

## NOWHERE TO GO? THE CASE OF DISPLACED PEOPLE IN MAGHREB STATES DURING THE COVID-19 PANDEMIC

*Sem ter para onde ir? O caso de pessoas deslocadas nos estados do Magreb durante a pandemia de COVID-19*

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**Abstract.** The spread of COVID-19 in early 2020 has prompted governments to impose travel and mobility restrictions ranging from increased border controls to limitations to internal movement, and border closures. These measures significantly influenced migration trends and patterns, leaving thousands of migrants and refugees with nowhere to go. Therefore, this paper examines the influence of the COVID-19 on the lives of migrants and refugees in three Maghreb states (Morocco, Algeria, and Tunisia) and studies the policies implemented to assist in areas such as health, shelter, and economic relief. This paper also considers the legal and material practices through which migrants and refugees were governed during the COVID-19 pandemic in 2020. The paper finds that as the pandemic develops and waves of infection continue in the region, local governments face crumbling healthcare infrastructure and long-term financial consequences that directly affect nationals and non-nationals.

**Keywords:** the Maghreb States; COVID-19; migration; refugees; pandemic.

**Resumo.** A disseminação do COVID-19 no início de 2020 levou os governos a imporem restrições a viagens e mobilidade que vão desde o aumento dos controles nas fronteiras, limitações ao movimento interno e fechamento de fronteiras. Essas medidas influenciaram significativamente as tendências e padrões migratórios, deixando milhares de migrantes e refugiados sem ter para onde ir. Este artigo, portanto, examina a influência da COVID-19 na vida de migrantes e refugiados em três estados do Magrebe (Marrocos, Argélia e Tunísia) e estuda as políticas implementadas a fim de prestar assistência em áreas como saúde, abrigo e alívio econômico. Este artigo também considera as práticas jurídicas e materiais pelas quais os migrantes e refugiados foram governados durante a pandemia COVID-19 em 2020. O artigo conclui que, à medida que a pandemia se desenvolve e as ondas de infecção continuam na região, os governos locais enfrentam infraestrutura de saúde em ruínas, por muito tempo - consequências financeiras de longo prazo que afetam diretamente os nacionais e os estrangeiros.

**Palavras-chave:** Estados do Magrebe; COVID-19; migração; refugiados; pandemia.

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## Initial considerations

Maghreb's migratory portrait is evolving and growing more complicated. Its historic role as a source of emigration continues to expand and significantly influences the region's demographic and socio-economic structures. Meanwhile, the region's migration problem is part of a trend that has intensified since 2005 due to economic reasons, corruption, political insecurity, and environmental pressures such as drought and floods caused by global climate change.

According to Myers (2002), apart from economic reasons, climate change and other ecological variables might cause 200 million people to be relocated by mid-century; other estimates say that up to 1 billion people could be displaced. According to the International Organization for Migration (IOM), these factors likely cause large-scale population displacements and migrations in the following decades, potentially causing instability and conflict in the most susceptible countries.

While there is a broad assumption that both migration and displacement are linked to these factors, comprehensive empirical data on these relationships is both scarce and sometimes controversial (Boano, Zetter *et al.*, 2008; Black, 2001; Castles, 2002; Bates, 2002; RSC, 2009).

All internally or internationally displaced persons have the right to fundamental human rights. These rights include the right to life, health, food, shelter, and movement. These rights are guaranteed equally to all human being by state parties to the treaties that protect them. Amongst the essential instruments in this context are the 1948 Universal Declaration of Human Rights, the 1966 International Covenant on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights, the 1981 Convention on the Elimination of All Forms of Discrimination against Women and the 1989 Convention on the Rights of the Child.

Even though migration and displacement are complex processes influenced by social, economic, and political variables, a straight policy of protecting migrants and their fundamental rights is still a problem. Most human rights protection regimes in the Maghreb States are still at an early stage of development, and the use of international instruments is still relatively restricted. Numerous legal international mechanisms should safeguard the rights of foreigners as persons, refugees, or migrants. Still, the international treaties that protect these rights are effectively constrained by national legislation. Where legal safeguards do exist, they are insufficiently applied. Thus, the objective of this article is to prove that while the impact of policies and laws on migrants are widely studied, the situation of, and local legal provisions applicable to, refugees and asylum seekers, remain relatively unexplored.

