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Syrian Refugees in Morocco

Facts and recommendations

Thesis
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Abstract

Defined as the “worst disaster since the end of the cold war”¹, starting in the spring of 2011, the Syrian army was ordered to stop demonstrations that took place across the country. The violent response to peaceful demonstrations led to armed conflict between the government and the opposition. As a result of ongoing armed conflict, thousands of Syrians fled Syria to find safety in neighboring countries: Turkey, Lebanon and Jordan. By March 2013, UNHCR announced that the number of refugees fleeing Syria has reached one million². Since the beginning of the Syrian civil war in 2011, approximately 5,000,000 Syrians had fled their homeland and another 6,000,000 have been displaced, almost one-third of the Syrian population. The number of Syrian refugees in the world is now higher than the entire populations of Denmark, Finland, Norway, Palestine, Ireland Kuwait or Qatar. An estimated six thousand Syrians are believed to be in Morocco by the middle of 2017³. This is a study of the status of Syrian refugees in Morocco: The Moroccan governmental and political response to the crisis, facts and solutions of Syrian refugees in Morocco.

The main and most important issues that Syrian refugees are facing:

1. Protection: legal, physical and psychological,
2. Adequate healthcare
3. Shelter and basic housing
4. Access to education
5. Employment
6. Food security and access to water

¹« UN calls Syria ‘Worst Humanitarian Disaster since Cold War’ Christian Science Monitor, June 20, 2013. <http://www.csmonitor.com/USA/Foreign-Policy/2013/0620/World-Refugee-Day-UN-calls-Syria-worst-humanitarian-disaster-since-cold-war>

²Crisp, J., Garras, G., Spiegel, P., Voom, F., McAvoy, J. & Schenkenberg, E. (2013). From slow boil to breaking point: A real-time evaluation of UNHCR’s response to the Syrian refugee emergency, *UNHCR*.

³UNHCR Morocco. (May 2017). Morocco Factsheet

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Acronyms

AAU	Association Action Urgence
AMAPPE	Association Marocaine à l'Appuiet la Promotion de la Petite Enterprise
BRA	Bureau des Refugiés et Apatrides
CNDH	the National Council on Human Rights
CSR51	1951 Convention Relating to the Status of Refugees
FOO	Foundation Orient Occident
GoM	Government of Morocco
MoI	Ministry of Interior
MoU	Memorandum of Understanding
NGO	Non-Governmental Organization
OCHA	United Nation Office for the Coordination of Humanitarian Affairs
OMDH	Organisation Marocaine des Droits de L'Homme
SNIA	National Strategy for Immigration and Asylum
UN	United Nation
UNDP	United Nation Democracy Program
UNHCR	United Nation Office of the High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
USD	United States Dollar
WASH	Water, Sanitation and Hygiene

Introduction

Starting as another Arab Spring uprising against autocratic rulers, a call for change and social justice, anti-government protests were taking place in the southern Syrian city of Daraa' in the spring of 2011. Instability and unrest was spreading throughout the Arab world, after the fall of authoritarian regimes and leaders, asking for reforms, beginning with Tunisia, Libya, Egypt and spreading to Syria.

Bashar Hafez al-Assad is the 19th and current president of Syria, General ruling leader of the Arab Socialist Ba'ath Party and commander-in-chief of the Syria armed forces. His father Hafez al-Assad, who was the former president of Syria from 1971 to 2000, paved the way for Bashar's presidency after his elder son Bassel al-Assad died in a car accident in 1994 who he was grooming to be the next president⁴. Bashar had shown little prior interest in politics, graduating from Damascus University with a degree in medicine. In July, 2000 Bashar al-Assad was elected president in a public referendum. Running unopposed, he received 97 percent of the vote and he was then approved as president for another seven years⁵. The Assad family belongs to the Alawite sect. Alawite is a branch in Islam that follows the Twelver school of Shi'ite Islam; Alawites are adherents of a syncretistic belief with close affinity to Shi'ite Islam⁶. The Alawites make up 12-15 percent of the Syrian population and are mainly concentrated in the mountain areas of Latakia⁷. The majority of the Syrian population is Sunni Muslim. After Hafez al-Assad rise into power in 1970 capped the evolution of the Alawis from a discriminated against, socially and economically backward religious minority, to an emancipated group of significant power⁸. Since then politics in Syria have been dominated by sectarian divisions, with tensions arising

⁴<https://www.biography.com/people/bashar-al-assad-20878575>

⁵ <https://www.biography.com/people/bashar-al-assad-20878575>

⁶ <http://origins.osu.edu/article/alawites-and-fate-syria>

⁷ Idem

⁸Faksh, Mahmud A. "The Alawi Community of Syria: A New Dominant Political Force." *Middle Eastern Studies*, Vol. 20, No. 2 (Apr., 1984), pp. 133-153.

between the Sunni majority and other religious minorities until 2011 when the government's violent crackdown and response to peaceful demonstrations turned from the government and the opposition to divisions between secular and religious fighters, and between ethnic groups. In 2011, outraged by the government forces brutal reaction to peaceful demonstrations, protests reached the Syrian capital Damascus and second city of Aleppo. Violence started to escalate throughout the country as rebel brigades started to form and take up arms to fight against government forces and take control over their cities and later on to complicate into a full proxy war. In addition, interference from regional and world powers resulted in one of the most humanitarian crisis of our times, with an estimated more than 11 million people, more than half of the country's pre-war population, has been killed or forced to flee their homes⁹. The term "Syrian crisis" as used in this research has two meanings. The first one refers to the large number of refugees in Morocco or Jordan, as will be seen in chapter 3. The second meaning is the current internal conflict in Syria.

In March 2011, 15 teenage boys¹⁰ were arrested and brutally tortured in the southern city of Deraa'. They had painted revolutionary slogans and graffiti in support of the Arab Spring on a Syrian school wall. Uncertain of the destiny of these children in the notorious unofficial detention centers and prisons of Syria¹¹, peaceful demonstrations went out. Bashar al-Assad army was deployed to counter what was then peaceful political demonstration, after the brutal use of force and violence from the army to suppress the demonstrations, killing several and imprisoning hundreds, protests soon swept across the nation demanding President Assad's resignation. The violent response sparked the region's most violent armed conflict¹². The opposition supporters eventually began to take up weapons. There were almost 18 months between the outbreak of peaceful protests in spring 2011 and the point –in July 2012 –which Syria was declared by the Red Cross to be in a state of civil war¹³. In March 2013, UNHCR announced that the number of Syrian refugees fleeing the conflict has reached the one million

⁹ <https://www.mercycorps.org/articles/iraq-jordan-lebanon-syria-turkey/quick-facts-what-you-need-know-about-syria-crisis>

¹⁰ <http://www.aljazeera.com/news/2016/05/syria-civil-war-explained-160505084119966.html> ;/

¹¹ Idem.

¹² <https://www.amnesty.org/en/latest/campaigns/2016/01/arab-spring-five-years-on/>

¹³ <http://www.bbc.com/news/world-middle-east-39233357>

mark¹⁴. Syria's civil war has created "the worse humanitarian crisis of our time"¹⁵, forcing more than almost half of the Syrian population- from their homes and communities, creating one of the largest human displacements since world war two¹⁶.

With the Syrian conflict entering its seventh year, according to the latest UNHCR and UNICEF reports, in Syria 13,500,000 number of people affected, 6,000,000 number of children affected, outside of Syria 2,390,020 number of registered Syrian refugee children and 5,031,622 number of registered Syrian refugees¹⁷, according to OCHA, 13,000,000 people require humanitarian assistance, including 4,600,000 people in need trapped in besieged and hard to reach areas, where they are exposed to grave protection threats. Over half of the population has been forced from their homes¹⁸. According to the U.N. about 11,000,000 Syrians have been displaced from their homes, this includes about 5,000,000 refugees who have been forced to seek safety in neighboring countries¹⁹. According to the UNHCR latest updated report, 13,000,000 people in need in Syria, 6,000,000 internally displaced persons, 4,600,000 people in hard-to-reach and besieged areas²⁰. The humanitarian cost of the crisis has mainly been paid by Syria's neighboring countries Jordan, Lebanon and Turkey. According to the latest update by UNHCR, the number of Syrian refugees registered is 5,056,219 this figure includes 2,000,000 Syrians registered by UNHCR in Egypt, Iraq, Jordan and Lebanon, 2,970,000 Syrians registered by the government of Turkey, as well as more than 30,000 Syrian refugees in North Africa²¹. The number of Syrians present in these countries is higher than the official UNHCR figure of registered refugees, due to the fact that a number of refugees choose not to register for different reasons that vary from fear of the consequence of having their names in official records, access to registration points, lack of proper information or fear of consequence of returning back to Syria. The exponential influx of refugees in the region has led to one of the worst humanitarian crises the international community has faced, with the international community struggling to respond to the

¹⁴Crisp, J., Garras, G., Spiegel, P., Voom, F., McAvoy, J. & Schenkenberg, E. (2013). From slow boil to breaking point: A real-time evaluation of UNHCR's response to the Syrian refugee emergency, *UNHCR*.

¹⁵ <https://www.mercycorps.org/tags/syria-crisis>

¹⁶Ferris, E., & Kirisci, K. (2016). The consequences of chaos. Syria's humanitarian crisis and the failure to protect. Washington DC: Brookings Institution Press.

