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UCL Migration Research Unit UCL Department of Geography University College London 26 Bedford Way London WC1H 0AP

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Understanding Migrants in Limbo through Statelessness

Exploring the inability and unwillingness to return among undocumented Moroccan migrants in Sweden

Isabelle Rothstein





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Abstract

In recent years an increasing number of young Moroccan male migrants have arrived in Sweden. A majority of these are unable to legalise their stay and are thus subject to removal. However, due to the Moroccan migrants' inability and/or unwillingness to return, very few have been successfully removed by Swedish authorities. This inability to return is for some caused by the fact that they are not registered as citizens in Morocco and thus not issued travelling documents by the Moroccan embassy in Sweden. Others will rather be unwilling to return and are prepared to do just about anything to avoid this. Their inability to legally settle in Sweden in combination with their inability/unwillingness to return to Morocco has forced many into a life in limbo unable to access basic welfare and state protection. The purpose of this study is to explore this inability and unwillingness to return among the Moroccan migrants through a theoretical framework of statelessness. The theoretical framework is separated into two dimensions: hard and soft statelessness. The former concerns notions of legal and political statelessness, and the latter concerns notions of identity and (dis)belonging. Data for this case-study has been collected through expert interviews with practitioners working with this group of Moroccan migrants in Sweden, as well as content analysis of the Moroccan migrants' personal narratives presented in Swedish media. This research aims to further our understanding of this specific group of migrants as well as other migratory groups in limbo. It also aims to explore the usefulness of the theoretical framework, particularly the division between hard and soft statelessness. The findings demonstrate that several significant aspects of the Moroccan migrants' inability and/or unwillingness to return can be understood and explained through hard and soft statelessness, and that statelessness as a theoretical framework can promote our understanding of migratory groups in limbo.

Isabelle Rothstein

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1. Introduction

In recent years Sweden has witnessed a significant increase of young adults and unaccompanied minors from Morocco claiming asylum (Swedish Migration Agency 2013). A vast majority of these have had their asylum claims rejected and merely 5% have been granted protection (Swedish Migration Board, 2016). However, the high rate of negative asylum decisions has not correlated to a high rate of returns to Morocco. From 2012 to July 2017, less than a handful of minors and approximately 300 adults were returned to Morocco, of which a majority were forcefully returned by the Police. Of all rejected asylum applications from Moroccan nationals in the past five years, approximately 25% have been possible to return to Morocco. The remaining have either stayed in Sweden living as undocumented migrants, or have moved on to other European countries. The high rejection rates have also resulted in many refraining from claiming asylum altogether.

The data collected for this research suggest that even though Sweden has deemed Morocco safe for return, a vast majority of the Moroccan migrants are unwilling to ever return to Morocco and are prepared to do just about anything to avoid returning. The few who do wish to return have in many cases faced difficulties in being recognised as Moroccan citizens by the Moroccan authorities. As return to Morocco requires valid travelling documents, those who lack these have found it difficult, or even impossible, to safely return to Morocco. The perceived impossibility to stay legally in Sweden in combination with the Moroccan migrants' inability and/or unwillingness to return has forced many into a life of limbo² unable to access basic state services and welfare protection. This paper is based on a casestudy of these young Moroccan male³ migrants in Sweden whom are unable and/or unwilling to return to Morocco. The aim of the study is to understand this inability and unwillingness to return through a theoretical framework of statelessness. Statelessness proves useful as a theoretical framework as it concerns not only the inability to return to one's home-country, but also notions of where one does, and does not, belong. The theoretical framework will be analysed against data collected through expert interviews with practitioners working with this group of Moroccan migrants in Sweden, as well as content analysis of the Moroccan migrants' personal narratives presented in media.

This research also aims to contribute to the wider research field of statelessness as well as to current understandings of this specific group of migrants. Statelessness has only recently

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¹ Statistics on return to Morocco were requested from the Migration Agency (which is the authority that handles and decides all immigration matters to Sweden) for the purpose of this study. The data provided for this is referenced in the Appendices.

² For the purpose of this research "limbo" refers to a state of intermediateness where one is unable to legally stay in the host country while also legally, or self-perceived, unable to return to the country of origin (Weiss 2013; Blanchard and Joy 2017).

³ The exclusive gendered focus in this study is important to emphasis as it distinguishes these experiences studied here from those potentially experienced by female Moroccan migrants. While female migrants may represent a minority among those who migrate from Morocco, it is nevertheless important to not let their gender-specific experiences disappear in the general representation of 'the Moroccan migrant'. Therefore, this study is exclusively focused on, and is thus only potentially representative of, the male Moroccan migrant. For discussions on women and migration in a Moroccan context see Salih 2010; de Haas and van Rooij 2010; Heering et al. 2004.

been recognised as "a legitimate area of research in its own right" (Manly and van Waas 2014:4). Since the beginning of the 21st century statelessness has been studied as not only a legal and political notion, but also an issue concerning notions of belonging, membership and identity. In this study I aim to provide a framework for how diverse notions of statelessness can be beneficially applied whilst allowing the concept to remain inclusive. As will be further discussed in Chapter 2, statelessness is for the purpose of this research separated into two dimensions of *hard* and *soft* statelessness, where the former concerns notions of legal and political statelessness, and the latter concerns notions of identity and (dis)belonging. In regard to the case-study of the Moroccan migrants, most previous research (see Empez-Vidal 2007; Vacchiano 2010) focuses on this groups' situation in Morocco and their migration to Southern Europe as children. This study rather focuses on their situation after having lived and crossed through Europe, a journey that for many takes years.

This research has a twofold purpose of firstly furthering understanding of this specific group of migrants, and in extension other similar migratory groups in limbo, through a theoretical framework of statelessness. Secondly, the study aims to explore the usefulness of the theoretical framework for the purpose of studying such migrants in limbo, as well as the usefulness of separating the framework into notions of hard and soft statelessness. Therefore, the research questions guiding this study read as follows;

How can the undocumented Moroccan migrants' inability and/or unwillingness to return to Morocco be understood through a theoretical framework of statelessness?

How can a theoretical framework of statelessness further understanding of undocumented migratory groups and individuals in limbo?

How may a division of statelessness as 'hard' and 'soft' prove useful for exploring and understanding how statelessness may affect migratory groups and individuals?

This paper will initially engage with previous literature concerning the theoretical framework as well as the case-study. The former aims to explore diverse notions of statelessness as a concept while the latter aims to provide a historical context to the case. Thereafter the methodical approach will be presented where the two data collection strategies are outlined and discussed. In Chapter 5 the empirical findings of this research are analysed through the theoretical framework which will generate a discussion on the Moroccan migrants' situation as understood through hard and soft statelessness. Lastly, the conclusive chapter of this paper will engage with the findings of the analysis as well as the study's ability to answer the research questions.

2. Statelessness

The focus of this chapter is to explore differencing notions of statelessness and how it has been applied and developed by previous scholars. The focal point of this chapter is on variations to the notion of statelessness, rather than a discussion on the main contributions to the field. The literature review will firstly focus on the origins of statelessness as well as its legal and political notions. Thereafter alternative notions of statelessness concerning concepts of belonging and identity will be explored. The chapter will conclude with a discussion of the usefulness of statelessness as a theoretical framework and how the scope of such a framework should be defined to prove most fruitful for the purpose of this study.

