

Investing for the future: capacity building in Morocco

by Mathieu André and France Charlet

In 2006, at the request of UNHCR, the French NGO Forum Réfugiés led two missions to help strengthen local capacity in Morocco to provide legal advice and assistance for asylum seekers and refugees.

For 25 years, Forum Réfugiés has helped refugees with housing, health care, information about their rights and integration into French society. Although our lawyers have provided training courses for professionals and volunteers working with refugees, we had never before been asked to undertake capacity-building activities in another country. We therefore asked ourselves a number of questions before deciding to embark on this project.

Can Morocco become a country of asylum? The Moroccan asylum

system is currently not effective. Refugees have very little prospect of integrating into local society since they do not have residency permits. However, the Moroccan government has made some progress, improving refugee access to health care, schooling and vocational training. Despite the fact that asylum and migration are sensitive topics for the government, NGOs are able to pursue their activities fairly freely. Even in Oujda, on the tense border between Algeria and Morocco, NGO activists are able to provide some assistance to migrants despite

being constantly monitored. These advances are even more significant when compared with the situation of refugees in neighbouring countries.

Is Moroccan civil society committed to defending the right to asylum? Following events on the fences enclosing the Spanish enclaves of Ceuta and Melilla in October 2005 – during which some 700 Sub-Saharan migrants trying to enter Spanish territory were ill-treated and shot by Spanish and Moroccan gendarmes – many local NGOs recognised the urgent need to protect migrants and refugees. Over the past few years, community NGOs have played a crucial role in advising and helping asylum seekers and refugees. Considerable funds recently allocated by the

European Commission have played a significant part in sharpening some NGOs' interest in these issues.

Could a Moroccan NGO do the job better? There are various reasons why UNHCR contacted our organisation. Firstly, asylum is a new issue for Morocco and no local NGO has significant expertise in this field. Secondly, since 2003 UNHCR has funded Forum Réfugiés to train volunteers to give legal advice to asylum seekers in eastern France. And, finally, the Aliens Act (Loi 02-03) in Morocco is largely inspired by French legislation.

Would we help meet real needs? There were very few professionals among the NGO activists we met in Morocco. The topic was relatively new to them and they were keen to know more. Most of the organisations we met said they wanted to improve their knowledge of the legal framework for protection. Some NGOs wanted to set up legal assistance programmes; others wanted to improve their social workers' legal knowledge; and still others wanted to engage in awareness raising and advocacy.

For all these reasons, we came to the conclusion that we should respond positively to the invitation to build capacity to help protect refugees in Morocco. Given the short timeframe of our first mission, we decided that our main objective would be to increase Moroccan civil society's knowledge of the legal framework for protection. We also chose to limit our action geographically to Tangiers and Oujda, two border towns where access to asylum is particularly pressing; and to the capital, Rabat, where most of the migrants, asylum seekers and refugees live.

During the first mission, we organised seven training courses, which were attended by 160 participants, including 35 women, 40 lawyers and 35 refugees. The training courses were tailored according to the different audiences and each NGO's mandate but we focused on international and national refugee law, UNHCR's mandate and the different steps involved in determining refugee status at UNHCR's office in Rabat, and different ways to advise and assist asylum seekers and refugees. We drafted a guidebook for asylum

seekers, translated into French and English, which sets out who can claim refugee status and UNHCR Rabat's procedures for determining status.¹ This leaflet is handed out to migrants by organisations that are in daily contact with them.

After evaluating the results of our first mission, and taking into account the mandates of the NGOs attending our training courses, we honed our objectives for the second mission. We decided to focus on combating *refoulement* by encouraging a network of activist lawyers to be set up, and strengthening the capacity of an NGO working on the border between Algeria and Morocco. Having noticed that the guidebook for asylum seekers was a useful information and awareness-raising tool, we translated it into Arabic. We also organised an experts' meeting on asylum with academics and researchers to take stock of existing research and encourage them to cooperate. In parallel, we continued to hold training courses for lawyers and refugees.

After reflecting on the two missions we were able to establish a few key principles of action which will guide our future work in Morocco:

- To encourage participation, it is better to offer flexible on-the-spot training in Arabic rather than more formal training courses. Training sessions have been one-day long, confined to a maximum of 35 participants, and have involved a wide range of external speakers – from Moroccan university professors, lawyers, the International Committee of the Red Cross, Médecins sans Frontières, local humanitarian and human rights organisations, a Moroccan magistrate and UNHCR staff.
- To allay fears about Morocco's capacity to be a recipient country, we have portrayed the right to asylum as a fundamental right in the Universal Declaration on Human Rights and have insisted on migrants' fundamental rights. Given the fact that refugees and asylum seekers are not granted leave to remain in Morocco, which puts them at risk of removal, the lawyers and legal advisers were particularly grateful for information on the legal

framework for detention and forced removal, and on how to challenge decisions in these areas.

- It is vital to provide the most practical tools for each project. The training evaluations have revealed that the courses have been most useful when they provided practical tools for the participants: the guidebook for asylum seekers in Morocco, the actual texts of relevant laws, examples of individual casework, activity reports, etc.
- Impact has been greater where we have been able to set aside funds to give direct financial support to local projects. We were able to help ABCDS, an organisation helping migrants on the Algerian-Moroccan border for more than a year with only meagre resources, by funding an office, equipment and two staff salaries and to provide financial and administrative training.²
- A long-term commitment is essential: this is new work for Forum Réfugiés, and time is needed to meet the needs of local organisations working on a relatively new issue.

It is still too early to measure the impact of these last few months during which we have offered support to organisations with different mandates but with a shared objective to defend or help refugees. We have also found that, in France, the authorities take our expertise even more seriously when it is rooted in our experience in the field. We are confident that the practical tools we have provided to our Moroccan partners will help them fulfil their crucial role in developing a national asylum system.

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1. Available at: www.forumrefugies.org/pages/action/action_internationale/actions_internationales.htm

2. This structure was extremely useful at the end of 2006 following a large number of removals of asylum seekers and refugees recognised by UNHCR.