¹⁷ file:///C:/Users/Mraiyan/Downloads/UNICEF_Syria_Crisis_Situation_Report_April_2017_External.pdf

¹⁸ <http://www.unocha.org/syrian-arab-republic/syria-country-profile/about-crisis>

¹⁹ <https://www.mercycorps.org/articles/iraq-jordan-lebanon-syria-turkey/quick-facts-what-you-need-know-about-syria-crisis>

²⁰<http://www.unhcr.org/syria-emergency.html>

²¹ <http://data.unhcr.org/syrianrefugees/regional.php>

humanitarian needs of Syrian refugees with funds to support an ever-increasing population of displaced persons are neither sufficient now nor likely to be sustainable in the future²². The resources of governments hosting the refugees are being tested with pressure added to the limited resources and infrastructure to some of the hosting countries. In Jordan, Syrian refugees, now equivalent to about 9-10 percent of the population, mostly concentrated in urban centers in the north of the country, also in two major official camps, Zaatari, the largest refugee camp in the country and Azraq camp. In Lebanon life is a daily struggle for refugees, there are no formal refugees camps, more than a million registered Syrians are scattered throughout urban and rural communities and locations mainly focusing in the Bekaa valley and the northern areas of the country, the number of Syrian refugees is equivalent to 26 percent of the Lebanese population. Turkey is hosting over 2,900,000 registered Syrians, living in urban areas the refugee population is concentrated outside camps, in five main provinces in the south and southeastern of Turkey and approximately 260,000 accommodated in 21 different government-run refugee camps²³. In addition to other countries hosting high number of Syrians such as Iraq and Egypt.

The growing needs of refugees is challenging the international community, with the lack of funds to address all the needs of refugees and limited capacities in some of the hosting countries systems, the burden is increasing on these host governments and countries. The main issues that Syrian refugees face are protection (legal, physical and psychological protection), adequate health care (limited capacity), basic livelihood and shelter, education for children and employment.

It has been estimated that approximately 30,000 Syrian refugees are in North Africa²⁴, mostly settling in Tunisia, Morocco and Algeria. An estimated 6,000 Syrians are believed to be inside of Morocco by the middle of 2017²⁵. According to UNHCR Morocco in their latest update, 3,444 Syrian refugees are registered and in need of international protection. As mentioned before, some Syrians choose not to register due to a number of reasons. Since the outbreak of the Syrian crisis in 2011, Morocco's position was essentially based on respect for the sovereignty, unity and independence of Syria. Morocco's contribution to the Syrian crisis was mainly through providing

²²Ferris, E., & Kirisci, K. (2016). *The consequences of chaos. Syria's humanitarian crisis and the failure to protect*. Washington DC: Brookings Institution Press.

²³ <http://www.unhcr.org/syria-emergency.html>

²⁴<http://data.unhcr.org/syrianrefugees/regional.php>

²⁵UNHCR Morocco. (May 2017). Morocco Factsheet

assistance to Syrian civilians in refugee camps such as blankets, food and medicine. In addition to establishing a field hospital in Zaatari camp in Jordan, they also sent to humanitarian aid in form of tents to displaced Syrians in Camp Gazi Antap in Turkey. With the number of Syrians entering Morocco through its closed borders with Algeria or by other means, with the intention of settling in Morocco or getting through to Europe, Morocco was becoming a host country for many Syrian refugees, reports by UNHCR indicated that the number of Syrian refugees was increasing and the number of Syrians entering Morocco was increasing as well, meeting the needs of the refugees was a challenge for both the host community and international community in Morocco.

The researcher has noticed that the literature review lacks of publications in the field of Syrian Refugees in Morocco. Due to this fact, the researcher has listed the main sources for information used. Also listed, are the experts in the field and the publications that were used.

- 1) Berti, B. (2015). The Syrian Refugee Crisis: Regional and Human Security Implications. *Strategic Assessment* (Vol.17, pp. 41-53).

Benedetta Berti is originally from Italy and is currently a fellow at the Institute for National Security Studies (INSS). In addition to many other things she also works as a human security and foreign policy consultant for political risk consulting firms, NGOs, and international organizations. Her areas of expertise include human security, internal conflict, integration of armed groups, post-conflict stabilization and peace-building, as well as violence prevention and reduction and crisis management and prevention. This article that was written for The Institute for National Security Studies in 2015, analyzes the regional Syrian refugee crisis. This article provides a general assessment of the situation and outlines the main pending issues that need to be tackled.

This article is based on the Syrian refugee crisis within three hosting countries Jordan, Lebanon and Turkey. The article starts by defining the challenges facing the international community. The first challenge is protection: legal, physical and psychological protection to refugees within and outside refugee camps. Understanding the legal process for refugees in all three countries, which differ accordingly, for example in the case of both Jordan and Lebanon which have not ratified the 1951 Refugee Convention, UNHCR works with both these countries through separate

Memoranda of Understanding. Turkey has ratified the Refugee Convention but applies it according to its original scope.

The second challenge is finding adequate shelter. In Jordan, 18 percent of Syrian refugees live in camps, Zaatari and Azraq, while the majority live in host communities especially in the Northern area of Jordan (borders with Syria). In Turkey, Syrian refugees live in 22 different camps. In the case of Lebanon, no official camps were established. The third challenge is having access to health and education services. With limited capacity in the health and education systems, especially in the case of Jordan and Lebanon, the number of refugees is putting extreme pressure on the limited systems in Jordan and Lebanon. The final challenge mentioned in this report is employment. Refugees in host communities have contributed in both countries to the rise in unemployment rates along with decrease in wages. This leads to rising tensions between the refugee population and the local community. The report shows the lack of funds in the Regional Response Plan (RRP)²⁶ which will have a direct impact on access to health, education, water and sanitation and shelter for refugees. Finally the report concludes with suggesting that ensuring funding should be the main focus in any long term plan and a long term development and integration plan are just some of the many solutions in order to meet the basic needs of refugees.

Jordan, Lebanon and Turkey being the three main countries hosting the largest numbers of Syrian refugees in the region, it is very important to get an understanding the main challenges that are facing the international community within these three contexts. I can then compare the different and similar challenges in the context of Morocco within the three other countries. In order to understand does the number of refugees in a country affect the response to their needs.

- 2) Crisp, J., Garras, G., Spiegel, P., Voom, F., McAvoy, J. & Schenkenberg, E. (2013). From slow boil to breaking point: A real-time evaluation of UNHCR's response to the Syrian refugee emergency, *UNHCR*.

²⁶ “A Refugee Response Plan (RRP) is a UNHCR-led, inter-agency planning and coordination tool for large-scale or complex refugee situations. RRP present the inter-agency response strategy and the corresponding financial requirements of all partners to ensure the coherence and complementarity of the humanitarian response.” – UNHCR. Retrieved, April 14, 2017, from <http://www.unhcr.org/refugee-response-plans.html>.

This UNHCR evaluation report was issued in July, 2013 following an 11-day fact-finding mission on the Syrian refugee crisis in Iraq, Jordan, Lebanon and Syria in May and June of 2013. The six authors are recognized experts on refugee issues and they all participated in the mission. Jeff Crisp has held senior positions with UNHCR (Senior Director for Policy and Advocacy) and has first-hand experience of humanitarian operations throughout the world and has published and lectured widely on refugee and migration issues. Greg Garras is a Senior Protection Coordinator (Emergencies) at UNHCR,. Paul Spiegel, a high-ranking official at United Nations Refugee Agency, is a physician by training and is internationally recognized for his research on preventing and responding to complex humanitarian emergencies. Frances Voom formally worked for the UNHCR Policy development and Evaluation Service in Geneva and has experience in refugee operations in Bangladesh, Jordan and South Sudan. Jenny McAvoy is an expert in many fields including UN integration, the protection of civilians in armed conflict, including in relation to the roles of UN political and peacekeeping missions. Finally, Ed Schenkenberg has more than 22 years of experience in humanitarian policy and practice and has worked on humanitarian issues in collaboration with governments, UN agencies, the Red Cross/Crescent and NGOs.

This report starts by giving a brief background of the Syrian crisis, stating facts and the figures. The report then mentions regional problems facing the international community within all four countries. The lack of funds and finding a way to fill in the gap is just one of many difficulties. The report later goes into detail of the specific difficulties facing each country and the context of each country that is hosting a large number of refugees. Finally, a conclusion is made with recommendations for the international community in the future.

All report by the UNHCR are highly important since it is the main agency working for the Syrian crisis, understanding the difficulties facing each country, helps me get a better overview of the situation and status of Syrian refugees in the region.

- 3) UNHCR Morocco (December 2015). Regularization of Refugees by National Authorities. *The UN Refugee Agency*.
- 4) UNHCR Morocco (December 2016). Information Note on Syrian Applying for Asylum in Morocco. *The UN Refugee Agency*.

- 5) UNHCR Morocco (2016) Morocco UNHCR operational update (1 July – 1 October). *The UN Refugee Agency*. Retrieved April 30, 2017, from <http://www.refworld.org/country,,UNHCR,,MAR,,58402c4a4,0.html>
- 6) UNHCR Morocco (2015). Universal Periodic Review: 3rd Cycle, 27th Session.
- 7) UNHCR Morocco (2017, March). Morocco factsheet. *The UN Refugee Agency*.
- 8) UNHCR Morocco (2017, May). Morocco factsheet. *The UN Refugee Agency*.
- 9) UNHCR Morocco (2017, February). Regularization of refugees by national authorities. *The UN Refugee Agency*.
- 10) UNHCR Morocco (2017, March 31). Profil éducationnel et professionnel des réfugiés au Maroc. *The UN Refugee Agency*.
- 11) UNHCR Morocco (2017, March). Information note on UNHCR's implementing partners. *The UN Refugee Agency*.
- 12) UNHCR Morocco (2017, February). Support for the transition toward a national asylum system. *The UN Refugee Agency*.
- 13) UNHCR Morocco (2017, March 31). Statistical report on UNHCR population of concern. *The UN Refugee Agency*.

The United Nations High Commissioner for Refugees (UNHCR) is a United Nations program to protect and support refugees. It is mandated to resolve refugee problems worldwide and provide humanitarian assistance. Guarantying the rights of refugees worldwide, the UNHCR has had if not one of the biggest role in the Syrian refugee crisis. In the spring of 2011, the Syrian Army was assigned to stop demonstrations that took place across the country that led to armed conflict between government and armed forces. As a result, by March 2013, the UNHCR announced that the number of refugees fleeing Syria had reached the one million mark. Since the beginning of the Syrian Crisis, approximately five million have fled their homeland and six million are internally displaced. All reports done by the UNHCR are highly important for my study since they have the latest numbers and figures of Syrians benefiting from assistance around the world. The latest updates on the situation of Syrian refugees.