2.1 A literature review

The end of the Second World War is often identified as a key moment in the development of our understanding of statelessness (Bloom et al 2017). In 1949 the UN Secretary General atthe-time Trygve Lie, published a research report on statelessness arguing that it was "a phenomenon as old as the concept of nationality" (UN 1949:4). The 1949 UN report largely informed the 1954 Convention Relating to the Status of Stateless Persons⁴ which was created as an attempt to acknowledge the situation of those residing outside their country of origin and lacking nationality. The 1954 Convention defines a stateless person as "a person who is not considered as a national by any State under the operation of its law" (UN 1954:6). According to van Waas and de Chickera (2017:55) this definition asserts that it is the state and its national legislation that determinates a person's national status and thereby "is pivotal to determining whether [someone] is 'stateless'". Whilst the 1954 Convention is primarily concerned with the acknowledgment and protection of stateless persons by providing a legal status and certain rights to those stateless, the 1961 Convention on the Reduction of Statelessness⁵ concerns notions of nationality and obligations of nation-states (van Waas 2008). Already in the 1949 UN report a distinction was made between de jure and de facto statelessness, the former referring to those whom have been either deprived of or never granted a citizenship. The latter those "who, having left the country of which they were nationals, no longer enjoy the protection and assistance of their national authorities" (UN 1949:7). Both de facto and de jure statelessness are connected to notions of citizenship and nationality. Whilst de jure statelessness is formally recognised in the 1954 and 1961 Conventions, de facto statelessness rather correlates to the rights of non-citizens and notions of universal human rights. According to Blitz (2006:455) states are in practice often reluctant to "embrace liberal humanitarian concerns and protect those who fall outside of the convention framework". The similar conditions yet dissimilar legal status of de jure and de facto stateless individuals was identified already in the 1949 report where the UN Secretary General concluded that although "in law the status of stateless persons de facto differs appreciably from that of stateless persons de jure, in practice it is similar" (UN 1949:7) Also Staples (2012:18) discusses the reluctance of states to recognise and protect stateless persons,

⁴ Hereinafter the 1954 Convention.

⁵ Hereinafter the 1961 Convention.

particularly *de facto* stateless, arguing that it is partly due to the fact that a stateless person, by definition, cannot be removed and returned to a country of origin.

In the post-war era the philosopher and political theorist Hanna Arendt was one of the first to engage with the notion of statelessness from an academic perspective. Arendt ([1948] 2004:307), who was stateless herself for a number of years, argued that in the aftermath of the Second World War it became clear that any human rights were dependent on the safeguarding of a state because "the moment human beings lacked their own government and had to fall back upon their minimum rights, no authority was left to protect them and no institution was willing to guarantee them" (ibid). For Arendt the condition of statelessness is synonymous with a condition of rightlessness, arguing that whilst the loss of rights and liberty experienced by millions of people during and after the Second World War was devastating, it was rather the loss of the right to have rights, than the loss of certain rights, that was the source of the overwhelming despair and devastation. Arendt thus initiated the development of the notion of statelessness from purely a legal condition of lacking citizenship to a political condition of rightlessness by recognising that statelessness is not only the deprivation of protection, but also the deprivation of a "clearly established, officially recognized identity" (ibid:364). Arendt's work became the foundation of debates about statelessness.

Staples (2012), for example, discusses Arendt's notion of the stateless as rightless, arguing that statelessness is not inevitably a condition of complete hopelessness and rightlessness in the way it is portrayed by Arendt. Staples (ibid: 15) further argues that the ability of rightless and stateless groups "contesting – and claiming – political rights" providers them with an "act of claiming human rights" which can in itself be political. Also Sigona (2016:267) is critical of Arendt's notion of the stateless as rightless, arguing that "statelessness is better understood sociologically not as the philosophical embodiment of total exclusion from the polity, but rather as a form, one among many, of contemporary political membership, where membership is both an emplaced and embodied condition". From his case-study of stateless Roma groups, Sigona (ibid:275) found that the stateless Roma population in Italy were "neither rights-less nor agency-less" as they continuously negotiated their membership and "challenge[d] the reasons for their exclusion". Sigona (2016:275) further argues that "statelessness, rather than being a form of radical exclusion, becomes a mode of differential and precarious inclusion". Hanjian (2003) explores statelessness as a human right within itself, arguing that "human beings have a prima facie right to decline membership in any and all states" since all "human beings should be free from compulsion and should not be forced into unwanted associations" (ibid:2). Hanjian further argues that at its core, citizenship is a relationship between a state and an individual, which has to be entered consensually and voluntarily. If consent is only given by one of the parties - the state - the relationship is a violation of the individual's human rights.

Eliassi (2016) further explores statelessness beyond its legal and political frameworks, arguing that statelessness is more than solely the acquisition of a citizenship as it has implications for how groups' and individuals' understand themselves, their history and the

world. In his study of the experiences of statelessness among Kurdish individuals in Sweden and the UK, Eliassi (2016:1406) is critical of the notions of statelessness as purely a "negation of citizenship". The view that statelessness only occurs by a loss of citizenship simplifies its complex nature and marginalises individuals' and groups' various experiences of statelessness. According to Eliassi (ibid) "|t]his complexity requires an approach that expands the notion of statelessness from a mere concern with citizenship [since] [t]here are individuals and groups that legally uphold a formal citizenship, but nevertheless experience de facto statelessness". Belton (2015) explores statelessness in regard to notions of identity, arguing that the stateless person has been separated from their identity but remains unable to progress and take on a new identity. Therefore they remain stuck "in a space of invisibility, impurity, rightlessness, and reflection" (ibid:911). In her study of stateless persons of Haitian decent in the Bahamas and the Dominican Republic, Belton found that the form of statelessness experienced by her interview participants constitutes a form of forced displacement which is not characterised by movement, but rather immobility or liminality. She further argues that statelessness caused by noncitizenship "is a form of forced displacement that can be generated under noncrisis or nonconflict situations (ibid:916).

Having explored statelessness as a legal and political concept as well as part of the process of identity formation, Fein and Straughn (2014:692) advance the discussion further, arguing that statelessness is not only a circumstance, something that certain individuals or group suffer from, but also "a matter of choice". Fein and Straughn's research focuses on "the practical meanings of citizenship in the context of citizenship choice" by examining Russian-speaking residents in Estonia whom were rendered stateless after the collapse of the Soviet Union. The authors found that their interviewees, who now were able to choose between different citizenships (e.g. Russian or Estonian), had different ways of motivating their choices. Some viewed citizenship as merely a means to an end and would favour the option that was the most beneficial for them. Another group argued that citizenship as was instead a question of rights and entitlement rather than "a mode of access to material resources" (ibid:694). Lastly, some viewed citizenship in terms of sentimental belonging, where the citizenship symbolised an attachment "to a territory experienced as one's emotional home country" (ibid). Some of Fein and Straughn's (2014: 697) interviewees chose to remain stateless rather than having to request or prove their citizenship, which they regarded as something to which they were inherently entitled. Just as statelessness can play an important role in one's notion of oneself, both in regard to identity-formation and choice of status, it can also be something, a stamp or identity, forced upon individuals regardless of their own will. Fiddian-Qasmiyeh (2016) explores the narratives of Palestinians living in Sweden, France and the UK in regard to their views and notion on statelessness. She investigates how statelessness is perceived as a "marker of rightlessness, home(land)lessness, and voicelessness, which is simultaneously embraced and yet resisted as an ambiguous label, status, and condition" (ibid:307). Fiddian-Qasmiyeh found that several of the Palestinian participants were reluctant to label themselves as stateless since that implied that their state did not exist, which they argued it did. The notion of being stateless meant for them that they did not belong anywhere, therefore they did not wish to use the term since they belonged to Palestine. In this sense statelessness "reproduce[s] the impossible position of belonging nowhere" (ibid:312).

2.2 The two dimensions of statelessness as a theoretical framework

The above literature review demonstrates that statelessness is a more difficult concept to define than it first appears as it entails a complex variety of meanings within different fields of research. The notion of using statelessness as a theoretical framework would not prove useful if it were to be defined in a bounded, one-sentenced fashion. It is rather, for the purpose of this study, a more general perspective that will guide this research and through which the generated data will be analysed and discussed. However, a theoretical framework, particularly one that draws upon interdisciplinary research, risks being stretched to such extents that its usefulness and beneficial features go adrift unless some limitations and boundaries are defined.

As demonstrated by the preceding literature review, statelessness is simultaneously something that affects one's judicial and political rights but also one's identity and subjective self-notion. This twofoldness, i.e. statelessness as judicial and political, and statelessness as socially and identity forming, is how the theoretical framework will be applied in this study. This twofoldness can be framed as a differentiation between *hard* statelessness and *soft* statelessness. This differentiation is inspired by the theory of hard and soft power⁶ in research within fields of politics and international relations. The single notion of power turned out to entail too many deviations and much complexity for it to be applied in a useable fashion, which implied that it needed to be separated into two concepts. My argument is that the same goes for statelessness as a theoretical concept. It is likely to prove most useful if divided into two different concepts. The first is what I refer to as hard statelessness, that is something which is judicially and politically graspable including notions of *de jure* and *de facto* statelessness. The second is soft statelessness which is inspired by research on statelessness as a notion of (dis)belonging and identity and concerns issues of (non)membership beyond ones legal status.

