Morocco, including through EU agencies; funding of actions on the ground; information campaigns on the risks of irregular migration / legal alternatives; and operational and judicial cooperation in the fight against trafficking in human beings between Morocco and the Member States, as well as with EU agencies, including Europol, Frontex, CEPOL, Eurojust and EASO. A further pressing issue is the need to relaunch the negotiations on readmission and visa facilitation, taking into account Morocco's expectations on mobility. Conversely, Member States want to have rapid and effective procedures for identification and return in a spirit of cooperation with Morocco.

Morocco is a key partner country for the EU on legal pathways and mobility, aimed at matching people's skills and labour market needs, developing the corresponding legal and institutional framework, investing in vocational education and training, capacity building in labour market, diaspora mobilisation and integration of returning migrants. The private sector and social partners will be scaled up through an enhanced commitment / Talent Partnership to develop long-term and circular schemes under the Global Skills Partnership Model in order to avoid brain drain.

We should also urge Morocco to adopt the asylum law, and to promote the role of EASO as an EU tool to support Morocco in building an effective asylum system, as well as to continue to provide support through funding on the protection of refugees and vulnerable migrants in Morocco.

It is also important to address some of the root causes of irregular migration of third-country nationals departing from Morocco (for instance, supporting SNIA in helping migrants integrate in Morocco and in creating jobs/education opportunities for them), and the qualified Moroccan diaspora could also contribute to the development of opportunities for migration-prone populations. While IOM, GIZ^{xii} and other entities assist Moroccans in their voluntary return and reintegration, the EU could support the return of non-Moroccan migrants **from Morocco to their countries of origin** under the AVRRE programme.

Morocco is a leader in migration governance in Africa, so it could be fruitful to build up an EU-Morocco partnership on engaging cooperation with other African countries upstream along migration routes.

The next Informal Dialogue on Migration (when conditions allow) will address all of the above issues, in a comprehensive manner, in the spirit of a mutually beneficial partnership. To succeed in the above areas and meet the high expectations of Morocco in the next Multiannual Financial Framework, coordination and joint actions by the EU and Member States will be crucial, especially given the significantly decreased budget allocated to migration in the framework of the NDICI.

Guiding questions:

- **What are the areas where the EU and the Member States can pool resources and coordinate more effectively on cooperation with Morocco?**
- **Would Member States be interested in joining forces in a *Team Europe* approach?**
- **Given the existing areas of cooperation and recent experiences of the EU and Member States, what is still lacking? What should remain and what should be deepened?**
- **What specific tools should be used to ensure that all aspects of migration policy, including readmission, are fully implemented in our partnerships with Morocco?**

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- ⁱ <http://www.interior.gob.es/documents/10180/11389243/Informe+Quincenal+sobre+Inmigraci%C3%B3n+Irregular+-+Datos+acumulados+desde+el+1+de+enero+al+31+de+diciembre+de+2020.pdf/e5553964-675a-40d7-9361-5dbf4dfd3524>
- http://www.interior.gob.es/documents/10180/11261647/informe_quincenal_acumulado_01-01_al_31-12-2019.pdf/97f0020d-9230-48b0-83a6-07b2062b424f
- ⁱⁱ <https://www.infomigrants.net/en/post/29366/our-most-tragic-year-2-170-people-die-trying-to-reach-spain-ngo>
- ⁱⁱⁱ arabbarometer.org/wp-content/uploads/ABV_Morocco_Report_Public-Opinion_Arab-Barometer_2019.pdf
- ^{iv} <https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=MA>
- ^v <https://reporting.unhcr.org/sites/default/files/UNHCR%20Morocco%20fact%20sheet%20January%202021.pdf>
- ^{vi} <https://www.consilium.europa.eu/pt/press/press-releases/2019/06/27/joint-declaration-by-the-european-union-and-the-kingdom-of-morocco-for-the-fourteenth-meeting-of-the-association-council/>
- ^{vii} https://eeas.europa.eu/sites/default/files/joint_communication_renewed_partnership_southern_neighbourhood.pdf
- ^{viii} https://ec.europa.eu/commission/presscorner/detail/en/ip_18_4190
- ^{ix} <https://www.euromesco.net/news/the-eu-will-give-e140-million-to-morocco-to-contain-migration/>
- ^x <https://ec.europa.eu/eurostat/data/database>
- ^{xi} https://ec.europa.eu/trustfundforafrica/region/north-africa/regional/towards-holistic-approach-labour-migration-governance-and-labour_en
- ^{xii} GIZ Germany conducts cooperation projects with Morocco, including in the field of Migration Management and Integration – <https://www.giz.de/en/worldwide/42563.html>