Based on a bibliographic review and qualitative research carried out in 2021, this paper explores how Maghreb states, more specifically, Morocco, Algeria and Tunisia, tackled the social reality of displaced people during the coronavirus outbreak in 2020. The first section of this paper examines the presumptions that states, according to international law, owe several responsibilities and commitments

to various types of migrants, particularly those forced to move. In the second section, this paper examines the legal and administrative regimes applicable to, migrants, asylum seekers and refugees in these three states. In section three, the paper's objectives are to investigate: (1) the policy issues raised by attempts to extend protection to displaced persons during the COVID-19 outbreak; (2) the potential for strengthening and enhancing the protection of these individuals; and (3) the national resources and responses to the COVID-19 pandemic. Lastly, a conclusion is provided.

### **Decisive Factors: Asylum, Migration and COVID-19**

It is not new that forced migrants, refugees and asylum seekers face many challenges when compared to local nationals as they encounter numerous obstacles such as lack of information (Júnior *et al.*, 2020; Kluge *et al.*, 2020), financial difficulties, visa insecurity or lack of health care assistance (Kluge *et al.*, 2020; Truman *et al.*, 2009) due to legislative, financial and administrative barriers.

Taylor (1999) states that it is impossible to understand the developmental consequences of migration without understanding the structural forces that cause it. Dingle & Drake (2007) define migration as the movement of whole populations over long distances. However, there are several types of migration categorisation where forced migration, refugees and asylum seekers are the most vulnerable due to local governments or international institutions' lack of policies or protection provisions.

However, these are only a few examples of the problems faced today by displaced people or refugees. According to Ventura (2015), displaced people can be classified on several individual characteristics (e.g., age, gender, educational levels, and sexual orientation) and external factors such as labour conditions, level of juridical protection, migration status, and risk of living in camps and detention centres.

According to Truman *et al.* (2009), the chances of refugees suffering from diseases, mental health issues and living in poverty were already high preceding the pandemic of COVID-19. Detention centres and camps were often overcrowded and provided poor living conditions, including inadequate health care provision. In Maghreb states, for instance, the situation is no different for camps that depend on international aid to survive (such as the Sahrawi refugee camps). In these camps, social cohesion and peace are extremely fragile. These camps are often isolated from the rest of the city and offer almost no opportunities for employment and livelihood, increasing refugee dependency on remittances and humanitarian aid (Reliefweb, 2021).

Jauhiainen (2020) argues that these factors do not contribute to the delivery of necessary measures to stop the transmission of COVID-19, since most camps (not only in the Maghreb region) lack donor support and are often forgotten due to low media coverage (Hargreaves *et al.*, 2020; Keller, Wagner, 2020).

Additionally, refugees face a growing sense of anti-refugee and anti-migrant, discrimination, and violence. A vision that grew even further during the COVID-19 pandemic, as many refugees and displaced people are accused of being “virus spreaders”; therefore, the ‘fear of the stranger’, also known as xenophobia, increased (Kluge *et al.*, 2020; Ventura, 2015). Devakumar *et al.* (2020) state that the pandemic is being used as an excuse for politicians to close borders and use discriminatory actions to prevent asylum seekers from entering their territory. As a result, migrants neither move further nor return to their countries of origin due to mobility limitations within nations and across borders.

In West and Central Africa, the Displaced Tracking Matrix (DTM) counted around 50,000 stranded migrants at international borders in quarantine and transit centres as of the end of June 2020 (IOM, 2020). Most migrants interviewed by the Mixed Migration Centre (MMC) in West and North Africa report that the pandemic has impacted their ability to continue their journey (MMC, 2020b). Border closures and increasing mobility limitations are likely to have influenced irregular migration trends. Routes may have gotten more isolated and dangerous, notably through the Sahara Desert; according to the IOM (2019, 2020b), due to hazardous travel conditions and limited access to health care services, there have been nearly 2,000 deaths in the Sahara Desert since 2014 (excluding unrecorded victims).

While migration across the Mediterranean Sea persisted during the COVID-19 outbreak, important destination countries like Italy and Malta declared their ports dangerous for disembarkation due to the pandemic, leaving, therefore, many migrants stranded on the Maltese coast for weeks due to border closures or entry bans being imposed.

These nations also halted national migration services (including Refugee Status Determination, or RSD; Kluge *et al.*, 2020), visa emissions (including family reunification visas; Chishti, Pierce, 2020), Mediterranean Sea rescue operations and resettlement programs (Kluge *et al.*, 2020). Moreover, the pandemic’s secondary consequences, such as reduced access to food, medication, and vital services, or job losses owing to the economic crisis, are also a concern for migrants (Betts *et al.*, 2020).

