

12 February 2015 – Morocco's exceptional program of regularization cut short

GADEM Press release

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Arabic version

French version

During a press conference on Monday, February 9th 2015, the minister of the interior, Mr. Charki Draiss, announced the end of the program to regularize undocumented migrants which began in January 2014. This surprising declaration occurred despite the fact that the national monitoring and appeal commission – which was established by the December 2013 joint directive of the ministries of interior and migration affairs – has not yet started the review of applications rejected in the first round by Moroccan authorities.

Two hours after the end of the press conference, Moroccan authorities conducted an extensive sweep of the camps in Gourougou, near the occupied city of Melilla, which lead to the arrest of about 1,200 people. The authorities took their fingerprints, photographs and listed their civil status and nationality and sent them by bus to different cities. As of February 11, GADEM identified their destinations as Errachidia, Goulmima, El Jadida, Safi, Youssoufia, Agadir, Kelâat, Sraghna, Chichaoua, Essaouria, and Tiznit.

GADEM had welcomed efforts undertaken by the government since September 2013, when the Head of State validated the recommendations of the National Human Rights Council report entitled “Strangers and human rights in Morocco : for a radically new asylum and immigration policy”, and GADEM

supported the implementation of the new migration policy in 2014.

However, GADEM deplores the new political direction taken since the February 9th press conference and condemns the radical measures adopted by the authorities as illegal and marred by irregularities based on the following grounds :

✘ **The deprivation of freedom without a legal basis** : law 02-03 provides for “detention in premises that do not fall under the authority of the prison administration” (specified in articles 34 to 36). However, no legal decree has ever been published that defines these premises and the terms of their operation or organization. Thus, this detention procedure currently lacks a legal basis and is not applicable.

✘ Authorities have not provided the detained individuals with a written decision that states the reasons for their detention, therefore violating article 34 of the law 02-03. They were also deprived of the rights described in article 36.

✘ The authorization to prolong the individuals’ detention beyond twenty-four hours was not obtained from the president of the Court of first instance.

✘ **The forced displacement to different cities against their will**

✘ **The lack of individual assessments** : the authorities did not assess the individual situation of each person.

✘ **The arrest of minors and asylum seekers** in violation of the provisions of law 02-03, which protects certain individuals against deportation and expulsion procedures.

For GADEM, these operations indicate that the government is preparing a collective deportation to home countries. According to corroborating sources, consular officials of

Ivory Coast, Cameroon and Senegal were on site during the identification procedures. Each person also reportedly received tennis shoes and a sweat suit, which is reminiscent of the incidents in Sebta and Melilla in 2005 when migrants were given the same outfit before being put on planes.

In light of these facts, GADEM calls on the relevant authorities – who are detaining these individuals on the pretext of freeing them “from smuggling and trafficking networks” – to release them and return to the discussion table in order to peacefully finalize the new migration policy’s implementation process. This is the only way to avoid legal uncertainty and precariousness.

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