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⁶ Hard power is the use of material resources as well as coercion to alter the will or behaviour of someone else. Soft power is rather the use of attraction and appeal and resources of culture or values to affect and shape others will or behaviour (see Nye 2008; Wilson 2008 or Cooper 2004).

3. The migrating boys from Morocco

This chapter aims to explore previous literature on the context and historical background of young Moroccan migrants as well as provide an outline of the specific group that is of concern for this research.

3.1 A literature review

Due to historic colonial relations with Spain and France, Morocco has a long tradition of emigration to southern Europe for work purposes, primarily entering sectors such as construction, agriculture or service. Particularly within northern Morocco, labour emigration has been a common way of making one's livelihood for centuries (Heering *et al.* 2004; Paloma 2014; Barbulescu and Grugelz 2016). Even after Morocco gained its independence in 1956, European states continued to encourage labour immigration from Morocco. Up until 1986, when Spain joined the EU, Moroccans could immigrate to Spain without requiring a visa for temporary low skilled employment or educational purposes. However, as a requirement for joining the EU, Spain had to strengthen its immigration policies and control of its borders (Empez-Vidal 2007; Barahimi 2009). Whereas immigration controls of the European borders have tightened, the immigration from Morocco has never ceased, it continued through alternative legal routes, such as family reunification, or through illegal methods (Soto Bermant 2014).

In the 1990s an increasing amount of younger Moroccan migrants started to appear in Southern Europe, many being minors under the age of 18. The migration of minors from Morocco is not a new phenomenon. For decades many migrated under various schemes, either reuniting with family members or for educational purposes. However, what is particular about the new migrating youths from Morocco is that they are migrating alone, with no adult assistance and with no aim of reunifying with their families (Empez-Vidal 2007). There are various explanations as to why more youths from Morocco began to migrate. According to Empez-Vidal (2007:5) stricter immigration and border control by Spanish authorities forced families to send the family member they thought would be most successful in the migration. The nature of European immigration policies and protection systems entails that unaccompanied minors are subject to specific rights and protection not available to adult migrants (Barahimi 2009). According to Vacchiano (2014:5) youths have become the "best runner in international mobility" as they may fall into categories of vulnerability and in-need-of-protection due to their status as unaccompanied minors. Therefor, Empez-Vidal (2007:5) argues, the families in Morocco try to "create neglected Moroccan children" as they know only vulnerable minors get to stay. Boys and young males are thus pressured, sometimes forced, by their families to migrate in order to financially contribute to the household (ibid:2-3).

Whilst some Moroccan boys who migrate do it with the support of their parents, others make the decision by themselves. Boys who make this decision alone may do it because they are orphans, they lack contact with their families or they know their families would disapprove. The increased usage of social media in the last decades has played an important role in influencing and encouraging younger generations in Morocco to migrate, portraying migration to, and life in, Europe as something not only desirable, but also reachable (Empez-Vidal 2007). According to Vacchiano (2014:5-6) the Moroccan youths grow up being conscious of the "modern world" while simultaneously unable to access it. Social media platforms also enable Moroccan youths to maintain transnational links with friends and relatives who have already migrated to Europe and who can offer advice on how to navigate a future migratory journey. The means for migrating varies. Most youths who lack financial support hide under trucks or busses heading towards Europe. Those who can raise enough funds to pay for their migrator journey might use a smuggler to take them by car, boat or airplane to Europe. Often, the funds for such journeys are raised by borrowed money, which has to be repaid through remittances sent from the designation country (Empez-Vidal 2007; Vacchiano 2010).

The youths who wish to migrate gather in the costal towns of Northern Morocco. Some may have lived there on their own the main part of their lives, while others arrive with the purpose to migrate as soon as possible. Those who have lived there a longer time are usually children who have grown up in orphanages or in dysfunctional families (Vacchiano 2010:115). According to William Bordat and Kouzzi (2009) children born outside wedlock are often at greater risk of being abandoned by their parents. Women who fall pregnant out of wedlock in Morocco are often shamed and sometimes rejected by their families. They also risk legal repercussions as abortion and sexual relations outside marriage are illegal (William Bordat and Kouzzi 2009; Silis 2016). In 2002 a reform to the Moroccan Civil Status Law enabled unwedded mothers to register the birth of their children. Prior to that abandoned children were rarely registered and thus often unable to obtain basic welfare support or legal rights, as neither their identity nor existence were legally recognised by Moroccan authorities (William Bordat and Kouzzi 2009). Due to social stigma and discrimination towards single mothers many children are yet today not registered at birth. In Morocco births are registered into a Family Booklet which is the main proof of legal identity and necessary for claiming welfare and health services. According to Willman Bordat and Kouzzi (ibid:5) "[w]ithout a Family Booklet, people simply do not legally exist". Whilst some of the youths trying to migrate are boys who may have grown up in orphanages and thus lack a Family Booklet, others who have left their families are unlikely to possess a Family Booklet, as these belong to the father and must remains with him. Identity cards are usually issued once a minor turns 16 years old in accompany of a parent, or by the individual her/himself at the age of 18 (UNICEF 2015).

Many of the youths who live in the costal towns of Morocco trying to migrate are thus vulnerable as their lack of any identification document, and thus of a legal existence, hampers their access to welfare and health services (HRW 2002). During Empez-Vidal's (2007:17) fieldwork in Tangier, she found that many suffered severe injures when trying to emigrate, others were badly hurt by police violence and some became ill from the poor living conditions. According to Empez-Vidal (2007) many of the boys living on the street try to find and join a group of other youths also trying to migrate as a means to obtain protection and a sense of safety. However, with or without such group protection, many of the boys suffered various types of abuse and exploitation, such as sexual abuse (Jiménez Alvarez

2008; Empez-Vidal 2007). These children living rough are often ignored by the Moroccan Police because, according to Empez-Vidal (2007:16), the Police want to avoid having to take them into custody.

Those youths who succeed in their migration often face a multitude of unexpected difficulties upon their arrival in Europe. After their initial encounter with immigration authorities, those who are assessed to be minors are placed in the care of social services. Empez-Vidal (2007:21) found that many Moroccan minors in Spain will escape the childcare systems and become destitute if they suspect that they will be returned to Morocco. Many also feel pressured to find work, and will therefore leave welfare protection systems in order to earn money. However, due to not only stricter immigration regulations, but also less demand for cheap low-skilled labour, many of the Moroccans arriving in Europe in the last couple of years have struggled finding work. Whilst the late 1990s and early 2000 saw rapid economic growth, the 2008 financial crisis devastated many businesses and work sectors in Europe, causing many people, particularly undocumented migrants, to lose their jobs (Leander 2016).

The need to generate an income is important not only for those sending home remittances, but also in maintaining the image of having succeeded in their migratory journey. Income and remittances becomes the measurement of one's "individual ability, family loyalty and personal moral value" (Vacchiano 2010:8). According to Vacchiano (ibid) the need to fulfil the surroundings' expectations and maintain an image as mature and competent causes many of the young Moroccans to try to avoid the European countries protection system for minors. Their need to generate income and uphold their own sense of self-worth easily, according to Vacchiano (2014:8), also pulls them into gang criminality, drug dealing and prostitution as this provides an "appearance of success". The frustration over their situation also causes many to turn to drug and alcohol consumption. (ibid:121). According to Empez-Vidal (2007:21) many who become destitute and struggle to generate an income feel as they have failed their parents, and thus "ends up without protection, either from the state or [one's] own family".

3.2 Defining the group: The young Moroccan migrants in Sweden

Whilst the term "Moroccan street children" has been widely deployed in Swedish public discourse, it is a somewhat misleading description of the group. Whilst it is impossible to provide any exact data, a large proportion of the emigrated Moroccan youths have either grown up, or at some point lived, on the streets of some of the bigger Moroccan cities (Leander 2016) However, far from everyone comes from such conditions. As made evident from the literature review as well as my interview data, many come from family homes in rural Morocco and have been sent out to provide income to the family. Therefore, the term "street children" is not representative of the whole group. Furthermore, the description of these migrants as "children" or "boys" is also somewhat controversial. As pointed out by both the Police Officer (interviewed 12.06.2017) and the Expert Migration Officer (interviews 14.06.2017) many of these migrants are not minors, but rather young adults in their late teens or early twenties. Moreover, the very reason many of them find themselves

homeless in Sweden is because they lose welfare support the day they turn 18 years old (Swedish Government Office 2016). Even if a vast majority begun their migratory journey from Moroccan as children under the age of 18, many have become young adult during their time in Europe and are thus not to be defined as children, or minors, anymore.