For this study I am working within the context of Morocco, so all reports that have been issued for Morocco regarding Syrian refugees are very important. Reports are issued on different bases,

some based on field work and field visits and some on interviews and follow-ups with refugees. Since every country has its policy and procedures for dealing with refugees, it is very important to understand the Moroccan government's policy in dealing with Syrian refugees. According to recent reports (March 2017) 3,560 Syrian refugees are registered with UNHCR Morocco and benefiting from their assistance. UNHCR updates reports stating new facts and figures, sometimes on a weekly and monthly basis. Most reports can be found on their website which I have mentioned above.

- 14) Ferris, E., & Kirisci, K. (2016). *The consequences of chaos. Syria's humanitarian crisis and the failure to protect*. Washington DC: Brookings Institution Press.

Elizabeth Ferris is a research professor with the Institute for the Study of International Migration at Georgetown University. From January to September 2016, she served as a senior advisor to the U.N, General Assembly's Summit for Refugees and Migrants in New York. She has twenty years' experience in humanitarian assistance. The other author, Kemal Kirisci is an expert in Turkish foreign policy and migration studies and he previously was a professor of international relations.

This April 2016 monograph offers policy recommendations to address the Syrian crisis. With millions of refugees displaced, governments, the international community and host countries are struggling to meet the needs of Syrian refugees. With the lack of funds and huge gap, this book has solutions to help the international community in dealing with the crisis since the Syrian civil war is not showing any signs of ending. Taking into consideration the solutions provided by these experts for the context of Morocco.

In this study, we will expose the situation of Syrian refugees in Morocco. Syrian refugees referred to in this research are all registered by the United Nation Office of the High Commissioner for Refugees. Therefore, the figures exposed do not represent the entire Syrian population in Morocco.

The purpose of this study is to increase the researcher understanding of the status of Syrian Refugees in Morocco and to shed the light on their situation in this country. Infact, in the main hosting countries (Turkey, Lebanon and Jordan), the Syrian refugee crisis constitutes the core of response of the International community's aid and of the media visibility. However, in countries where the number of Syrian refugees is not as significant as the neighboring countries to Syria, the crisis is not given the same attention, although Syrian refugees are facing the same needs and issues as in the main hosting countries. This is in fact the situation in Morocco, where the presence of a large number of sub-Saharan is shadowing on the relatively small number of Syrians.

Chapter one provides a background and scoop of the situation of the Syrian Refugee crisis in Morocco, an overview of the institutions in Morocco that are involved in responding to Syrian refugees and the work of the United Nation High Commission for Refugees in Morocco and NGOs. Chapter two identifies the main issues that Syrian refugees in Morocco are facing and the practical measures taken by the Government of Morocco, UNHCR and NGOs. Chapter three is a comparative study between Syrian refugees in Jordan and Syrian Refugees in Morocco, which points out the similarities and differences in the main issues and coping mechanisms to which they are subjects. This comparison will help to emphasize on the gaps between the ways both governments are dealing with the Syrian refugee crisis. The final chapter evaluates the work of the Government of Morocco, the Moroccan institutes, UNHCR and NGO's. Moreover, it underlines the strengths and weaknesses in the context of Morocco. Finally, it sheds the light on the lessons and challenges that can be taken from a country that is not hosting a significant number of Syrian refugees. Lastly, a general conclusion of the situation and existing policies will be exposed in addition to possible recommendations.

The research will analyze material culture that consists of newspaper articles, reports and publications presented by International aid organizations and the UNHCR. The researcher analyses newspaper articles related to the topic, resources from international institutions and relevant governmental publications. Documents and reports from the United Nation high Commission for Refugees were selected because this UN agency is the only organization registering Refugees in Morocco. The majority of figures used in this research were found using the UNHCR official website, which complies with all the data and figures of Refugees in each

country. Reports and publications from ministries in Morocco were also used and analyzed. As the research continued, the researcher also found articles from scholarly sources and publications, especially for the comparative chapter of Morocco and Jordan. These documents provided much insight and information of the crisis in Jordan, based on their specialty in the field of Syrian refugees in Jordan.

Access to documentation on this specific subject was difficult because of the lack of publications concerning Syrian Refugees in Morocco. Therefore, most of the information collected for this study was based on reports of UNHCR Morocco. It is relevant to mention that the majority of these reports were not available on the official website of UNHCR, but the researcher had access to these reports during an internship.

It is useful to mention that, according to the researcher's knowledge this study constitutes the first academic research on the situation of Syrian Refugees in Morocco.

Chapter one: Scope of the Syrian refugee problem in Morocco

A. Background for Syrians in Morocco

The profile of Syrian refugees in Morocco is notably different than of Syrian refugees in other countries especially neighboring countries to Syria which are hosting a significant number of Syrian refugees Turkey, Lebanon and Jordan. A high percentage of Syrians in Morocco were already present in the country legally before the crisis started in 2011(refugees “sur-place”)²⁷. Morocco has been an attractive destination for Syrian migrants who seek job opportunities, especially in the fields of well drilling and agriculture. Most Syrians that arrived before 2011 already had relatives or friends that have been working in the country and had secured jobs for them prior to their arrival in Morocco. In some cases, Syrians living in Morocco before 2011 were married to Moroccan women. This category of Syrians living in Morocco could speak the Moroccan Arabic dialect (Darija) and is integrated in the Moroccan society. They mostly were economic migrants and had no legal problems or in need to apply for asylum before the uprising in 2011.

B. Best estimate of numbers of Syrians in Morocco

After the uprising in 2011, Morocco has become a transit and host country for Syrian refugees. Syrian refugees are seeking sanctuary in Morocco, many with the intentions to move onwards and reach European shores by the Spanish enclaves Melilla and Ceuta, since Morocco is considered as a doorway to Europe. Morocco provides an important linkage between a number of regions: North Africa and the Mediterranean and Southern and Western Europe²⁸. According to UNHCRMorocco, there are approximately 3,500 registered Syrian refugees²⁹ although the actual number of Syrians present (exist) in Morocco is much higher. According to UNHCR Morocco, an estimated 6 thousand Syrians are believed to be inside of Morocco by the middle of

²⁷UNHCR Morocco. (September 2015). Information note on Syrians applying for asylum in Morocco

²⁸<http://www.unhcr.org/research/evalreports/4ba8ce896/refugee-protection-international-migration-review-unhcrs-role-activities.html>

²⁹UNHCR Morocco. (May 2017). Morocco Factsheet

2017. Syrian refugees make up 68 percent of registered refugees for UNHCR Morocco³⁰. Syrian refugees are located throughout Moroccan cities, Casablanca, Oujda, Kenitra, Temara, Meknas, Tanger, Agadir, Rabat, Fes, Khouribga and other cities³¹.

The majority of Syrians applying for asylum in Morocco since 2011 departed Syria legally using their national passports³², the majority also own genuine national passports some still valid while other passports are expired. Syrians are subject to a visa to enter Morocco. A few traveled directly from Damascus or Aleppo (two main exit points in Syria) to Morocco. Many Syrians entered Morocco through Algeria, Algeria did not require a visa for Syrian nationals until the beginning of 2015 at which point Syrians transited through Mauritania until visas were unofficially imposed for Syrians in early 2016, as a consequence, there has been a high percentage of onward movements, transiting through Algeria for a period of time weeks/months, before crossing the border to Morocco (illegally) mainly through Oujda bordering town with Algeria³³. Syrian refugees arriving Morocco took different routes, some journeys were long and dangerous, entering more than one country illegally, by foot or car, smuggled in. Some Syrian refugees were living in Egypt and when the situation was unstable in

As mentioned before the majority of Syrians were present legally in Morocco. After 2011, Syrians in Morocco started bringing their relatives and friends to Morocco, securing jobs for them, these Syrians had the intention to settle down in Morocco. However, a number of Syrians came to Morocco with intentions to reach Europe since Morocco is the doorway to Europe. An estimated 4,000 Syrians were able to reach the Spanish enclave Melilla and seek asylum in the Spanish Asylum post in 2015³⁴. Syrians that entered Spain either had to pay or to pretend to be Moroccans in order to cross the border post³⁵.

C. Demographic situation of Syrian refugees in Morocco

³⁰UNHCR Morocco. (February 2017). Support for the transition toward a national asylum system, note on the UNHCR Morocco strategy for 2017.

³¹ UNHCR Morocco. (31 March 2017). Profil éducationnel et professionnel des refugiés au Maroc

³²UNHCR Morocco. (December 2016). Information note on Syrians applying for asylum in Morocco

³³UNHCR Morocco. (December 2016). Information note on Syrians applying for asylum in Morocco

³⁴UNHCR Morocco. (September 2015). Information note on Syrians applying for asylum in Morocco

³⁵ Idem

The numbers that will be exposed in the following paragraph only represents the profile of Syrians registered with UNHCR in Morocco. The number of Syrians present in Morocco is much higher. Syrians prefer not to register due to a number of factors, fear of consequences for having their names on official records, not having access to registration points and fear of persecutions when returning back to country of origin (Syria). In addition, a percentage of Syrians are present legally in Morocco before the crisis and are not in need to be registered with UNHCR and benefit from their assistance. We will be discussing the demographic situation of Syrian refugees in particular.

Syrian refugees make up 68 per cent of registered refugees in UNHCR Morocco database³⁶.

Place of residence in Syria:

Homs (28 per cent), Hama (21 per cent), Aleppo (11 per cent), Edlib (11 per cent), Damascus (10 per cent), Latakia (2 per cent) and other cities (17 per cent)³⁷.

Place of residence in Morocco:

Casablanca (21 per cent), Oujda (17 per cent), Kenitra (9 per cent), Temara (7 per cent), Meknas (6 per cent), Tanger (6 per cent), Agadir (4 per cent), Rabat (4 per cent), Fes (3 per cent), Khouribga (3 per cent), and other cities (19 per cent)³⁸.

Age and Gender:

Minor population (51.2 per cent), adult population (48.8 per cent), female population (47.6 per cent) and male population (52.4 per cent)³⁹.

Ethnicity and religion:

Kurds (7 per cent), Arabs (92 per cent) and others (1 per cent)⁴⁰.