Moreover, government social safety measures to mitigate the impact of job losses due to the COVID-19 pandemic often do not include immigrants and refugees, mainly if they had been working in the informal sector. Many families left in their countries of origin depend on the remittance of money from migrants and refugees to survive (Riggirozzi *et al.*, 2020). Through financial and non-financial remittances, migrants and refugees contribute to the resilience of their families and community members who live in other countries. Due to the COVID-19 pandemic, the IOM (2020a) predicts a roughly 20% drop in remittances compared to the previous year. In addition, the World Bank predicts that remittances to Sub-Saharan Africa might fall by 23% and remittances to the Middle East and North Africa region

by around 20 per cent because of job losses and wage cuts (World Bank, 2020). Fifty-seven per cent of migrants and refugees interviewed from 6 to 20 of May 2020 in North Africa and 47% of respondents in West Africa experienced income losses owing to the pandemic, according to data collected by the Mixed Migration Monitoring Mechanism project (4Mi) of the MMC (2020a, 2020b). As a result, economic issues affect their ability to afford essential goods, continue their journeys and send remittances back home. According to Islamic Relief (2021), measures such as social distancing, self-isolation and handwashing are harder to achieve, especially for displaced people. Most of them do not have access to sanitary equipment and cannot buy face masks, sanitisers, and medicines.

In addition, another problem is the lack of funding by international and civil society organisations to provide services for refugees in their country of residence (Kabir *et al.*, 2020). In the framework of COVID-19, refugee-led groups and organisations have been demonstrated to be necessary (Alio *et al.*, 2020; Betts *et al.*, 2020). Even though refugee-led groups and organisations are underfunded and do not receive funding from foreign donors, they have the trust of the community, social networks, and the adaptability required to sustain refugee populations (Betts *et al.*, 2020). During times of pandemic, these refugee-led organisations play a crucial role in supporting refugees by providing goods and services, tracking and monitoring the spread of the disease, in addition to providing information related to the COVID-19 (Betts *et al.*, 2020). In 2020 EU refugee-led organisations allocated close to €500,000 to reinforce the emergency rooms in local hospitals and install handwashing stations. In 2021 the EU allocated €1 million to support these camps with vaccination campaigns which reinforces the importance that the work of such organizations is pivotal to combat the spread of the coronavirus (Reliefweb, 2021).

Therefore, migrants and refugees need to be included in international efforts to combat the COVID-19 pandemic. They must have access to health care without discrimination, and they must not be subjected to retaliation by state authorities (Brandenberger *et al.*, 2020; Kluge *et al.*, 2020; Orcutt *et al.*, 2020). Other studies on health emergencies have highlighted the need for transparent information on migrants and refugees (Truman *et al.*, 2009), as well as the necessity of engaging and effectively incorporating them in HIV/AIDS pandemic prevention, planning, and response (Spiegel, Nankoe, 2004). Failing to protect refugees and migrants may have severe societal repercussions (Martuscelli, 2021).

### **Understanding Maghreb's Migratory Situation Before COVID-19: Evidence from Morocco, Algeria, and Tunisia**

Located in the northern part of Africa and comprising Western Sahara (controlled mainly by Morocco and partly by the self-proclaimed Sahrawi Arab Democratic Republic), the Maghreb region includes Morocco, Algeria, Tunisia, Libya, and Mauritania. These countries have Arabic as their official language and

belong to the pan-Arab organization entitled 'Arab League'. The region is currently facing geopolitical problems such as the dispute over the Sahara. The main reason for disagreements of Maghreb countries is due to economic and political tension between the two greatest nations of the region, Morocco, and Algeria, regarding the control over the Sahara at the International Organization Union for the Arab Maghreb (UMA), an economic union that was idealized after Tunisia's and Morocco's independence in 1956 aiming for future political and economic trade unity.

Trade and travel inside and across the Sahara have happened throughout recorded history, creating means for political interests, economic disputes and high circulation of people within the region. Since at least the mid-2000s, migration from Sub-Saharan Africa to the Maghreb region has primarily been unregularized, owing to political insecurity and bloodshed in many Saharan countries. In addition, the implementation of new migratory regulations that makes it more difficult for migrants to obtain the necessary documents to enter Maghreb countries legally results in irregular crossings where most migrants across the Sahara rely on smugglers to get to their destinations (Brachet, 2011).

To understand the situation in the Maghreb region, it is essential to observe the migration patterns that occur in the Middle East and North Africa (MENA).

The migratory situation in MENA may be divided into three distinct patterns: (a) Internal displacement and forced migration as a result of various, severe, and chronic crises across the area, most notably in Syria and its neighbours, as well as Iraq, Libya, Sudan, and Yemen; (b) Irregular, mixed migratory flows within and passing through the area, driven by a mixture of economic, political, and other causes, notably to and via North Africa and towards Europe, as well as Yemen and Gulf Cooperation Council (GCC) nations; and (c) labour movement (official and irregular) within and beyond the area where Lebanon, Jordan, and Libya serve as major magnets for migrant workers (De Haas, 2010).