Whilst this group is not homogeneous and consists of individuals from a variety of backgrounds, certain common characteristics and traits have been identified among those whom are of interest to this research. Firstly, they are in general young men and boys whom have lived an unsecure life in Morocco, either growing up on the streets or having lived as homeless at some point. They emigrate to Europe at a young age and live a similarly roving life in different European countries. They generally lack identification documents and are either denied asylum in Sweden or refrain from claiming asylum, thus living as undocumented migrants in Sweden (Leander 2016). Those who are within the asylum process frequently abscond from their social housing facilities in Sweden and thus often enter and exit both the social services' and the immigration authorities' registration systems (ibid). Their reasons for coming to Sweden varies, some have throughout their journey in Europe heard good things about the country. Others arrive not particularly concerned about Sweden, but rather willing to "trying their luck" in any European country, hoping to find work and settle (Police Officer interviewed 14.06.2017).

4. Methodology

This research is conducted through a case-study of undocumented young Moroccan migrants in Sweden and their inability and/or unwillingness to return to Morocco. The defining markers of the case is the specific group, situated in Sweden, whom are distinguished from the broader group of "Moroccan migrants in Sweden" by their inability to legally settle in the country and unwillingness/inability to return. In order to analyse the case statelessness is deployed as the theoretical framework functioning as the "lens" through which this case is studied (Merriam and Tisdell 2015). This research also aims to investigate the usefulness of the theoretical framework as a means for understanding migratory groups in limbo. Incorporating statelessness as a framework was initially based on the concept's inherent engagement with inabilities to access a home-county and theories of belonging and membership. However, the broadness of the concept made it difficult to utilise as a single unit, which is why the framework is separated into two dimensions of hard and soft statelessness.

As demonstrated by the literature review in chapter 3, this group of Moroccan migrants is very heterogeneous due to their different experiences and backgrounds. In order to grasp this heterogeneity, data has been collected with the aim to obtain diverse perspectives on the case-study. Therefore, expert interviews with practitioners from various work sectors, as well as content analysis of interviews with young Moroccan migrants in media, has been conducted to generate data. The research has also been informed by engagement with previous academic literature, which has contributed to both the theoretical framework and the empirical analysis.

4.1 Expert interviews

The expert interviews have a twofold purpose. Firstly; to inform the research with expert, on-the-ground, knowledge of the case and second; to explore the case through multiple perspectives. The recruitment of interviewees was conducted through email requests to various practitioners and organisations, where the importance of the interview participant having engaged with this specific group of migrants was emphasised. Many responded that they worked with young migrants, but not specifically with Moroccan migrants, and were thus considered not suitable to participate. From the recruitment process, eight individuals from various sectors who work with Moroccan migrants agreed to participate and were thus recruited. All interviewees agreed to participate with their personal information remaining anonymous, but rather referenced in their professional capacity.

Table 1. Interviews

Interview participants	Organisation	Date
Charity Project Manager, unaccompanied minors	Save the Children, Sweden branch	07.06.17
2. Outreach Social Worker for unaccompanied minors	Social Services of Stockholm county region	12.06.17
3. Expert Migration Officer	Swedish Migration Agency	12.06.17
4. Social Worker for unaccompanied minors	Social Services, borough of Stockholm	13.06.17
5. Police Officer	Unit for unaccompanied minors, The Swedish Police, Stockholm	14.06.17
6. Charity worker and founder of charity	Charity for unaccompanied youths form Morocco and North Africa, Stockholm	16.06.17
7. Immigration Lawyer	Law Firm, Stockholm	28.06.17
8. Youth Worker for unaccompanied minors and young adults	Stadsmissionen (nation-wide charity), Stockholm branch	30.06.17

The interviews were loosely guided by a number of themes (e.g. before arriving in Sweden, life in Sweden and return to Morocco) and some key questions posed to all interviewees. The interview questions were also adjusted in accordance with each participant's area of expertise. The interviews, which were all conducted in Swedish, lasted 60 to 90 minutes and were all audio-recorded with the interviewees' permission. These interviewees do not represent their different sectors, but rather contribute with their different perspectives formed by their professions and sectors.

The purpose of distinguishing these interviews as expert interviews is to clarify their function and purpose. While other interview methods may value personal thoughts and experiences, expert interviewees are recruited based on their specific knowledge and experiences in the capacity of their profession (Meuser and Nagel 2009). As argued by Pfadenhauer (2009) personal traits of the interviewee, such as age, gender or culture, is of lesser importance whilst occupational role and responsibilities are of greater interests. The transcribed data from the interviews was coded into themes and opinions. The themes were used to understand what different subject (e.g. willingness to return, identification issues, destitution) were emphasised. The opinions where rather counted to understand what the participants agreed on and what they disagreed on, such as protection needs or migratory purpose.

4.2 Incorporating the personal narrative: A content analysis

Whilst the expert interviews represent the core component of the data collection, content analysis was utilised as a supplementary method. Due to the limitations outlined in section 4.3, this research risked excluding the voices of the young Moroccan migrants themselves. However, by utilising already existing interviews in media their personal narratives and perspectives are included.

The importance of the personal narrative is discussed by Eastmond (2007:249) who argues that "we can only know something about other people's experiences from the expressions they give them" Likewise Skultan (2004:293) proposes that engaging with personal narratives as a research tool can provide "a more authentic 'experience-near' version of the truth". Incorporating the personal narrative is thus important as it provides an additional level of legitimacy to the data and is an essential perspective to include in the collected dataset. Content analysis is a useful approach to reach these personal narratives. It is the study of "things that humans have created, rather than people themselves" and is a "way of studying social behaviour without directly affecting it" (Lee Abbott and Mckinney 2013:316). For the purpose of accessing the personal narratives of the Moroccan migrants, without the ability to access the individuals themselves, content analysis enables indirect access to their accounts in secondary sources. The material collected consist of 12 sources covering 25 young Moroccan migrants' own voices. The sources were comprised from four radio programmes, one TV documentary, six new paper articles and one book written by a journalist. The radio and TV sources were transcribed, focusing on instances where the Moroccan youths' own voices were heard. The articles and book were analysed to extract instances where the migrants were directly cited. As the case-study is situated in Sweden all sources were published in Swedish. This research will use the same names used by the journalist. As some of the sources have used the same names those individuals will be distinguished by numbers, e.g. Ahmed-1 and Ahmed-2.

There are several issues with this method of data collection. Firstly, the interview material is subject to secondary analysis, particularly in concern to the printed sources. As pointed out by Eastmond (2007:249) all narratives that are transferred to text are "never directly represented but edited at different stages of the process from life to text". In this case, the narratives are first subject to the journalists' interpretations and analysis, which are thereafter analysed again by myself. To prevent the personal narratives from going lost in multiple levels of analysis, I have prioritised sources where the individual's voice is heard, such as TV and radio. In regard to printed sources, I have only included texts where the individual is directly cited. A further area of interest is the question of positionality. Whilst the positionality of the researcher is arguably irrelevant, the positionality of the journalists is of greater importance. Aspects such as ethnic or cultural background of the journalists were not conveyed, however it was evident that some of them spoke Moroccan Arabic or had translators with them. What seemed to be troublesome for the journalists were not their cultural or ethical "insider" qualities (see Merriam et al. 2001), but rather their intentions and agenda. When interviewed for the TV programme *Uppdrag Granskning*, a young Moroccan boy expressed that "[you] want to help us, but [you] want more information. What more information? So that the police can come and take us or what?" (Boy at McDonalds, interviewed in *Uppdrag Granskning*, 2015). Other journalists received similar remarks questioning their motives.

The approach of the journalists to resolve this dilemma was to position themselves as neutral, caring and trustworthy. This was achieved by maintaining contact with the interviewees for a longer time period, or intensively during a shorter period, ranging from a couple of days to

over a year. According to Eastmond (2007:250) a narrator will adjust her/his story depending on her/his view of audiences' attitudes or motives. Therefore, throughout analysing the material it is important to remember that the data is likely subject to both the journalist interpretation and analysis, but also the narrator's modifications and adjustments.