³⁶UNHCR Morocco. (February 2017). Support for the transition toward a national asylum system, note on the UNHCR Morocco strategy for 2017.

³⁷UNHCR Morocco.(December). Information note on Syrians applying for asylum in Morocco, Profile of Syrians registered with UNHCR Morocco.

³⁸UNHCR Morocco. (31 March 2017). Profil éducationnel et professionnel des refugiés au Maroc

³⁹UNHCR Morocco.(December). Information note on Syrians applying for asylum in Morocco, Profile of Syrians registered with UNHCR Morocco.

⁴⁰ Idem

Islam Sunni (99.9 per cent), Christians (0.0 per cent) and others (0.1 per cent)⁴¹.

Marital Status:

Single (56.5 per cent), married (41.5 per cent) and others (engaged or separated) (2.5 per cent)⁴².

Occupation in Syria:

Housekeepers including housewives (32 per cent), trade brokers (20 per cent), dental assistants (8 per cent), well drillers (5 per cent), students (3 percent), other associate professionals (3 percent), farm-hands and laborers (3 per cent), employment agents and labor contractors (3 percent), cooks (2 percent), builders (2 per cent), waiters, waitresses and bartenders (1 per cent), sewers, embroiderers and related (1 per cent) and others (17 per cent)⁴³.

Occupation in Morocco:

Housekeeper including housewives (51 per cent), well drillers (15 per cent), trade brokers (10 per cent), dental assistance (8 per cent), other associate professions (3 per cent), farm-hands and labors (3 per cent), employment agents and labor contractors (3 per cent), cooks (2 per cent), builders (2 per cent), waiters, waitresses and bartenders (1 per cent), sewers , embroiderers (1 per cent) and others (17 per cent)⁴⁴.

Education:

No education (44 per cent), primary (40 per cent), high school (13 per cent), technical/vocational (0 per cent), university level (2 per cent) and unknown (0 per cent)⁴⁵.

Specific needs include child-at-risk, older-at-risk, women-at-risk, single parent, disability, medical conditions and protection needs.

⁴¹ Idem

⁴²UNHCR Morocco.(December). Information note on Syrians applying for asylum in Morocco, Profile of Syrians registered with UNHCR Morocco.

⁴³UNHCR Morocco.(31 March 2017). Profil éducationnel et professionnel des réfugiés au Maroc

⁴⁴UNHCR Morocco. (31 March 2017). Profil éducationnel et professionnel des réfugiés au Maroc

⁴⁵ Idem

D. Institutions with legal/political/economic involvement/responsibility

D.1. Morocco

Morocco ratified the 1951 Convention relating to the Status of Refugees in 1956 and its 1967 Protocol in 1968. Morocco adopted Constitution (July 2011) recognizes the primacy of international conventions ratified by Morocco over domestic law and establishes that non-nationals shall enjoy the same fundamental freedoms as nationals⁴⁶. Morocco is one of the 145 state parties of the 1951 Convention relating to the Status of Refugees in 1956 and its 1967 Protocol in 1968 (hereinafter jointly referred to as the “1951 Convention”). Morocco has not ratified the 1954 Convention relating to the Status of Stateless Persons (the 1954 Convention), nor the 1961 Convention on the Reduction of Statelessness (the 1961 Convention)⁴⁷. Morocco adopted Constitution (July 2011) recognizes the primacy of international conventions ratified by Morocco over domestic law and establishes that non-nationals shall enjoy the same fundamental freedoms as nationals⁴⁸. In the case of Syrian refugees in Morocco, the government has not yet decided on their definitive status whether it's temporary protection or refugee status or other. Syrians who apply for asylum are interviewed by the ad hoc commission and receive a receipt from the Moroccan authorities that confirms their registration and protects them against refoulement. The ad hoc commission is an administrative body established by the Moroccan government upon instruction from King Mohamed VI in September 2013 to regularize the legal status of the refugees recognized under the UNHCR mandate; they issue refugee cards of Bureau des Refugiés et Apatrides [BRA] which give access to the resident permit. The commission is chaired by the Ministry of Foreign Affairs (Bureau for Refugees and Stateless Persons) and includes representatives from ministries of Interior (MoI), the Ministry of Migration Affairs, the

⁴⁶ Morocco: Constitution, 29 July 2011, preamble and Article 30, available at <http://www.refworld.org/docid/3ae6b5454.html>.

⁴⁷ UNHCR Morocco, submission by the united nation high commissioner for refugees for the office of the high commissioner for human rights' compilation report, universal periodic review “ 3rd cycle m 27th session

⁴⁸ Maroc: Constitution, 29 July 2011, preamble and Article 30, available at:<http://www.refworld.org/docid/3ae6b545.html>.

Ministry of Justice, the Ministry of Labor, the Inter-ministerial Delegation⁴⁹ for Human Rights and UNHCR⁵⁰. The commission started its first hearings on September 25, 2013⁵¹. Lists of newly registered Syrians are then shared with the government from UNHCR on a monthly basis and then interviews by the commission are on-going. Regarding asylum, Morocco adopted a Royal Decree⁵² (the Decree) on 29 August 1957 agreeing on the modalities for the implementation of the 1951 Convention. The decree established an Office for Refugees and Stateless Persons (Bureau des Refugiés et Apatrides, hereinafter referred to as "BRA") and an Asylum Appeal Instance within the Ministry of Foreign Affairs. Furthermore, the Decree stipulated that the BRA is responsible for recognizing the refugee status of persons under UNHCR's mandate or by virtue of the criteria under the 1951 Convention, and issuing residence permits (in the case of Syrians especially) and other documentation to applicants. However, the adoption of the Decree⁵³ did not result in the establishment of a national asylum procedure nor a systematic issuance of residence permits⁵⁴. In 2003, Morocco adopted Law No.02-03 relative à l'émigration et l'Immigration irrégulière⁵⁵ (Immigration Law). The Immigration law sets out the conditions for granting asylum-seekers or refugees a residence card (Article 17)⁵⁶, the criteria for not being deported (Article 29)⁵⁷ and the procedures on the

⁴⁹"The Moroccan authorities have recently set up an inter-ministerial committee to consider modernization of the national legislative framework. The work of this committee is not made public. No date has yet been fixed for the adoption of this reform."

⁵⁰ UNHCR Morocco, (February 2017). Regularization of refugees by national authorities

⁵¹ Idem

⁵² National Législative Bodies /National Autorités, Maroc: Décret No.2-57-1256 du 2 safar 1377 (29 aout 1957) fixant les modalités d'application de la convention relative au statut des réfugiés signée à Genève le 28 juillet 1951, 6 September 1957, available at: <http://www.refworld.org/docid/3ae6b4fo4.html>.

⁵³"This decree sets out the procedure for requesting asylum and fixes the criteria by which refugee status is recognized. It also sets up an office for refugees and stateless persons - the BRA (Bureau des Réfugiés et Apatrides) which has the authority to deal with these issues. • Decree n° 1-03-196 of 11 November 2003 adopting law n° 02-03 relating to the entry and stay of foreigners in the Kingdom of Morocco, and relating to illegal emigration and immigration (hereinafter "law 02-03"). This decree has some impact on the rights of refugees, particularly with regard to the right of stay (Article 17), the request for asylum following a refusal of permission to enter the country (Article 38) and protection against expulsion (Article 29). Article 29 explicitly affirms that "No foreigner who is pregnant or a minor may be expelled. Equally, no foreigner can be expelled to a country if he establishes that his life or liberty are threatened or if he will be exposed to inhuman, cruel, or degrading treatment." Euro-Mediterranean Human Rights Network. Retrieved June 15, 2017 from <http://www.refworld.org/pdfid/514d77c22.pdf>

⁵⁴UNHCR Morocco, submission by the united nation high commissioner for refugees for the office of the high commissioner for human rights' compilation report, universal periodic review " 3rd cycle m 27th session

⁵⁵ National Legislative Bodies/ National Authorities, Maroc: Loi n 02-03 relative a l'entrée et du séjour des étrangers au Royaume du Maroc, a l'immigration et l'immigration irrégulières, 11 November 2003, available at: <http://www.refworld.org/docid/3ae6b4ed5c.html>.

⁵⁶"This decree has some impact on the rights of refugees, particularly with regard to the right of stay (Article 17), the request for asylum following a refusal of permission to enter the country (Article 38) and protection against expulsion (Article 29). Article 29 explicitly affirms that "No foreigner who is pregnant or a minor may be expelled.

treatment of asylum-seekers in waiting areas (Article 38)⁵⁸. Furthermore, in 2014 the Government has initiated the drafting of an asylum law⁵⁹, This law recognizes the principle of non-refoulement and all the rights under the 1951 Convention. Since 2014, this law is still pending and the Conseil du gouvernement and Parliament have pending adoption which means that until the Draft Law of Asylum is adopted there is no other national legislation applicable to immigrants than the Immigration Law.

The BRA (Bureau des Refugiés et Apatrides) has been inactive since 2003 but on 25 September 2013, the Moroccan Government re-activated it and established an inter-ministerial ad hoc Commission for the Regularization of Refugees Registered with UNHCR. As a result 814 Syrians benefited from the Regularization in May 2016⁶⁰. To the date of February 2017, 1,089 Syrians have been interview by the Commission⁶¹. As mentioned before the Moroccan Government wishes to process Syrians differently than non-Syrians refugees in Morocco such as Sub-Saharan and Yemeni. The Government of Morocco established a separate track for the exceptional regularization of irregular migrants; it was managed by the Ministry of Interior and implemented by 84 different offices for Foreigners throughout Morocco. As a result 5,250 Syrians contacted the office and the majority of applicants were accepted under this exceptional procedure that ended on 31 December 2014⁶². The Government of Morocco on December 2016, launched a second track for exceptional regularization of irregular migrants, to the date of February 2017 (last issued update), 17,500 migrants applied for residency permit with the majority of applicants being Syrians and are waiting for the acceptance. Interviews for Syrians registered by UNHCR are referred to the commission which started 25 June 2014 and is on-

Equally, no foreigner can be expelled to a country if he establishes that his life or liberty are threatened or if he will be exposed to inhuman, cruel, or degrading treatment.” Euro-Mediterranean Human Rights Network. Retrieved June 15, 2017 from <http://www.refworld.org/pdfid/514d77c22.pdf>

⁵⁷Idem.