While there is a lot of talk about offering alternative migration alternatives, what is provided is development aid. At the political level, the implications of trade liberalization in the Maghreb and the formation of free-trade zones between the EU, Morocco, and Tunisia on the labour market have not been considered. Furthermore, to secure the region's economic development, too little attention has been given to attracting direct foreign investments and the relocation of European companies in this region. A fact that is likely to worsen with the economic instability brought by the COVID-19 outbreak.

The problem of Mediterranean migration would likely be one of the most severe international concerns for European countries in the coming decades. If the situation worsens, it might pose a danger to the region's economic and political stability. While there is widespread recognition of the need for a global approach to the issue by linking migration and development, very little has been done to achieve

this, especially given the magnitude of the problem to be solved and the fact that the situation in the countries of origin has not been adequately considered.

The region has historically been a significant destination for migration, transit and departure - mixed migratory trends in the sub-region result from economic, environmental, and political instability in the region (World Bank, 2010). Several current migration policies in the sub-region have significantly impacted human mobility patterns and migration route decisions. By mid-2020, the sub-region was expected to have hosted 3.2 million foreign migrants, almost 61% of whom were from the same sub-region or neighbouring African sub-regions (UN DESA, 2020). Refugees and asylum seekers made up an estimated 49% of all foreign migrants. Northern Africa was home to an estimated 12.3 million foreign migrants, accounting for 4.4 % of the worldwide migrant population. 48% and 13 % of these emigrants were hosted in Europe and Western Asia, respectively (UN DESA, 2020). The impact of bilateral labour regulations on migration trends in Maghreb nations has received a great deal of attention due to sub-geographical proximity to Europe, combined with socio-economic factors in differences between origin and destination nations (Natter, 2014). In this context, it is essential to understand how these three countries (Morocco, Algeria, Tunisia) protect, support, and receive these migrants into their territory.

**Figure 1 - Maghreb and Sahel Political Map with capitals and national borders. English labeling and scaling**



Illustration. Vector by Furian, 2014, retrieved from depositphotos.

## Morocco

Even though Morocco remains the central transit point in the sub-region on the Western Mediterranean Route (WMR), which connects to Spain by water and land, the country still has many gaps concerning the rights and protection of migrants and refugees. Morocco only ratified the 1951 Convention relating to the Status of Refugees in 1956 and its 1967 Protocol in 1968. Morocco has not ratified the 1954 Convention relating to the Status of Stateless Persons (the 1954 Convention) nor the 1961 Convention on the Reduction of Statelessness (the 1961 Convention). However, Morocco's newly enacted Constitution (July 2011) acknowledges the supremacy of international treaties ratified by Morocco above domestic law. It states that non-nationals are entitled to the same fundamental freedoms as nationals (Morocco, 2011).

Regarding asylum seekers, the country issued a Royal Decree on August 29, 1957, agreeing on the mechanisms for implementing the 1951 Convention (Morocco, 1957). The Decree created the Ministry of Foreign Affairs Office for Refugees and Stateless Persons (Bureau des Réfugiés et Apatrides, or "BRA") and an Asylum Appeal Instance. Furthermore, the Decree stated that the BRA is responsible for recognising the refugee status of people under UNHCR's mission or under the 1951 Convention criteria and granting applicants residence permits and other documents. In addition, Morocco passed Law No.02-03 in 2003, relating to foreign entry and stay in the Kingdom of Morocco and irregular immigration and emigration (Morocco, 2003). The Immigration Law establishes the prerequisites for issuing a residence card to asylum seekers or refugees (Article 17), the criteria for their non-*refoulement* or deportation (Article 29), and procedures for the care of asylum seekers in waiting areas (Article 38).

Furthermore, in early 2014, the Government began developing an asylum statute that should improve UNHCR's protection of individuals of concern by respecting the principle of *nonrefoulement* and the rights enshrined in the 1951 Convention. According to the UNHCR (2016a), as of September 25, 2013, the Government reactivated the BRA (inactive since 2003). It formed an inter-ministerial *ad hoc* Commission for the Regularisation of Refugees Registered with UNHCR in anticipation of a national asylum system being developed. According to the UNHCR (2016a), as of May 2016, this inter-ministerial *ad hoc* commission has interviewed 1493 UNHCR-registered refugees (Syrians and non-Syrians) to grant them the legal means to reside in the country. In this context, the Ministry of Interior of the Moroccan government issued refugee cards to all non-Syrians. It provided them with one-year (renewable) sojourn permits, which is a significant milestone for refugee protection in Morocco. In addition, in 2014, the Moroccan Government established and began implementing a national immigration and asylum strategy (SNIA) as a complete regulatory and institutional framework developed to ensure successful asylum administration, legal migration and local