4.3 Limitations and ethical consideration

An evident limitation to this research is the absence of the personal perspective provided by the Moroccan migrants themselves. Whilst such a perspective would undoubtedly have benefitted the research, it became evident that accessing this group would not only pose personal safety-risks to myself, but also be ethically questionable. Firstly, many of these vouths are active, and thus most easily accessed, during late evenings within potentially hazardous areas that are characterised by criminality and drug trafficking (Police Officer interviewed 14.06.2017). Due to the high-risk safety environment of these areas, it seemed as such field-work would be inappropriate for a research project of this scope. Secondly, all my interviewees expressed that a vast majority of these youths suffer from drug addictions. The Charity Worker (interviewed 16.06.2017) expressed that if I did wish to speak to any of them I would have to expect "that they will all be high". The engagement with interviewees whom are potentially under the influence is both ethically questionable and problematic in regard to the usefulness of the data produced. Lastly, whilst many of these migrants are young adults, large proportions are still minors. The UCL Research Ethics Committee's restrictions prohibit this study from engaging with any minors. Had such restrictions not applied, an ethical dilemma would still stand as engaging with these specific minors would entail conducting the interviews without parental approval.

The ability to make generalisations from the analysed data is hampered by the small number of interview participants. As mentioned in section 4.1, many potential participants were deemed unsuitable, or unwilling, to participate due to their lack of knowledge of this particular group of migrants. However, due to the relatively small size of this migrant group, and their tendency to avoid engaging with public sector representative, the number of practitioners in Sweden with a substantive understanding of the case is limited. A bigger sample of interview participants may require a case-study on international level or within a bigger society. Furthermore, since a theoretical framework provides boundaries to focus of the case-study, it can "both reveals and conceals meaning and understanding" (Merriam and Tisdell 2015:88). Whilst it is important to remain aware of this, it also creates useful limits, refraining the study from engaging with notions beyond the scope of the research. An example of such notion which would be of relevance for the case-study, yet outside the scope of the theoretical framework, is notions of masculinity among the Moroccan young migrants.

5. Analysis and discussion

The following chapter is divided into two sections where the first focuses on hard statelessness and the latter on soft statelessness, each analysing the empirical findings through the lens of the theoretical framework.

5.1 Hard statelessness: A judicial limbo

The total number of undocumented migrants from Morocco living in Sweden is unknown. While approximately 3000 have claimed asylum over the past five years (Swedish Migration Agency 2017) many have also entered Sweden without claiming asylum. The reason some decide to not claim asylum is largely due to the high rejection rate for Moroccan nationals. In the past five years about 95% have had their asylum claims rejected (ibid). The high rate of negative decisions is due to the fact the Moroccan nationals are in general not considered to be in need of protection. According to the Lawyer (interviewed 28.06.2017) this is because Morocco as a country is in general deemed to be safe for returns. As for those claiming asylum due to personal risk of persecution, Swedish authorities have assessed that state protection in Morocco, apart from in exceptional cases, is available and functioning (Swedish Migration Agency 2013). Therefor, many Moroccan asylum-seekers are referred to the protection of the Moroccan authorities.

Whilst Sweden has previously experienced substantial difficulties returning failed asylum-seekers to Morocco, new collaboration with Moroccan authorities has somewhat facilitated the return process. According to the Expert Migration Officer (interviewed 12.06.2017) since May 2016 Sweden has been able to send fingerprints of Moroccan individuals staying illegally in Sweden to the Moroccan authorities who compare these to the fingerprint and personal information they hold in their Civil Registration Database. The database contains information on approximately 80 to 90% of the Moroccan population. Since this cooperation was initiated, about 100 adult individuals have been identified. According to the Expert Migration Officer all individuals, whose personal information is sent to the Moroccan authorities, cannot be found in the database. "Out of everyone, approximately 60 to 65% can be found in the database" (ibid). When asked what happens to those 35 to 40% that cannot be identified the Migration Expert Officer answered that;

They could still be Moroccans but that they're just not in the database. Then we'll have to find other ways, if there are birth certificates or something else indicating that they are Moroccans. We will then approach the Moroccan embassy with that, follow the usual procedures and try to figure out if they are Moroccans. Sometimes you can also approach Algeria and see if they could be Algerians (ibid).

These 35 to 40% are of particular interest in regard to the notions of hard statelessness. As pointed out by the Expert Migration Officer, a number of these could be of a different nationality. However, as also confirmed by the Expert Migration Officer a number of these individual could be Moroccans but not registered as citizens. The Youth Worker (interviewed

30.06.2017) expressed that this is a problem faced by a number of the Moroccan youths she had worked with;

I know boys who have been [to the Moroccan embassy] and it didn't work [to get identification documents]. The Moroccan embassy has said that they must contact someone in Morocco, a relative or parent, who can help them get a birth certificate. They say that if you do not have any identification documents or any [other] documents, we cannot find you in Morocco, and then we cannot help you, that's what they say. There was even a case where the mother of a youth actually came to Sweden and went with him to the embassy, but he was still not issued any travelling documents.

According to the Social Worker (interviewed 13.06.2017) the issue of not being recognised as Moroccan citizens by the embassy, due to a lack of identification documents, is particularly difficult for those "born on the street". When asked if this is a problem because these youths weren't registered in Morocco, the Social Worker rather emphasises that "those who have gone to the embassy have been *denied*, they say that they're not ours" (ibid). If it were solely an issue of non-registered citizens, perhaps the Moroccan authorities would have taken more responsibility. However, as emphasised by the Social Worker, this may arguably rather be an issue of non-recognition and denial of citizenship.

Many of the interviewees expressed that they knew that cooperation with the Moroccan authorities were improving and that the Civil Registration Database was being used to identify individuals. While many viewed this as something positive, some also feared the fate of those youths not registered on the list, i.e. the 35 to 40%. The Charity Worker (interviewed 16.06.2017) argued that "those who Morocco aren't accepting now, those simply will not be accepted. They will never be received [by Morocco]". Similarly the Outreach Social Worker (interviewed 12.06.2017) expressed that;

The Migration Agency has kind of said that 'if you really want to return you can just do it', but what if the embassy doesn't accept you, what should you do then? You'll still be in Sweden without the right to support, how long can that go on? It could continue for the rest of your life.

In a report by the UNHCR mapping statelessness in Sweden, they found that rejected asylum-seekers in Sweden unable to be returned "could be stateless, and statelessness could be the reason for their inability to return to their country of former habitual residence" (UNHCR 2016:25). Sweden has ratified both the 1954 and 1961 Conventions. However, as Sweden has a dualistic judicial system, ratified conventions are not automatically part of the Swedish legal system. Swedish legal bodies must rather interpret all domestic law in accordance with the conventions to which Sweden is a party. While neither the 1945 nor the 1961 Convention have been incorporated into Sweden's judicial system, authorities and courts are still bound by them. In regard to recognising cases of statelessness in Sweden, the UNHCR found it difficult to pinpoint the number of stateless individuals in Sweden as certain groups, such as some asylum-seekers and undocumented migrants, are not accounted for by Swedish authorities (ibid:24-25). This issue is partly caused by the lack of any statelessness determination procedure in Sweden, which makes it impossible "to say with

certainty how many [in Sweden] [...] meet the international law definition of a stateless person" (ibid:25).

The lack of a statelessness determination procedure, in combination with the fact that neither the 1954 nor 1961 Conventions have been incorporated in Swedish law, may have contributed to a lack of awareness among charities and public institutions regarding statelessness. In a recent debate on whether to incorporate another convention, the Convention on the Rights of the Child,7, a prominent argument in support was that if incorporated, the Convention would weigh heavier and be implemented more effectively (Åhgren 2017; Pettersson and Jägerskog 2016). Thus, any conventions ratified by Sweden but not incorporated into Swedish law may arguably not be given the weight and priority it would have if included in the Swedish judicial system. This argument is supported by the UNHCR's (2016) findings that both the charity and public sector in Sweden lacked sufficient awareness of statelessness both as an issue and in regard to how it can affect individual migrants. The reason for this lack of awareness of statelessness was somewhat clarified by the Expert Migration Officer (interviewed 12.06.2017) who explained that the notion "that you could become [stateless] later during the [asylum] process, that's not really something we have in Sweden". Similarly, when the Lawyer (interviewed 28.06.2017) was asked if she thought a statelessness determination procedure would be beneficial for some of the Moroccan youths, she responded that;

I absolutely think so [...]. I haven't thought about this before, but spontaneously I feel that it would definitely make it easier to argue for recognition of their need of protection. Since it would be a recognition of their situation and also a recognition of their vulnerability, it would make it easier to judicially argue for why they actually need protection.