⁵⁸“This decree has some impact on the rights of refugees, particularly with regard to the right of stay (Article 17), the request for asylum following a refusal of permission to enter the country (Article 38) and protection against expulsion (Article 29). Article 29 explicitly affirms that “No foreigner who is pregnant or a minor may be expelled. Equally, no foreigner can be expelled to a country if he establishes that his life or liberty, are threatened or if he will be exposed to inhuman, cruel, or degrading treatment.” – Euro-Mediterranean Human Rights Network. Retrieved June 15, 2017 from <http://www.refworld.org/pdfid/514d77c22.pdf>

⁵⁹ Draft Law 26.14 related to Asylum.

⁶⁰ UNHCR Morocco, submission by the united nation high commissioner for refugees for the office of the high commissioner for human rights’ compilation report, universal periodic review “ 3rd cycle m 27th session

⁶¹ UNHCR Morocco, (February 2017). Regularization of refugees by national authorities, Morocco update.

⁶²UNHCR Morocco, (February 2017). Regularization of refugees by national authorities, Morocco update.

going process⁶³. In addition to these measures, the Government of Morocco in 2014, started to implement a national strategy for Immigration and Asylum (SNIA)⁶⁴ that aims at developing a policy framework for ensuring successful management of asylum, legal migration and local integration, in order to try to prevent illegal migration, smuggling and trafficking persons⁶⁵. These are the legislation measures taken by the Government of Morocco.

The Government of Morocco has taken additional measures to ensure the local integration of regularized migrants and refugees (in the case of this study Syrians) such as access to the labor market, access to public health services and access to public schools. We shall go into further detail.

D.2. UNHCR

The office of the United Nations High Commissioner for Refugees (UNHCR) was created in 1950, during the aftermath of the Second World War, to help millions of Europeans who had fled or lost their homes⁶⁶. The UNHCR is a United Nations program mandated to protect and support refugees worldwide and strives to ensure that everyone has the right to seek asylum and find safe refugee in another state, with the option to eventually return home, integrate and resettle⁶⁷. UNHCR is witnessing the highest levels of displacement on record; an estimated 65,600,000 people around the world have been forced from their home⁶⁸. Among them are nearly 22,500,000 refugees, over half of whom are under the age of 18⁶⁹. 55 percent of refugees worldwide come

⁶³ Idem

⁶⁴ “The new Moroccan migration policy is based on humanitarian considerations and promotes integration and access to the healthcare system, education, housing, employment, and other services. It considers migration as an opportunity rather than a social, economic or political threat. It focuses on burden sharing between countries of origin, destination and transit, as well as the responsibilities and duties of migrants themselves. It has bilateral, regional and international governance dimensions. This Royal initiative was welcomed by the United Nations, international organizations, diplomatic missions in Morocco, and civil society organizations which support migrants and asylum seekers.” – Global Forum on Migration and development. Retrieved May 24, 2017, <https://www.gfmd.org/pfp/ppd/2080>

⁶⁵ UNHCR Morocco, submission by the united nation high commissioner for refugees for the office of the high commissioner for human rights’ compilation report, universal periodic review “ 3rd cycle m 27th session

⁶⁶<http://www.unhcr.org/history-of-unhcr.html>

⁶⁷ Idem

⁶⁸<http://www.unhcr.org/figures-at-a-glance.html>

⁶⁹ Idem

from three countries, Syria 5,500,000, Afghanistan 2,500,000 and South Sudan 1,400,000⁷⁰. UNHCR employs 10,900 staff as of May 31, 2017⁷¹ and work in 130 countries⁷² in a mixture of regional and branch offices and sub and field offices. UNHCR are funded almost entirely by voluntary contributions with 87 per cent from government and the European Union⁷³. UNHCR fields of intervention include advocacy, cash based interventions, education, environment disasters and climate change, livelihoods, public health, shelter, asylum and migration, ending statelessness, innovations, protection, safe guarding individuals and finding solutions. UNHCR headquarters are in Geneva, Switzerland. The UNHCR has won two Nobel Peace Prizes for its work. The first Nobel Peace Prize in 1954 and the second Nobel Peace Prize in 1981⁷⁴.

UNHCR Morocco is located in Rabat (10, Avenue Mehdi Ben Barka-Souissi-Rabat-Morocco, BP: 10170, Rabat, Morocco), it is its only representation office of the UNHCR in Morocco. UNHCR began working in Morocco in 1959 and opened an honorary delegation there in 1965. In 2004, the office was transferred from Casablanca to Rabat.⁷⁵ UNHCR Morocco has 26 national staff members and 8 international staff members working in the UNHCR office in Rabat. UNHCR population of concern is 7,083 persons of concerns including 5,097 refugees/persons in need of international protection and 1,986 asylum seekers⁷⁶. The persons of concern by country of origin are mainly from Syria, Yemen, Ivory Coast, DR Congo, Central Africa Republic, Iraq, Palestine, Cameroon, Guinea and Mali⁷⁷. UNHCR requested 6,000,000 USD in funding requirements for operations in Morocco in 2017, only 18 percent fund was provided while there remain a 82 percent gap in its funding's⁷⁸. This is one of the limitations that UNHCR Morocco is facing, resource limitations is an obstacle that limits UNHCR from carrying out all their activities and impact. UNHCR Morocco main activities include protection, outreach and community-based activities, education, health, livelihood and self-reliance, accommodation and capacity building and sensitisation.

⁷⁰ Idem

⁷¹ Idem

⁷² Idem

⁷³ Idem

⁷⁴"Nobel Laureates Facts – Organizations". Nobel Foundation. Retrieved, 2009-10-13.

⁷⁵Euro-Mediterranean Human Rights Network, (2012). Asylum and migration in the Maghreb, country fact sheet: Morocco.

⁷⁶UNHCR Morocco. (May 2017). Morocco factsheet

⁷⁷ Idem

⁷⁸ Idem

Relating to the UNHCR work in Morocco, their mission statement, the role of the Office is to “lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems.” As this statement indicates, UNHCR does not have the capacity to provide refugees with protection and solutions, primary responsibility for which rests with states, including countries of origin and transit, countries of destination, transit or asylum countries (Morocco in this case), as well as donor and resettlement states⁷⁹. Without the active engagement and support of all these states, UNHCR’s efforts to address the issue of refugee protection and mix migration in Morocco will inevitably be limited in their outcome and impact⁸⁰. UNHCR Morocco works with the Ministry of Foreign Affairs and Cooperation (MFAC) which is UNHCR main official counterpart. UNHCR also collaborates with the Ministries of Interior, the Ministry of Justice, the Ministry of Education, the Ministry of Health, the Ministry of Labor and the Ministry of Migration. In addition to the National Council on Human Rights that is in charge of promoting and protecting refugees and asylum seekers’ rights, the Inter-Ministerial Delegation for Human Rights that is in charge of the development of a new legal and institutional framework, the Higher Institute of the Judiciary, the police and the royal gendarmerie⁸¹.

Although UNHCR recognizes all Syrians as refugees and they have access to their assistance programs and benefit from them, the Government of Morocco has not yet decided on their definitive status which is very problematic for them. This means that these Syrians refugees do not hold any resident permit which can cause legal problems, such as not having access to the legal job market or renting accommodations with informal renting contracts which may expose them to exploitation and many other issues. For the situation of Syrians, not having a resident permit means not having access to legal job market which resembles the situation of Syrian refugees in most of the hosting countries, means in finding illegal ways and means to make a living and trying to support themselves and their families, putting themselves in critical situations. In attempts from the government of Morocco to resolve this problem, they informed

⁷⁹ <http://www.unhcr.org/research/evalreports/4ba8ce896/refugee-protection-international-migration-review-unhcrs-role-activities.html>

⁸⁰ idem

⁸¹ Idem

that based on interview receipts, Syrian refugees will be able to access the legal labor market without the residency permit. The legal status of Syrians in Morocco remains the biggest dilemma. The Moroccan government in collaboration with UNHCR initiated a regularization process for Syrian refugees who have not received residency cards. Pending the issue, UNHCR continue to register new-asylum-seekers and to intervene in case of protection issues. All Syrians registered with UNHCR are considered to be in need of international protection are referred to the Commissions for interviews⁸².

D.3. NGOs

UNHCR Morocco continues to work with its implementing partners in order to provide and deliver the basic needs of registered Syrian refugees (in this case), all services are provided for all refugees but for the purpose of this study the researcher will be referring to Syrian refugees, UNHCR implementing partners in Morocco include:

1. Foundation Orient Occident (FOO): Operating socio-educational and vocation training centers across Morocco. FOO has been a partner with UNHCR since 2007; FOO activities include facilitating school registration of refugee children in public schools. FOO also provides language and catch-up classes. In addition to having a kindergarten in its Rabat center. FOO also provides psycho-social counseling for refugees and assets home visits to see living conditions and vulnerabilities. FOO provides safe houses in Rabat for vulnerable persons (women at risk, children at risk, LGBTI). Finally, FOO provides vocational training to refugees in the fields of goldsmith, computer science, tailoring and many other options that refugees can choose from.

2. Association Marocaine à l'Appui et la Promotion de la Petite Entreprise (AMAPPE): AMAPPE has been a UNHCR partner since 2007, it mainly focuses on UNHCR local integration program for refugees, AMAPPE operates around three axis:1) professional and vocation training through relevant institutions under the Ministry of Labor,2) support income-generating activities for refugees such as assisting a project for

⁸² UNHCR Morocco, (February 2017). Regularization of refugees by national authorities

12 months to maximize the chances of success, 3) job placement facilitating job opportunities in the formal market for refugees⁸³.

3. Association Action Urgence (AAU): AAU is a charitable association that brings together 200 medical doctors with different specialties and pharmacists⁸⁴. AAU facilitates access to public health centers for refugees as well as provides them with free specialized medical consultations. They also reimburse the cost of medicine and lab tests. AAU also conducts awareness sessions on topics such as family planning and hygiene.