integration. In this context, the Moroccan government launched between 2014 and 2017 several regularisation programmes aimed at improving their national immigration and asylum policies; however, Syrians were excluded from the 2017 regularisation scheme and thus prevented from getting refugee status - and LGBTI were also excluded because that homosexual acts are criminalised in Morocco. In addition, three draft legislations were created because of the SNIA: (1) Law No. 27.14. of 2016 on human trafficking, which was accepted and is already in effect, (2) on asylum, and (3) on migration. Morocco, on the other hand, has not yet implemented specific new asylum and migration legislation as of mid-2021. Despite international concerns, Law No. 02-03 of 11 November 2003 (the Migration Act), which includes essential detention measures and criminalizes irregular entrance of both migrants and asylum seekers, continues to be the major piece of legislation controlling foreign national entry and stay, emigration, and irregular migration (including the UN Committee on Migrant Workers) (CMW, 2013). Even though several other measures have been implemented to ensure the regional integration of regularised migrants and refugees (access to the labour market and public health facilities, notably RAMED<sup>1</sup>), including access to public schools, and social housing has been implemented to follow Morocco's strategy plans it can be argued that SNIA is yet to be successfully implemented (Migration Management and Integration, 2021).

## Algeria

Algeria ratified the 1951 Convention relating to the Status of Refugees in 1963 and ratified its 1967 Protocol in 1967. Algeria likewise joined the 1954 Convention on the Status of Stateless Persons (the 1954 Convention) in 1964 but is not a signatory to the 1961 Convention on the Reduction of Statelessness (the 1961 Convention). Furthermore, in 1974, the state accepted the 1969 OAU Convention regulating the specific features of African refugee problems (UNHCR, 1969). Unlike Morocco, Algeria only has one national legislative instrument for refugee protection. The Decree of No. 63-274 of July 25, 1963 (the 1963 Decree) governs the execution of the 1951 Refugee Convention. This Decree established the “Bureau Algérien pour les Réfugiés et Apatrides” (BAPRA) within the Ministry of Foreign Affairs to provide legal and administrative protection to refugees and stateless people, recognise the status of refugees to all persons within the mandate of UNHCR, or those who meet the definition of the 1951 Convention and deliver the necessary documents (Algeria, 1963). By registering with UNHCR as either an asylum seeker or refugee, the individual does not qualify for a residency permit. As such, possession of a UNHCR-issued refugee card does not protect persons from arrest and “does not protect them from expulsion or being returned to the border, these being carried

<sup>1</sup> Morocco's Subsidized Health Insurance Regime for the Poor and Vulnerable Population.

out based on an order issued by judges who also are not adequately informed about the 1951 Convention and the role of UNHCR" (Guillet, 2012).

Therefore, UNHCR's responsibility is to safeguard refugees, asylum seekers, and stateless individuals in the absence of a complete legislative framework and competent administrative institutions in the country. As part of its mandate, UNHCR conducts two different activities. First, for Syrian, Palestinian, Yemeni, Iraqi, Mali, and other sub-Saharan refugees and asylum seekers in metropolitan areas, the UNHCR provides registration and other protection services. Second, UNHCR, other agencies, and partner organisations offer humanitarian aid and protection to Western Saharan refugees residing in camps around Tindouf in the southwest of the country. The UNHCR ensures that refugees are provided with paperwork (refugee cards), aid (e.g., shelter, essential household goods, cash), legal and psychosocial counselling, vocational training, and access to government-funded medical care and education (UNHCR, 2016c).

## Tunisia

Tunisia ratified the 1951 Refugee Convention in 1957 and the 1967 Protocol in 1968. It joined the 1954 Convention on Stateless Persons in 1969 and the 1961 Convention on the Reduction of Statelessness in 2000, both of which were adopted by Tunisia. Like Algeria, it also ratified the OAU Convention on Refugee Problems in Africa of 1969 in 1989. Despite having ratified the Conventions mentioned above, Tunisia lacks a domestic legal framework addressing asylum and refugee concerns. As a result, UNHCR continues to fulfil its duty of registration and determination of refugee status (RSD). Following the regime transition in 2011, the newly constituted Tunisian authorities decided to investigate the prospect of enacting national legislation on asylum to assume responsibility for awarding refugee status and providing protection. Even though Tunisia's transitional political era ended with the ratifications of its constitution in 2014, the country has yet to adopt a national asylum system, leaving the UNHCR as only the body responsible for RSD in the country today. To carry out its duties more efficiently, the UNHCR signed a Cooperation Agreement with the Tunisian Government on June 18, 2011, formally acknowledging UNHCR's function and mandate in the country. A provision (Article 26) on the right to asylum and non-refoulement was included in the newly approved Constitution in January 2014, which UNHCR applauds. (UNHCR, 2016c).