Both the Lawyer and the Expert Migration Officer were seemingly not considering individuals unable to be removed as potentially stateless. However, such individuals, referred by the UNHCR as "unreturnable", would fall "within the UNHCR's mandate relating to stateless persons because prolonged situations of 'un-returnability' may be an indication that the person concerned is stateless, or may eventually lead to statelessness" (UNHCR 2016:25). Whilst Sweden lacks any procedure for statelessness determination, there is still a possibility of obtaining status due to "un-returnability". To some extent, this serves the same function for those who may be stateless by not being able to return home country. As pointed out by the Migration Expert Officer (interviewed 12.06.2017);

The possibility [of being recognised as stateless] doesn't really exist in Sweden in that way [...], but it's kind of like [applying for] practical impediment to removal; that if you cannot be returned you can get a permit. It's not really the same mechanism, you're not considered to be stateless, but that's what's available [in Sweden] if you cannot be returned.

According to the Swedish Aliens Act (2005:716) an immigrant can be granted temporary or permanent residency if "new circumstances come to light that mean that [...] there is reason

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⁷ Hereinafter the CRC.

to assume that the intended country of return will not be willing to accept the alien" (Art. 12(18)). The circumstances for granting residency due to practical impediment to removal has been specified by the Migration Appeal Court in two guiding rulings (MIG 2007:46 and MIG 2009:13). Both these rulings emphasise that the applicant must have fully cooperated with the Migration Agency in the return process and also that it is "the expelled individual who is obliged by their own accord to leave the country, and that it is not the Swedish authorities that are obliged to implement the decision of removal by force" (MIG 2007:46). According to the Youth Worker (interviewed 30.06.2017) this practical impediment could be relevant for some of the Moroccan youths who are not issued travel documents, however "it is almost impossible to get it, [The Migration Agency] will say that the youth hasn't tried enough [and] not done his utmost to prove his identity". When asked what an asylum-seeker, particularly in regard to the Moroccans, actually would have to do to reach the cooperation requirements, the Lawyer (interviewed 28.06.2017) expressed that;

If I were to draw some conclusion from the decisions I've seen, you basically have to have been at the [Moroccan] embassy every day and been given a letter stating that you have been there trying to get identification documents but not been granted any. It pretty much doesn't matter [what you do]. That is the problem for particularly the Moroccan unaccompanied minors, that the requirements are so high. You basically need documented evidence of everything. It's not enough to just say that you've been to the [Moroccan] embassy but they won't issue you any documents. You basically need written confirmation from them stating that they don't want to issue you traveling documents, and no embassy would do that. It just doesn't happen. So in reality there are basically no actual means for them to reach this cooperation requirement.

A vast majority of the Moroccan migrants in Sweden do not want to return regardless of whether they could or not. Those of concern here, whom are most likely included in the 35 to 40% not to be found in the Moroccan database, are still a very small proportion of an already small group of migrants. An issue that has come to characterise the young Moroccan migrants is their multiple identities used not only in different European countries but also within Sweden itself. The Social Worker (interviewed 13.06.2017) expressed that it is not uncommon that they lodge multiple asylum applications in Sweden using different names. Apart from using different identities, it has also appeared that some lie about their lack of identification documents. According to the Police Officer (interviewed 14.06.2017) many tell the Migration Agency that they have never had any identification documents, however when they are searched for in the Moroccan database, it appears that they were registered and did have documents. This has, according to several of the interviewees, caused issues for the larger group, as they are met with greater distrust and suspicion. The Charity Project Manager (interviewed 07.06.2017) expressed that they are often viewed "as criminals not in need of protection, that they entail problems, that they just drift around [and] that they have their own agenda". She further argued that "they are not offered the same support as other [migrant] children" (ibid). In regard to the notion that some lie about their identity, the Lawyer (interviewed 28.06.2017) argued that, "we cannot build a system based around those who might abuse it, we have to build it around those who need protection".

⁸ Official translation.

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Whereas identifying who needs protection, and who does not, may have been difficult in the past, this is to some extent resolved by the improved cooperation with Morocco and the use of their Civil Registration Database. Whilst this database has so far been primarily used to identify those not in need protection that can be returned, it also proves useful for identifying those who may actually be in need of protection. Hard statelessness concerns those lacking a state that can, and is willing, to protect and care for them. It is not merely about lacking the right to a citizenship, hard statelessness can also affect those who, through nationality legislation, are rightful citizens but who lack effective citizenship. As argued by Blitz and Lynch (2009:6) "de facto stateless people are [often] unable to obtain proof of their national identity, residency or other means of qualifying for citizenship and as a result may be excluded from the formal state". Such an exclusion from the formal state must not mean a physical exclusion from the territory, but rather an exclusion from social, economic or political rights and benefits that are available to members of the formal state. As demonstrated in Chapter 3, previous research suggests that some children in Morocco are left unregistered, and sometimes even abandoned, due to being born out of wedlock. This issue was also identified by the interviewees who argued that this group of youths were among the most vulnerable, having been subject to neglect and abuse from very early on in life. According to the Lawyer (interviewed 28.06.2017) the hardship the boys living on the streets in Morocco experience is so severe that it reaches the requirements for international protection.

Due to the abuses suffered by these children [living on the street], in combination with the [Moroccan] authorities unwillingness to actually do anything to improve their situation, this reaches the requirements for granting protection. [...] The authorities are incapable...they lack any will do to anything. If they had wanted to do something the situation wouldn't be what it is today. So what I'm saying is that this is a systematic problem in Morocco that creates this situation.

Hard statelessness is not relevant for most of the young Moroccan migrants. According to the interviews a majority do have contact with their families and many have been registered in Morocco at birth. However, it seems as there are individuals within the group that could arguable be considered *de facto* stateless and thus qualify for international protection. In a child-specific country report by the UNICEF (2015:45) it was argued that the Moroccan legal system discriminates against children born outside wedlock, depriving them of their rights as children. The report further found that specifically abandonee children were to a larger extent absent from the Civil Registration Database and that such children were at higher risk of suffering from ill-treatment at the hand of the police (ibid:78). Whilst hard statelessness should not be ascribed to all children whom are, or have been, deprived of their rights by their state, it may arguably become relevant when such an individual, in a migratory context, is forced to spend many years in judicial limbo due to the home state's inability, or unwillingness, to recognise its responsibility over its unregistered citizens. As argued by Blitz and Lynch (2009:11) a "lack of birth registration does not equate to statelessness, [however] lack of documentation has been used to deny people access to citizenship and state

services". The mere fact that these individuals - those 35 to 40% of Moroccan youths in Sweden not able to be identified through the Moroccan Civil Registration Database – lack birth registration does not make them stateless. However, the combination of having been denied state services as abandoned children prior to migration, and now being unable to return and thus forced to live unprotected as undocumented migrants, does support the argument that they could be recognised as stateless and thus qualify for international protection.

5.2 Soft statelessness: Notions of (dis)belonging

This section aims to explore the young Moroccan migrants' situation by focusing on the soft aspects of statelessness, i.e. notions of belonging and identity. Whilst hard statelessness may affect some of the young Moroccan migrants in Sweden, a majority would not meet the requirements of either de jure nor de facto statelessness or other notions of political statelessness and rightlessness. Nevertheless, according to all of my interviewees, the majority do not want to return to Morocco and will do just about anything to avoid returning. This has also been expressed by the Moroccans themselves in media interviews. In a radio broadcast, Ali expressed that "I definitely don't want to go back, I would rather commit suicide here in Sweden than go back to Morocco, and my family there doesn't want me to come home anyway" (Ali interviewed in SR Konflikt, 2016). Ahmed interviewed by the journalist Katia Wagner expressed that if his asylum case was rejected he would rather travel to Gaza to do Jihad than return to Morocco. He had heard that other Moroccans who had decided to do Jihad had been given money to send to their families. "If I do jihad, at least my life will not have been a waste" (Ahmed-1 interviewed by Wagner 2017: 56). As expressed by Ali and Ahmed even death is an option considered more favourable than return. To understand this extreme unwillingness to return, despite Sweden stating that a majority could live a safe life in Morocco, this chapter will explore the young Moroccans' experiences and situation from a perspective of soft statelessness.