4. Organisation Marocaine des Droits de l'Homme (OMDH): OMDH has been a UNHCR partner since 2007; it is part of a Euro-Mediterranean network for human rights since 1997. As mentioned previously they mainly work in Oujda and Nador border areas to identify the persons in need of international protection, inform them of the asylum procedures and then refer them to UNHCR office in Rabat for registration. In the case of Syrians, Oujda bordering town with Algeria where they cross the borders illegally since the borders between the two countries have been closed since, usually by paying smugglers since border reinforcements between Algeria and Morocco in 2016 restricted and limited the number of refugees crossing.

5. The National Council on Human Rights (CNDH)⁸⁵: CNDH is a national institution that works independently from the government of Morocco. UNHCR signed its first agreement with CNDH in 2014 and continues to support CNDH strengthen its capacity to monitor the respect of refugees' rights in Morocco through staff deployment and to enhance the national understanding and knowledge on asylum-related issues through trainings⁸⁶. CNDH played an important role in August 2011 by calling for the update of public policy related to asylum.⁸⁷

⁸³ UNHCR Morocco, (March 2017). Information note on UNHCR's implementing partners.

⁸⁴ Idem

⁸⁵ "The National Human Rights Council (CNDH), has been involved with numerous initiatives on migration, refugees, and the legislative framework: a discussion forum on the protection of refugees in Morocco (11 February 2008); a regional seminar on "the protection of refugees between international law and national mechanisms" (04 February 2009); "The protection of refugees between international law and national mechanisms" - theme of a regional seminar in Oujda (10 March 2009); the president of the CCHR also received the United Nations High Commissioner for Refugees (29 December 2009)." – Euro-Mediterranean Human Rights Network. Retrieved June 15, 2017, from <http://www.refworld.org/pdfid/514d77c22.pdf>

⁸⁶ UNHCR Morocco, (March 2017). Information note on UNHCR'S implementing partners.

⁸⁷Euro-Mediterranean Human Rights Network, (2012). Asylum and migration in the Maghreb, country fact sheet: Morocco.

6. Barrister Lemseguem is a private legal practitioner who decided to assist refugees and asylum seekers that are referred to him by UNHCR in fields of civil and criminal law, examples are birth registration, defending refugee that have been victims of violence in Morocco by initiating judicial proceedings.

As the national strategy for immigration and asylum is gradually being implemented by the Moroccan authorities, Syrian refugees are in need of humanitarian aid to meet their basic needs. To this end, Syrian refugees registered with UNHCR have access to all the UNHCR assistance and services provided through UNHCR directly or by its implementing partners. UNHCR will continue to fund emergency housing, access to health, education services and financial assistance for the most vulnerable⁸⁸including Syrian refugees regardless of their status, as long as registered with UNHCR. Essential protection services will be provided through home visits, psycho-social support and legal assistance and representation. When needed UNHCR will intervene directly as well as through its implementing partners, further more they shall pursue its collaboration with NGOs for awareness- raising and identifying the persons in need of international protection especially at the border towns such as in the case of Syrians, the oriental border region of Oujda and refer them to UNHCR Rabat for registration to avoid alternative and dangerous illegal onward movement.

⁸⁸UNHCR Morocco, (February 2017). Support for the transition toward a national asylum system. Note on the UNHCR Morocco strategy for 2017.

Chapter 2: Responding to Syrian Refugees in Morocco

Although the number of Syrian refugees present in Morocco is not as significant in comparison to the number of Syrian refugees in other hosting countries. The growing numbers and needs of Syrians in Morocco are placing serious pressure on both the host communities and the international community. The international community and hosting governments are struggling to meet the basic needs of refugees. Syrian refugees are struggling to make ends meet. With no solution in sight for the conflict in Syria and not able to return back to Syria no matter how living conditions worsen, they are faced with many issues and struggle to meet their basic needs.

A. Registration/Legalization

Registration:

The Moroccan government does not allow UNHCR to register mobility and since UNHCR Rabat is the only office for UNHCR in Morocco, it is one of the issues that Syrian refugees are facing in Morocco. As mentioned before Syrian refugees are scattered across Morocco. UNHCR does not have the means to provide transportation throughout Moroccan cities to their office in Rabat. Syrians in most cases cannot afford to travel to Rabat and register. This as mentioned before is one of the reasons that the number of Syrians in Morocco is much higher than the figures provided by UNHCR. In order to tackle this issue, UNHCR has established a referral mechanism with one of its implementing partners OMDH (Organization Marocaine des Droits de l'Homme), OMDH work in Oujda and Nador which are bordering areas, they identify the people in need of international protection, in this case Syrian refugees and then inform them of asylum procedures and refer them to UNHCR office in Rabat, from there they get appointments. UNHCR as mentioned does not have the means to provide transportation to all refugees but they provide for the very vulnerable cases that are in need to be registered as soon as possible.

Legalization: Adoption of the Draft Law on Asylum and protection against refoulement⁸⁹

⁸⁹ UNHCR Morocco, submission by the united nation high commissioner for refugees for the office of the high commissioner for human rights' compilation report, universal periodic review “ 3rd cycle m 27th session

The Government of Morocco has not yet decided on definitive status for Syrians. This remains the main problem Syrian refugees are facing in Morocco. Before the exceptional regularization process in 2014 in which Syrian refugees that were interviewed by the ad hoc committee were granted residence permit, the majority were renting accommodations without formal lease agreements. In addition, many Syrians stated that they were informally married to Moroccan women because registering their marriage was not possible while they had no legal residence in Morocco. The Draft law on Asylum is still pending. Without proper documentation, Syrian refugees cannot fulfill their rights and freedom in Morocco. Despite being issued with UNHCR asylum-seeker certificates, UNHCR considers Syrians as refugees on a *prima facie* basis⁹⁰ and have access to all UNHCR assistance. On 9 September 2013, the National Human Rights Council, an independent institution to promote human rights nationwide, issued its recommendations for a comprehensive migration policy in compliance with the country's commitments under international human rights and refugee law. Based on these reports and after these recommendations were made, King Mohammed VI endorsed them and called on the Government to immediately undertake necessary changes and reforms to develop a new migration and asylum policy. Three draft bills regarding immigration, asylum and trafficking

"A refugee's right to be protected against forcible return, or refoulement, is set out in the 1951 Convention relating to the Status of Refugees: "No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." Article 33 (1). Refoulement is also prohibited explicitly or through interpretation by the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Article 3), the Fourth Geneva Convention of 1949 (Art. 45, para. 4), the International Covenant on Civil and Political Rights (Article 7), the Declaration on the Protection of All Persons from Enforced Disappearance (Article 8), and the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (Principle 5). In addition, refoulement is prohibited explicitly or through interpretation in a number of regional human rights instruments, including the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 3), the American Convention on Human Rights (Article 22), the OAU Refugee Convention (Article II), and the Cairo Declaration on the Protection of Refugees and Displaced Persons in the Arab World (Article 2). It is widely accepted that the prohibition of refoulement is part of customary international law. This means that even States that are not party to the Refugee Convention must respect the principle of non-refoulement. States have an obligation under the Refugee Convention and under customary international law to respect the principle of non-refoulement. When this principle is violated or threatens to be, UNHCR respond by intervening with relevant authorities, and if it deems necessary, will inform the public. In some circumstances, persons facing refoulement may have recourse to relevant human rights mechanisms, such as the Committee against Torture" – UNHCR, retrieved June 15, 2017, from http://www.ipu.org/pdf/publications/refugee_en.pdf

⁹⁰"A *prima facie* approach means the recognition by a State or UNHCR of refugee status on the basis of readily apparent, objective circumstances in the country of origin or, in the case of stateless asylum seekers, their country of former habitual residence. A *prima facie* approach acknowledges that those fleeing these circumstances are at risk of harm that brings them within the applicable refugee definition." – UNHCR. Retrieved June 15, 2017, from <http://reliefweb.int/report/world/guidelines-international-protection-no-11-prima-facie-recognition-refugee-status>

have been elaborated to replace the only immigration law in Morocco⁹¹. Although since then, Morocco has shown positive developments and implementation regarding the national immigration and asylum policy⁹², they have not been adopted yet. Furthermore, with the pending of adopting the new national asylum system, there is not any possibility to seek asylum at border points, whether its land, sea or even an airport. The government of Morocco needs to accelerate efforts to enact the Draft Law on Asylum to guarantee and ensure full rights for persons in need of international protection, in the case of this study Syrians.

On 30 March 2016, Morocco, during the high-level meeting on global responsibility sharing through pathways for admission of Syrian refugees, has committed to regularizing Syrian refugees who have not yet received residency cards⁹³, which means that all Syrians registered by the ad hoc Commission would receive sojourn permits. The Government of Morocco is still pending the issue. The Government of Morocco has launched two exceptional regularization tracks of irregular migrants. In the first track, 27,643 migrants from 116 countries contacted the Offices for Foreigners for regularization in which 92 percent (25,000) of the applications were accepted, including around 5,250 Syrians (20 per cent)⁹⁴. In addition to 17,500 migrants who applied for residency permits during the second track and are waiting for their acceptance, the majority are from Syria⁹⁵. Since 2013, the exceptional operations for regularizing have already allowed the regularization of about 25,000 migrants. The two exceptional regularization launches are a guarantee for migrants that their human rights are respected, aiming at achieving social and economic integration. In addition to, promoting and ensuring the equality of rights between nationals and foreigners. The efforts by King Mohammed VI were to establish a humanitarian policy to make Morocco a host country instead of a transition country, point of entry to Europe, in which indicators are showing that it has become a destination of its own.

B. Immediate housing, food and water

⁹¹ <http://blogs.worldbank.org/peoplemove/second-regularization-campaign-irregular-immigrants-morocco-when-emigration-countries-become>

⁹² Idem

⁹³ UNHCR Morocco, (December 2016). Information note on Syrians applying for asylum in morocco.

⁹⁴ UNHCR Morocco, (February 2017). Regularization of refugees by national authorities.