As a result, Tunisia's UNHCR protection aims are strengthened; however, due to the unpredictable political and socio-economic circumstances, the southern and western areas of the country continue to struggle with pre-revolutionary social and economic conditions, and most refugees and asylum seekers have few long-term options. In addition, due to its geographical position and the volatile regional climate, it is evident that Tunisia has significant migratory problems.

Furthermore, wars in Sub-Saharan Africa have resulted in a rise in the number of asylum seekers arriving in the country, particularly Central Africans, Eritreans, Somalis, and Sudanese. Many of these migrants attempted to or arrive in Tunisia, either by land or air. In addition, the Tunisian authorities place a strong priority on national security, given the situation in Libya and its repercussions on Tunisia, affecting, thus, asylum seekers that intend to cross their borders.

In 2020, the outbreak of the COVID-19 aggravated the situation in the Maghreb States, where all countries in the region, including Morocco, Algeria and Tunisia, imposed border closures, social distancing, curfews, and lockdowns. This situation aggravated the situation of migrants and refugees already in their host country, leaving thousands with an impossible choice: facing the dangers they fled from or a closed-door from the country they fled to (Reliefweb, 2020).

### **The Challenges Faced by Migrants and Refugees During the COVID-19 Pandemic**

According to the UNHCR (2021), forcibly dislocated people have been devastated by COVID-19, and in Morocco, Tunisia, Libya, and Algeria, the situation was no different. As the COVID-19 pandemic spread across the Maghreb in March 2020, drastic measures were taken by local governments in an attempt to slow the spread of the virus. For instance, in Morocco, Algeria and Tunisia, unnecessary travel was suspended, the workforce was partially demobilized, mosques were closed, military and police forces were used to impose mandatory confinement, schools and businesses were closed, and public gatherings were prohibited.

Initially, such measures were primarily adopted at the national level. However, they later gained a more transnational and multilateral dimension, with greater involvement of continental and regional organisations such as the African Union, the Economic Community of West African States (ECOWAS) and the European Union, followed by the United Nations recommendations and its agencies such as the World Health Organization (WHO) and the Organization for Migration (IOM).

As recalled by the African Union in April (African Union, 2020) and the United Nations in June 2020 (United Nations, 2020), striking a balance between the need to restrict cross-border movements and the importance of preserving regional agreements and continental agendas on free movement is crucial to the region's development. However, a balanced plan was far from happening due to political and economic inequalities in different countries. As the pandemic evolved, so did the fear of MENA nations, and not long after, in Mid-2020, the countries started to close their borders to impose national lockdowns and businesses' closures. In the Arab Maghreb Union, the situation is no different. According to a website that provides access to measures and global travel restrictions taken by governments [Travelbans.org](https://www.travelbans.org) (2020), Morocco halted all foreign flights and ferries in April 2020. The country was allowing only Schengen area/EU nationals and residents to enter

in transit into Spain if they have proof that they are returning to their home country or province. Algeria and Tunisia also closed their air and land borders in May 2020 to all foreign nationals with few exceptions (operations related to humanitarian aid, medical and relief flights; overflights; repatriation flights only for citizens and permanent residents). The country also imposed a 14-day quarantine in dedicated facilities for repatriated Algerian nationals upon arrival.

Schöffberger & Rango (2020) state that international conventions, regulations, and guidelines are critical to protecting those in movement and vulnerable situations, especially in uncertain times. The measures being imposed by world leaders without regard to international conventions directly affect the lives of refugees, asylum seekers and migrants who do not, for instance, hold refugee status, permanent residence permits or other forms of travel documentation, violating, therefore, their rights of free mobility and freedom which directly affects those in need to seek asylum. Equally challenging has been balancing health security measures to preserve the lives of people working in both the formal and informal sectors while preserving the region's economy, which relies significantly on cross-border migrations and commerce (Bouët, Laborde, 2020).

The impact of COVID-19-related metrics on migrants in the Maghreb states (e.g., Morocco, Algeria, and Tunisia) has policy significance since it shows the effects of longer-term dynamics and structural patterns. The pandemic has impacted and will continue to influence migrants' journeys, the dangers they face and their capacity to contribute to resilience and development. Travel restrictions and border controls have disproportionately harmed migrants, asylum seekers and refugees, among other vulnerable populations (Sanchez, Achilli, 2020).