As demonstrated in chapter 3 many of the Moroccan youths migrate with the purpose to financially support their families left behind in Morocco. This is also expressed by both the expert interviewees and the Moroccan migrants themselves. According to the Police Officer (interviewed 14.06.2017)"everybody sends money home, it's [their] mantra". Ahmed similarly expressed that he wanted to earn money to send home to his sick mother, however not being able to do this was making him feel like a failure (Ahmed-1 interviewed by Wagner 2017: 10). The economic migrant is often placed in contrast to the refugee who is portrayed as the more vulnerable and exposed (Holmes and Castañeda 2016). However, the financial purpose of the migration for the Moroccan youths could in fact constitute the source of their vulnerability and also be a significant factor for their self-perceived inability to return. As argued by Empez-Vidal (2007) the Moroccan children pressured to migrate in order to contribute to the household are subject to a form of exclusion which constitutes child neglect. According to the CRC states shall "protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment" (UN 1989: art. 19(1)). While this study does not aim to specifically explore human rights violations suffered by this

group of migrants, it is nevertheless important to acknowledge it as it may contribute, or have caused, their unwillingness to return and thus their situation of soft statelessness. The Charity Worker (interviewed 16.06.2017) explained that she often meets Moroccan youths who ask her to communicate with their parents for them. According to her the parents "are fully aware that [in Europe] their children are forced into destitution, criminality [and] dangerous environments where they risk suffering abuses". In the Radio programme *SR Konflikt* the reporter, Abdelaziz Maaloum, telephoned the father of a Moroccan youth in order to understand why he was unwilling to return. The father, Ahmed, answered that;

I don't want him to return. I am poor [and] have 13 children [...]. I cannot afford to receive him. It is better that he stays in Sweden, studies and finds work, then maybe he'll be able to support me when he grows up (Ahmed-2 interviewed in *SR Konflikt* 2016).

For many people, perhaps particularly for children, the family is an important factor of one's notion of home. According to Reinders and van der Land (2008:4) "home is generally seen as a private, safe and familiar space, a haven or shelter". One's attachment to the home is, among other things, characterised by the important individuals associated with it, i.e. family and relatives (ibid). The notion of not being welcomed, or wanted, by your family may thus, for the Moroccan youths, indicate that they are not welcomed back whatsoever. As argued by Reinders and van der Land (ibid) "home is [not] only, or even necessarily, a house. It should not even be seen as necessarily attached to a particular geographical space". The notion of not being welcomed by one's family, and thus one's home, is therefor not necessarily limited to a sense of unwelcomeness to solely one's neighbourhood, community or even country, this sense of unwelcomeness may arguably expand to include the cultural, political and societally communities as well. This is not to say that the Moroccan youths are not homesick. The notion of home is also a remembering and longing for a missed past (Hirsch 2015). One can identify with a place without considering belonging to it. According to Hernández et al. (2007) people establish place attachment to places where they feel comfortable and safe. Place identity, on the other hand, develops through a process where individuals "describe themselves in terms of belonging to a specific place" (ibid:310). One can thus identify with a home without experiencing a physical attachment to it. As discovered by Fein and Straughn (2014) in their research of citizenship choices among Russian-speaking residents in Estonia, citizenship can be viewed as a sentimental belonging symbolising an inherent attachment to one's home-country. If this emotional attachment is rejected, individuals may rather remain stateless than having to prove their entitlement to the home-country, which was the case for the participants of Fein and Straughn's research. In regard to the Moroccan youths, the fact of having been rejected by their families, which arguably is a significant aspect of one's emotional notion of home, may by extension be experienced as a rejection by also the homecountry.

The above rejection by the family, and thus the home-country, may for many of the Moroccan youth migrants be experienced as soft statelessness, i.e. a sense of dis-belonging and emotional rejection by the home. However, as demonstrated in chapter 3, some of the Moroccan youths made the decision to leave Morocco by themselves without their parents'

knowledge or approval. Their unwillingness to return to Morocco may not be directly linked to a rejection by the home-country, but rather a sense of not belonging to it, or even not belonging anywhere. A Moroccan boy interviewed for the Swedish TV programme *Uppdrag Granskning* expressed that "it doesn't matter where we come from, if we're from Africa or India. We belong to the world. Just like the Roma people; I am no one." ('Boy at McDonalds' interviewed in *Uppdrag Granskning*, 2015). Similarly, Bilal expressed that "I don't even know who I am. I'm like a dog, I have nothing" (Bilal interviewed in *Ekot Granskar* 2016). The notion of not feeling like a human was also experienced by Samir who voiced that "what worries me the most is that sometimes I don't feel like a human being anymore, that I don't have the worth of a human being and that that's the reason why I don't have a future" (Samir-2 interviewed in *P1-morgon* 2016). This notion of being no one, or non-human, is a testament to their notion of their own identity, which is affected by one's sense of dis-belonging.

According to Yuval-Davis (2006:202) identities are narratives about, among other things, "belonging to particular groupings and collectivities" which "often relate, directly or indirectly, to self and/or others' perceptions of what being a member in such a grouping or collectivity [...] might mean". In regard to specifically child migrants, Laoire et al. (2016:8) argue that their negotiations of identity and belonging involves notions of both belonging to a specific place as well as being "between/out of a place". These Moroccan youths, as a result of their prolonged vulnerability and exploitation, may be unwilling to return because of their sense of overall dis-belonging which has become a marker of their self-identify. Just as they express identifying as nothing, or non-human, their sense of belonging may be attached to nothing or "between/out of a place". As found by Fiddian-Qasmiyeh (2016) in her study of Palestinians' notion of statelessness, some of her interviewees were reluctant to label themselves as stateless since it indicated that they did not have a state which they belonged to. Thus, regarding the young Moroccan migrants, soft statelessness may be an appropriate marker as it indicates that they rather *lack* a state to which they feel that they belong to.

Whilst the Moroccan youth migrant may lack a strong sense of belonging to Morocco, that does not necessarily mean that they lack a sense of belonging altogether. A strong characteristic of the group that was made evident through my interviews was their mobility and flexibility. Many have left Morocco at a very young age and lived in several different European countries over numerous years before arriving in Sweden. According to the Charity Worker (interviewed 16.06.2017) some of the youths she works with have been outside Morocco for up to eight or nine years. The Outreach Social Worker (interviewed 12.06.2017) expressed that many find it difficult adjusting to daily routines and will abscond after around three weeks, which is often the time it takes to develop a sense of safety. The Police Officer (interviewed 14.06.2017) argued that it could be difficult staying away from the street as "it becomes an addiction in itself to have this free mobility". Another reason many absconded from their accommodation was due to having been separated from friends. Amin had throughout Europe travelled with his friends but when they arrived in Sweden and claimed asylum, they were separated and placed in different municipalities. Each time they became separated they absconded to find each other (Amin interviewed by Wagner 2017: 175-76).

This strong attachment to friends was pointed out by several of the expert interviewees. The Social Worker (interviewed 13.06.2017) expressed that;

When we have arranged meetings two or three will often show up. We try to have individual meetings but they will often say that they don't want to leave their 'cousin' or 'brother'. [...] I think that 'brother' can mean something else for them than it means for us.

These relations were also identified as something negative. The Charity Worker (interviewed 16.06.2017) expressed that "they begin their journey when they are young and there's always criminal networks that get a hold of them. Then they're part of something bigger". According to the Police Officer (interviewed 14.06.2017) "they often travel in small groups [wherein] the older take responsibility/exploit the younger [...]. What [the younger] get in exchange is unclear, sometimes a sense of belonging, maybe safety from others who wants to exploit you [or] a sense of community".

According to Yuval-Davis (2006:197) "[b]elonging is about emotional attachment, about feeling 'at home' and [...] about feeling 'safe'". As pointed out by the expert interviewees, the Moroccan young migrants may, through years of travelling in groups, have created a sense of belonging to not just the group of fellow travellers, but also to the life of migrating. As argued by the Charity Worker (16.06.2017) "they have created their own reality, their own laws [and] own rules". She continued expressing that "they are very aware of the fact that they're hated everywhere" (ibid). As argued by Sigona (2016:275) statelessness itself can through its exclusion become "a mode of differential and precarious inclusion". Within their physical and experienced exclusion from everywhere, they have created their own inclusion which has become their sense of belonging.