⁹⁵ Idem

Since the beginning of the refugee flow, Syrians arrived with savings and assist, depending on spending their savings and selling their assists as a mean of income. Six years into the crisis, Syrian families have used up all their savings and now are in dept. Inability to rent housing is one of the main issue that Syrian refugees are facing. Families are using different coping strategies in order to survive the living conditions. Syrian refugees are living in sub-standard accommodations such as abandoned or unfinished buildings or in informal dwellings, which usually lacks adequate access to water, sanitation, waste management, or electricity⁹⁶. Family members and relatives are sharing housing due to high rent prices and high cost of living to ease the burden. UNHCR partner FOO (Foundation Orient-Occident) has a program of emergency and protection shelter, emergency shelter is designed to respond to immediate and short term needs notably for the most vulnerable or persons at risk, while protection shelter addresses longer term needs⁹⁷. In addition UNHCR and FOO (Foundation Orient-Occident) regularly asses the living conditions of vulnerable refugees and asylum seekers through home visits and the vulnerable that meet their criteria receive financial assistance (includes Syrian refugees). In terms of food security and access to water, the issue has not been addressed mainly. UNHCR with collaboration with its implanting partners throughout Morocco carry out home visits to assist the situation and decide the most vulnerable that meet their criteria in order to receive financial assistance that can be used to purchase food /water and other necessities.

C. Employment

In the case of Syrians that have been interviewed by the ad hoc Commission for the Regularization of refugees that are registered by UNHCR, they have not received legal status (some Syrians have received residency permits through the regularization) which causes a practical barrier to access these rights, especially access to employment. Syrian refugee main occupations include housekeepers including housewives, trade brokers, dental assistants and well drillers⁹⁸. Without having a proper legal status which means not having proper documentation,

⁹⁶Berti, B. (2015). The Syrian Refugee Crisis: Regional and Human Security Implications. *Strategic Assessment* (Vol.17, pp. 41-53),

⁹⁷ UNHCR Morocco .(May 2017). Morocco factsheet

⁹⁸UNHCR Morocco, (March 31, 2017). Profil éducatif et professionnel des réfugiés au Maroc

Syrian refugees counteract illegal job market and unequal opportunities, often working for lower wages, working illegally –informal jobs. Syrian refugees emphasized the need to have access to the legal job market or income-generating activities. Additional barriers include operational issues such as language skills; Syrians dialect differs from Darija and discrimination in the labor market. UNHCR continue to work on vocation training, job placement, and employment skills training and support with youth entrepreneurship with collaboration with its implementing partners.

D. Children and education

Access to public school system is granted to all migrants and refugees regardless of their administrative status (ref. Circular note of the Ministry of National Education, 9 October 2013)⁹⁹. Syrian refugee children have access to primary and secondary public education. In October 2013, the Ministry of Education (MoE) released a circular guaranteeing the right for all children to enroll in primary classes, regardless of legal status¹⁰⁰. Ensuring their effective integration in the public school system remains a challenge due to language and documentation. Standard Arabic is the official language in which classes are taught in public schools in Morocco. Therefore, this in theory should not be problematic given the fact that Arabic is the mother tongue of Syrian refugees children. Regarding education, UNHCR in collaboration with its implementing partner Foundation Orient-Occident (FOO) provides language and catch up classes that Syrian refugee children have access to. Unfortunately, there are a large number of children who are not enrolled and attending schools due to a variety of reasons such as the need for children to support their families or begging in the streets or parents cannot afford the other expenses such as transportation and other auxiliary costs. Any additional expenses to a household can be a challenge. Costs of education include pens, books, notebooks, school kits, lunch money, uniforms ...Etc. Syrian refugee children are not usually single children, and they tend to have large families, making the cost higher since it is usually not one child that is enrolled in school. This leads to the parents not to have much choice but to take their kids out of schools. The main factors that leads to children not attending schools are:

⁹⁹UNHCR Morocco. (2017). COP 2107-MPS Review

¹⁰⁰ UNHCR Morocco,(March 2017). Morocco Factsheet update.

1. Distance from schools: Transportation may not always be an option since the budget is usually very tight in Syrian refugees' households and when there is more than one child attending school; parents cannot afford the additional cost to send their children.
2. In need to work to support household: Many children are taken out of schools in order to help support the family. Child labor is widely common through Syrian refugee children. In order for families to close the income-expenditure gap, families are relying on sending their children to work. Children are usually working in very bad conditions with very low wages and are often exploited. This usually applies to boys. Child labor has very negative consequences on the family and society
3. Culture barrier: This usually includes females. Syrian head of household often prefer for their daughters not to attend schools for reasons such as fear of harassment for their daughters or child marriage, girls are usually married at a young age in order to ease the burden on the family and also believing it offers a form of protection and insurance. In some Syrian societies especially Deraa' region, early marriage sometimes is cultural and practiced before the crisis. Syrian girls are sometimes pushed to get married at early age starting from 12 years old resulting in the majority being out of schools.

Additional factors include, lack of proper documentation, lack of family commitment to education, safety issues and strong difference in curriculums between the two countries. In order to encourage continuing their education, UNHCR distributes school kits three times per a year with monthly allowances to cover the transportation costs¹⁰¹. In addition UNHCR will continue

Children's right to nationality and protection against statelessness

Moroccan women have been able to automatically transfer their nationality to their children¹⁰², irrespective of the nationality of the father since the amendments to the Moroccan Nationality

¹⁰¹UNHCR Morocco, (March 2017). Morocco Factsheet update.

¹⁰² "Moroccan nationality law is the subject of the Moroccan Dahir (decree) of September 6, 1958, official Bulletin Number 2394. In general, Moroccan nationality is transmitted by filiation (father and mother) or birth in Morocco. However, it gives the right to Moroccan males to transmit citizenship to their children and foreign wives, and since the last update, that is possible for women. The aim of the update was to follow Morocco's recent human rights reforms, most notably the Moroccan family code called, Mudawana, which aimed to fight gender inequality. It has been done after much debate in the media.

Nationality by filiation: Since the last update, the Article 6 of the Moroccan code of nationality says that a child born of a Moroccan father, or a child born of a Moroccan mother is a Moroccan citizen.

code¹⁰³ in 2007¹⁰⁴. This serves as an important measure to prevent statelessness and ensure children enjoy the right to acquire a nationality at birth (Article 1 of the 1961 Convention)¹⁰⁵.

Reforms: In a 1978 reform, Moroccan women were denied the right to transmit their citizenship due to Hassan II's hostility toward mixed marriages, hinted at the new wave of conservatism that appeared in the land. Until then, women could transmit it.

On July 2005, following the wide variety of legal and social reforms in Morocco, King Mohammed VI, in a speech given at the occasion of his sixth Enthronement anniversary, declared that Moroccan women will be able to transmit their nationality to children born of a non-Moroccan father. He asked the government to submit to him sensible proposals for amending the legislation on citizenship to ensure that the suggested amendments tally with the Family Law.” Retrieved June 1, 2017, from <https://www.revolvy.com/main/index.php?s=Moroccan%20nationality%20law>

¹⁰³ The following is the Nationality Code including the amendments up to 2011:Maroc:Code de la nationalite marocaine (2011) (Morocco), Dahir n.1-58-250 du 21 safar 1378, 6 September 1958, available at:

<http://www.refworld.org/docid/501fc9822.html>;The following is the National Code in its amended version of 2007:Maroc Code de la nationalité marocaine amende (2007) [Morocco],Dahirn.1-58-250 du 21 safar 1378, 6 September 1958, available at: <http://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=550853cc4>.

“An amendment to the Nationality Code will allow mothers married to foreigners to pass on Moroccan citizenship to their children.Much to the delight of many families and campaigners, the long-awaited bill to amend the Nationality Code was adopted by the cabinet on January 18th, 2007. It will now go to parliament for final approval. Members of Parliament and civil society have been lobbying for years to try to put an end to the plight of many families in which the mother is Moroccan and the father is foreign. The amendment to the Nationality Code will allow Moroccan women to pass on their nationality to their children provided that their marriages were contracted in accordance with the provisions of the Family Code. However, children of fathers from countries where dual nationality is not permitted will have to wait until they reach the age of 18 before they can choose which nationality they wish to take up.” – Magahrebia. Retrieved April 27, 2017, from <http://www.wluml.org/node/3484>

¹⁰⁴UNHCR Morocco, submission by the united nation high commissioner for refugees for the office of the high commissioner for human rights’ compilation report, universal periodic review “ 3rd cycle m 27th session.

¹⁰⁵ “1961 convention reduction of statelessness: The Contracting States, acting in pursuance of resolution 896 (IX), adopted by the General Assembly of the United Nations on 4 December 1954, considering it desirable to reduce statelessness by international agreement, have agreed as follows: convention on the Reduction of Statelessness 1961 convention reduction of statelessness 7 Article 1 1. A Contracting State shall grant its nationality to a person born in its territory who would otherwise be stateless. Such nationality shall be granted: (a) at birth, by operation of law, or (b) upon an application being lodged with the appropriate authority, by or on behalf of the person concerned, in the manner prescribed by the national law. Subject to the provisions of paragraph 2 of this Article, no such application may be rejected. A Contracting State which provides for the grant of its nationality in accordance with sub-paragraph (b) of this paragraph may also provide for the grant of its nationality by operation of law at such age and subject to such conditions as may be prescribed by the national law. 2. A Contracting State may make the grant of its nationality in accordance with sub-paragraph (b) of paragraph 1 of this Article subject to one or more of the following conditions: (a) that the application is lodged during a period, fixed by the Contracting State, beginning not later than at the age of eighteen years and ending not earlier than at the age of twenty-one years, so, however, that the person concerned shall be allowed at least one year during which he may himself make the application without having to obtain legal authorization to do so; (b) that the person concerned has habitually resided in the territory of the Contracting State for such period as may be fixed by that State, not exceeding five years immediately preceding the lodging of the application nor ten years in all; (c) that the person concerned has neither been convicted of an offence against national security nor has been sentenced to imprisonment for a term of five years or more on a criminal charge; (d) that the person concerned has always been stateless. 8 1961 convention reduction of statelessness 3. Notwithstanding the provisions of paragraphs 1 (b) and 2 of this Article, a child born in wedlock in the territory of a Contracting State, whose mother has the nationality of that State, shall acquire at birth that nationality if it otherwise would be stateless. 4. A Contracting State shall grant its nationality to a person who would otherwise be stateless and who is unable to acquire the nationality of the Contracting State in whose territory he was born because he has passed the age for lodging his application or has not fulfilled the required residence conditions, if the nationality of one of his parents at the time of the person’s birth was that of the Contracting State first above

Article 6¹⁰⁶ of the Nationality Code, recognizing the right of children to acquire nationality from their mother and not just from their father (“Est Marocain l’enfant né d’un père marocain ou d’une mère marocaine”)¹⁰⁷. Syrian refugee children born to Moroccan mothers and Syrian fathers (in this case) are sometimes unable to be confirmed as nationals especially children born in Syria and not on the territory of Morocco who had not been registered at the Moroccan Consulate due to the outbreak of the conflict in Syria which resulted in its closing. Filiation needs to be proved with the mother or to try to request an easing of the procedural requirements to ensure full implementation of Morocco’s important 2007 reform that recognizes the right of women to confer nationality to their children automatically at birth¹⁰⁸.