Long-term socio-economic repercussions of the crisis are also likely to impact them significantly (ILO, 2020). The pandemic has also highlighted the cost of migrants' poor socio-economic and political integration in destination and transit countries, which frequently includes insufficient access to health care and social security services (Gagnon, 2020).

COVID-19 has prompted the Moroccan government to take public health action quickly and effectively. National response plans have been established to assist the Moroccan population, focusing on the health sector and official and informal economic sectors.

Since the first case was confirmed in the country in March 2020, migrants have been rounded up and detained to ensure that they are tested for the virus. Those who tested positive were placed in quarantine in *ad hoc* facilities such as schools, youth centres and hotels (UN Network, 2020). According to reports from the Moroccan Association for Human Rights (AMDH), there were cases where migrants had no access to running water, clean clothes, or sufficient food; no information on when they would be released; and no ability to leave the building for fresh air (Global Detention Project, 2020). The AMDH has also reported several

cases where migrants of colour and asylum seekers were arrested and relocated in overcrowded buses from urban to remote rural areas (Global Detention Project, 2020). Despite the country's closed borders, Morocco deported over 100 individuals, including children, to the Algerian desert between March and mid-May 2020. Some migrants said that they were deported in the middle of the night and forced to travel for miles without food or drink and that authorities took and destroyed their cell phones (Vargas, Soto, 2020). Furthermore, a considerable number of migrants in the nation, particularly those who are illegal, are without help or support and often rely on the assistance of international organizations such as the UNHCR.

In the wake of the situation, the UNHCR quickly changed its operating posture to meet the rising protection and aid requirements of refugees and asylum seekers in the context of social distancing and lockdowns, which affected their daily earnings. In Morocco alone, the UNHCR had registered 11,149 people as of May 31, 2020, including 7,306 refugees and 3,843 asylum applicants (UNHCR, 2021). UNHCR collaborated with medical partners such as the Moroccan Association for Family Planning (AMPF) to guarantee medical support for refugees to ensure that chronic illness patients have got a pharmaceutical supply for two months in AMPF health centres or straight at their door. In addition, four medical hotlines for online consultations have also been established and distributed to refugees.

In Algeria, representatives from the UN High Commissioner for Refugees (UNHCR) stated that the country ceased group expulsions in March 2020 (Global Detention Survey, 2020). Other reports, however, indicated that officials continued to make forced, *ad hoc* expulsions in various border regions, particularly into Niger. Thousands of individuals from Guinea, Mali, Ivory Coast, Senegal, Burkina Faso, Nigeria, Niger, Liberia, Cameroon, and Sierra Leone have been deported to Niger in recent years (Reuters, 2018).

According to Ghardaïa (2020), with the onset of the COVID-19 pandemic, Algerian authorities have taken steps to block unauthorized migration from sub-Saharan states, including detaining undocumented migrants and arresting alleged traffickers. Migrants also continued to be forcibly expelled from border areas during the pandemic. According to Burkle (2020), hundreds of migrants found themselves stranded in camps across the country, which limited their access to public health and exposed them to the dangers of COVID-19.

Nevertheless, due to the danger of COVID-19, access to public health services is limited, especially in Algerian camps. Sahrawi camps in Tindouf rapidly became a source of worry about the international community due to poor sanitary facilities and restricted access to health care. According to Labat (2020), camps would be "closed to the outside world" as authorities declared that transit between the camps would be banned, that non-essential enterprises would be shut down and that NGOs like Oxfam should halt much of their activities.

To reduce the risk of COVID-19, UNHCR continues to provide formal education and other learning opportunities to at-risk women and girls (UNHCR, 2021). More than 1,200 individuals of concern living in urban areas have received medical orientation and referrals, thanks to UNHCR and partners. Refugees and asylum-seekers with specific needs received individual psychological support in Algiers. Refugee families received replacement tents and repairing materials through the regular shelter program in the five Sahrawi camps near Tindouf.

In Tunisia, Refugees and asylum seekers are exposed to the same vulnerabilities as nationals. Still, they are more likely to find themselves in a precarious situation due to factors such as their legal status. The country has yet to adopt a refugee protection regime; people have little or no possibility of seeking asylum, and those attempting to cross the country's borders face several consequences such as detention and deportation. On the 24th of March 2020, during the outbreak of the pandemic, it was reported that migrants were being held at Ben Guerdane and Al Wardia detention facilities, where already inadequate sanitary conditions were being exacerbated. Detainees began a hunger strike in protest of their continued incarceration and abuse, as well as the lack of coronavirus infection preventive measures (Mourad, 2020). According to FTDES (2020), migrants and asylum seekers continue to be arrested and detained in Tunisia, despite the health risks associated with it and those seeking to enter the nation without permission were being detained. According to IOM (2020a), Migrants and Asylum seekers were meant to be tested for COVID-19. If the tests came back negative, they would have been directed to humanitarian aid organizations (e.g., IOM, Red Crescent, and Terre d'Asile) for shelter and care. The IOM, on the other hand, stated that because they are not present at ports of entry, they were unable to certify that all processes are being taken to safeguard the rights of these migrants and refugees. Since there are little information concerning the detention and the rights of these individuals, many count exclusively with the help of international organizations such as the UNHCR.