As the notion of belonging is not necessary linked to a geographical space, but rather to an emotional attachment, it can transcend state boundaries and societies. As argued by Laoire et al (2016:8), migrating youths' notion of belonging can be rooted in places but also in "global and transnational spaces". Rather than combining or negotiating different experienced cultures as often done by adult migrants, young migrants will create and develop their own notion "of 'home', belonging and stability in ways which fit with the realities of their lives" (ibid:9). The boy cited above who was interviewed at McDonalds even identified with the Roma people, a group that is to a large extent characterised by statelessness and exclusion (Sigona 2016). The Moroccan migrant youths may thus experience soft statelessness not only in terms of exclusion and rejection from the home-country, but also in terms of inclusion and attachment to the migratory "limbo" life which they have developed after years of migration, absconding and movement. In regard to Hanjian's (2003:2) notions of statelessness as a human right and a "right to decline membership in any and all states", the Moroccan youths unwillingness to return to Morocco can be viewed as a claim to their right to opt out of this state-citizen relationship which for them has so far brought nothing beneficial nor rewarding.

6. Conclusion

This study has aimed to explore the young Moroccan migrants' situation in Sweden and their inability and/or unwillingness to return to Morocco through a theoretical framework of hard and soft statelessness. I have argued that both hard and soft statelessness are applicable to members of this group. What is important to emphasise is that the Moroccan youths does not necessarily consider themselves stateless and may very well see themselves as proud Moroccans. However, the purpose of exploring their situation through this framework is not to suggest that they are to be considered as a stateless group, but rather that statelessness as a theoretical framework can increase understandings of them and their inability and/or unwillingness to return. While hard statelessness has primarily proven useful for understanding the Moroccan migrants actual inability to return, soft statelessness has rather contributed to understanding various aspects of their unwillingness to return. For many individuals within the group the two notions of statelessness may be experienced simultaneous as an evolving process, rather than a static condition. An inherent part of exploring any vulnerable group of migrants is to advance knowledge about how the group may be aided and protected. This paper finds it problematic that Sweden lacks a statelessness determination procedure, causing individuals within this group, but also other migrants, to not be granted the protection they are entitled to under international law by not recognising them as stateless. Furthermore, the newly established cooperation between Swedish and Moroccan authorities must be used to not only identify who can be returned, but to more importantly identify who is in need of protection.

Hard statelessness is a real and serious condition that affects groups and individuals worldwide. Some of these are, or have the possibility to become, recognised as *de jure* or *de facto* stateless. Others will not be awarded such statuses, but may be recognised as unable to return to the country of origin. In the global aim of reducing and defeating statelessness, it is important to not let such aims be prioritised over those individuals already suffering due to hard statelessness. In regard to soft statelessness, this is rather an important concept for furthering understanding of groups' and individuals' agency, choices and motivations concerning their migration, whether forced, voluntary or a combination the two. What is true for both hard and soft statelessness is that both are experienced through notions of exclusion and rejection. While hard statelessness is characterised by a physical, political and legal rejection, soft statelessness rather concerns one's own lived experiences of rejection and exclusion from the place or space to which on "should" belong.

This paper calls for further research on notions of hard and soft statelessness and how it can be applied to understand various migratory groups, particularly those living in limbo. This twofoldness of statelessness was developed based on the hypothesis that statelessness as a single concept would prove too broad, entail too much deviations and complexity, for it to be effectively useful. This study has only provided a conclusion as to its usefulness for the purpose of this research, true validation of the theoretical framework will require further research. However, the situation of the Moroccan youth migrants is by no means unique for them as both notions of inability and unwillingness to return are prevalent among migrants and refugees worldwide. While additional research will remain necessary for future

validation, I argue that hard and soft statelessness, as a theoretical framework, will enable future research to explore the situation, agency and motives of migratory groups in limbo in an inclusive and holistic manner, furthering understanding, and thus ability to aid, those embarking upon the quest of crossing both hard and soft borders.

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Appendices

Appendix 1: Unaccompanied minors returned to Morocco 2012-2017

2012					
2012		UTRESTA SJÄLVMANT	UTRESTA SJÄLVMA NT		
Destinationsland		Hemland	Delsumma		Totalt
MAROCKO	2012	1	1		1
Totalt		1	1		1
2013					
		JÄLVMANT	UTRESTA SJÄLVMA NT		
Destinationsl	Hemland	Tredjeland	Delsumma		Totalt
MAROCKO	1	1	2		2
Totalt	1	1	2		2
2014					
0					
2015					
0					
2016	UTRESTA SJÄLVMANT	UTRESTA SJÄLVMA			
Destinationsl		NT Delsumma		Totalt	
MAROCKO	1	1		1	
Totalt	1	1		1	
2017					

Source: Data provided by email from the Swedish Migration Agency, Finance Department Planning Unit, Norrköping, Sweden.

Glossary:

Hemland: Country of origin

Marocko: Morocco Tredjeland: Third Country

Utresa självmant: Voluntarily return

Appendix 2: Adults returned to Morocco 2012-2017

	A	В	C	D	E	F	G	H		J	K
1	2012										
2	1 1	UTRESTA S	JÄLVMANT	UTRESTA SJÄLVMANT		UTRESTA TVÅNO		ANG UTRESTA			
3	Destinationsland	Hemland	Tredjeland	Delsumma		Hemland		Tredjeland Delsum			Total
4	MAROCKO	14	2	16		9		5	14		30
5	Totalt	14	2	16		9		5	14		30
6											
7											
8	2013										
9		UTRESTA S	JÄLVMANT	UTRESTA SJÄLVMANT		UTRESTA	TVÅNG	UTRESTA TVÅNG			
10	Destinationsland	Hemland	Tredjeland	Delsumma		Hemland	Tredjeland		Delsumma		Total
11	MAROCKO	22	6	28		14	8		22		5
12	Totalt	22	6	28		14	8		22		5
13			_			- 14					
14											
15	2014										
1.0	1 1	UTRESTA S	JÄLVMANT	UTRESTA SJÄLVMANT		UTRESTA	TVÅNG	UTRES	STA TVÅNG		
16	Destinationsland	Hamband	Tendistand	Delsumma		Hamisad	Tendisland		Delsumma		Total
17		Hemland 37	Tredjeland 7	Deisumma 44		Hemland 23	Tredjeland		Deisumma 27		7
18	MAROCKO Totalt	37	7	44		23	4		27		7
19 20	Iotait	3/	,	194		23	•		21		•
21											
22	2015										
	2015	UTRESTA	UTRESTA					UTRESTA			
23		SJÄLVMANT	SJÄLVMA NT			UTRESTA	TVÅNG	TVÅNG			
24	Destinationsland	Hemiand	Delsumma	_		Hemland	Tredjeland	Delsumma	L		Total
25	MAROCKO	16	16	_		34	4	38	-		5
26	Totalt	16	16	_		34	4	38	-		5
27									1		_
28											
29	2016										
30]]	UTRESTA S	JÄLVMANT	UTRESTA SJÄLVMANT		UTRESTA	TVÅNG	UTRES	STA TVÅNG		
3U 31	Destinationsland	Hemland	Tredjeland	Delsumma		Hemland	Tredjeland		Delsumma		Total
		30	aredjeland 3	33		46	9		55		8
32 33	MAROCKO Totalt	30	3	33		46	9		55		8
33 34	Totalt	30	3	33		40	9		35		
34 35											
36	2017-08-15										
	201. 00 15	UTRESTA S	IŠLVMANT	UTRESTA		UTRESTA	TVÅNG	UTPE	STA TVÅNG		
37				SJÄLVMANT							
38	Destinationsland	Hemland		Delsumma		Hemland	Tredjeland				Total
39	MAROCKO	21	3	24		50	5		55		7
40	Totalt	21	3	24		50	5		55		71
41											

Source: Data provided by email from the Swedish Migration Agency, Finance Department Planning Unit, Norrköping, Sweden.

Glossary:

Hemland: Country of origin

Marocko: Morocco

Tredjeland: Third Country

Utresa självmant: Voluntarily return

Utresa tvång: Forced return