In Tunis, Medenine and Zarzis, the UNHCR ensures the local population's access to medical consultation, distributes core relief items, especially hygiene kits and supplies (hand sanitiser, gloves, disinfectant, and face masks), and procures additional cleaning equipment/services in reception centres, collective shelters, and accommodation. The organisation aims to include health protection and WASH programs in the future.

The UNHCR spreads COVID-19 awareness for refugees using SMS, WhatsApp, social media platforms, the UNHCR website, and volunteers and partners via individual phone calls and house visits in all MENA states (UNHCR, 2021). The pandemic has also highlighted the need for better inclusion of international labour standards and migrant workers' requirements and rights in bilateral and multilateral cooperation frameworks involving countries of origin and

destination countries, as well as the need for social dialogue and full participation of employers' and workers' organisations in the development of COVID-19 responses (ILO, 2020).

Furthermore, monetary support in all Maghreb's States for a growing number of vulnerable refugees was severely constrained due to a shortage of resources. The lack of resources necessary to improve refugee health and education support, especially for students participating in graduate and post-graduate programs were significantly affected due to the COVID-19 outbreak.

The uneven access to health care (Milan, Cunnoosamy, 2020), poor living circumstances and overcrowded workplaces are still present in all Maghreb States. The UNHCR's effort to mitigate the challenges caused by the COVID-19 pandemic in Morocco, Algeria and Tunisia is insufficient to assist all those in need. The region's social and economic policies and the lack of solid and progressive governmental laws are obstacles for migrants in general and refugees and vulnerable individuals. Poor job circumstances, including inadequate recognition of talents and lack of social assistance, limit migrants' economic contributions in transit and destination countries and restrict their capacity to support their communities in their home countries.

### **Final considerations**

International organizations and global leaders have recognized the impacts of the COVID-19 pandemic on migrants and refugees, including those in the Maghreb States. The global pandemic revealed the flaws in various government models and further aggravated the state of public sectors such as health and education, already shaken by its precarious structures, especially in developing countries. This holds for the Maghreb states.

In this paper, it is evident that human socio-economic development, employment, and education were one of the most affected in Morocco, Tunisia and Algeria. Nationals and non-nationals and particularly those who had an irregular status or refugee status found themselves in a fragile situation, where they have had their rights violated or neglected by local governments. In addition, many migrants and refugees were stranded in host nations, unable to return home due to closed borders or lack of necessary documentation. This situation led to other problems such as lack of food, housing, or access to essential services due to job losses or existing financial problems. Furthermore, asylum seekers have not been able to reach destination countries due to barriers imposed by local governments in the region. Migrants and refugees also faced risks of becoming undocumented as they could not meet legal criteria or fulfil visa applications due to the closure of migration processing facilities. In contrast, others have been deported or arrested by local governments. With the lack of information on the part of local governments, migrants and refugees saw xenophobia and prejudice increase from nationals

who held them responsible for the spread of the disease. In Morocco, Tunisia and Algeria, notwithstanding the support of international organizations such as the UNHCR, migrants and refugees were exposed to inhumane situations. Several of them were left without a home or shelter to go.

Due to the poor infrastructure of public services, these countries have failed to guarantee employment protection and health services for all, regardless of their migratory status. Since the start of the pandemic, countries' economics impact and financial problems have intensified, affecting governments' abilities to mitigate social issues such as health provision and social assistance. Furthermore, public discontent was exacerbated by the economic problems caused by the lockdowns imposed. Albeit government policies and service delivery concerning the pandemic have been ineffective and more people have struggled. Even though these governance deficiencies regarding nationals in general and to migrants and refugees may manifest themselves differently in each nation, the consequences are surprisingly similar in all three cases. To conclude, this paper contends that Morocco, Algeria, and Tunisia fail to deliver a more progressive plan for social issues and long-term solutions in the wake of the pandemic. In addition, gaps in its policies and regulations hamper the ability of displaced persons to exercise their rights and integrate locally, factors that may further increase inequality and public discontent in the region.

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