E. Health care

Health care is available to refugees and regularized migrants in Morocco. Access to medical services for refugees is guaranteed for the primary health care such as general consultation, not for the secondary and tertiary health services except for exceptional cases for example where national programs exist (vaccination, TB, etc.)¹⁰⁹. Morocco is a party to inter alia, the International Covenant on Economic, Social and Cultural Rights¹¹⁰, to which the Committee on

mentioned. If his parents did not possess the same nationality at the time of his birth, the question whether the nationality of the person concerned should follow that of the father or that of the mother shall be determined by the national law of such Contracting State. If application for such nationality is required, the application shall be made to the appropriate authority by or on behalf of the applicant in the manner prescribed by the national law. Subject to the provisions of paragraph 5 of this Article, such application shall not be refused. 5. The Contracting State may make the grant of its nationality in accordance with the provisions of paragraph 4 of this Article subject to one or more of the following conditions: (a) that the application is lodged before the applicant reaches an age, being not less than twenty-three years, fixed by the Contracting State; (b) that the person concerned has habitually resided in the territory of the Contracting State for such period immediately preceding the lodging of the application, not exceeding three years, as may be fixed by that State; (c) that the person concerned has always been stateless.” – UNHCR. Retrieved April 27, 2017, from http://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf

¹⁰⁶“Article 6 of the Moroccan code of nationality says that a child born of a Moroccan father, or a child born of a Moroccan mother is a Moroccan citizen.” Retrieved June 1, 2017, from <https://www.revolvy.com/main/index.php?s=Moroccan%20nationality%20law>

¹⁰⁷UNHCR Morocco, submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights’ compilation report, Universal Periodic Review “3rd cycle in 27th session.

¹⁰⁸ Idem

¹⁰⁹Idem

¹¹⁰“The International Covenant on Economic, Social and Cultural Rights covers human rights in the economic, social and cultural spheres. It was adopted by the UN General Assembly on 16 December 1966. Switzerland acceded to the Convention on 18 June 1992. The International Covenant on Economic, Social and Cultural Rights (ICESCR) guarantees economic, social and cultural human rights. Together with the International Covenant on Civil and Political Rights (ICCPR), it enacts in a binding framework the rights set forth in the Universal Declaration of

Economic Social and Cultural Rights recommended that Morocco “ensure that women, persons with disabilities, asylum seekers, refugees migrants, Sahraouis, children born out of wedlock and homosexuals can enjoy the rights recognized in the Covenant, particularly access to employment, social services, health care and education”¹¹¹. Morocco does not have a universal or compulsory health insurance system. The Government of Morocco established the National Security Scheme for the Most Vulnerable (RAMED¹¹²) in 2005. RAMED is a health care program in Morocco that is 75 percent funded by the government¹¹³. RAMED benefits impoverished people such as informal workers, orphans and refugees recently, which allows them to benefit from free medical care obtained in public hospitals, medical centers and health services¹¹⁴. In 2015, the Government of Morocco announced that the RAMED would be extended to benefit regularized refugees and migrants. The demographic and disease profile of Syrian refugees is that of a middle-income country, characterized by chronic and non-communicable diseases such as diabetes, cancer, cardiovascular and respiratory disease, the cost of treatment of these disease are

Human Rights in 1948.” Retrieved June 3, 2017, from <https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/un-human-rights-treaties/international-covenant-economic-social-cultural-rights.html>

¹¹¹ Committee on Economic, Social and Cultural rights, concluding observations on Morocco, 64th and 65th session, 22 October 2015, e/c.12/MAR/c0/4*, para.14,available at:<http://tbinternet.ohchr.org/layouts/treatybodyexternal/download.aspx?symbolno=E/C.12/MAR/CO/4&Lang=En>.

¹¹² RAMED Universalized since its launch on 13 March 2012 by the king of Morocco, the Medical Aid Scheme (RAMED) was conceived for the poorest and most vulnerable families of Morocco. The criteria of vulnerability are established according to residence in an urban or rural location. Thus, by virtue of article 2 of decree no. 2-08-177 of 29 September 2008 as it was modified and completed by decree no. 32-11-199 of 26 September 2011, to benefit from RAMED’s services, those people targeted in article 116 of Law no. 65-00 must meet the following two conditions: show that they do not benefit from any obligatory sickness insurance scheme either as insured party or as dependent; and demonstrate, on the basis of eligibility criteria depending on residence (urban or rural), that they do not have sufficient resources to pay for the expenses inherent in the health care. Those residing in urban environments must: • Have an annual income lower than 5,650 dirhams per household member after assessing declared income, including transfers, using the socio-economic variables of the household; and • Have a socio-economic conditions score, calculated on the base of variables linked to household living conditions, of 11 or lower. Those residing in rural environments must: • Have a legacy score per household member, calculated on the basis of variables links to household living conditions, of 70 or lower; and • Have a socio-economic conditions score, calculated on the basis of variables linked to household living conditions, of 6 or lower. These criteria give access to the RAMED Card, which is currently reserved exclusively for Moroccan citizens and their families who possess a National Identity Card. Orphans, abandoned children, or children in foster care will also be RAMED beneficiaries. There are two categories of population in function of their level of vulnerability: the population qualified as ‘poor’, who will have free access to available services, and the population considered to be ‘vulnerable’, who fall under a sliding scale to establish partial payment for services. RAMED gives the right of access to Basic Health Care Centres near the beneficiary’s home, for primary care, and to specialized health establishments by referral. Medicine is excluded except during a beneficiary’s hospitalization.

¹¹³http://iwpar.org/pdf/best_practices/Best_practice_22_Morocco_RAMED_Project.pdf

¹¹⁴ Morocco Ministry of the Interior (Ministère de l’Intérieur) website; RAMED “Régime d’assistance médicale”; accessed July 2013

high and complex to manage¹¹⁵. This places high pressure on the limited resources available for secondary and tertiary care of the countries health system and leads to Syrian refugees depending more on the private sector or through the UNHCR assistance and services. As mentioned UNHCR works with its implementing partner Association Action Urgence (AAU) for health and medical services and through a referral system for specialized medical treatment as required. Syrian refugees registered with UNHCR end up going to private doctors and then requesting reimbursement from UNHCR which in most cases is not possible or an option. The cost of treatment is high and the substantial increase in need and demand is adding extreme pressure. In addition to poor and unsanitary living conditions also contributes in adding health risks. The issue of damp housing conditions is very wide spread especially in rural areas where refugees are mostly concentrated causing additional health problems for Syrian refugees such as asthma and allergies and breathing problems. There are a high percentage of Syrian refugees with special needs such as chronic diseases or in need of psychological assistance. UNHCR through its implementing partner AAU (Association Action Urgence) facilitates the referral of refugees to public primary healthcare centers and provision of specialized medical treatment as required¹¹⁶. In addition, UNHCR also provides access to reproductive health services and mother-child care¹¹⁷.

¹¹⁵Crisp, J., Garras, G., Spiegel, P., Voom, F., McAvoy, J. & Schenkenberg, E. (2013). From slow boil to breaking point: A real-time evaluation of UNHCR's response to the Syrian refugee emergency, *UNHCR*.

¹¹⁶ UNHCR Morocco. (March 2017). Morocco factsheet

¹¹⁷ UNHCR Morocco.(May 2017).Morocco factsheet

Chapter 3: Comparative study between coping mechanisms of Syrian refugees in Jordan and Syrian refugees in Morocco

Syrian refugees are struggling to make ends meet. With no solution in sight for the conflict in Syria and with the very aggressive living conditions in the hosting countries Syrian refugees are stuck with limited options and none is easy, where some are not able to return back to Syria no matter how living conditions worsen, while others may consider that as an option. They are faced with many issues and struggle to meet their basic needs. Syrian refugees have adopted coping mechanism to survive the harsh conditions they are facing in their new destinations. Whether the situation in Morocco or a border country to Syria hosting a high number of refugees such as Jordan, Syrian refugees are facing many obstacles in order to meet their basic needs. In this chapter we shall list some of the main issues facing Syrian refugees in general and regarding each issue we shall explain the coping mechanism for Syrian refugees in Morocco and Syrian refugees in Jordan, the similarities and differences. Comparing the coping mechanisms in both countries can help us better understand the real issues that Syrian refugees in Morocco are facing, putting in consideration that the context and demographic of each country differs extremely. Jordan is much smaller than Morocco in size and population. However it is hosting a higher number of refugees than Morocco which means higher concentration of the international community, NGOs and assistance.

Jordan is one of the few countries that remained stable in the region despite conflict that has erupted around it. The Syrian conflict has caused a refugee crisis in the region. Jordan, a neighboring country to Syria, was among the first countries to receive the flow of refugees from Syria. Although Jordan is not a signatory to the 1951 refugee Convention, there is a 1998 memorandum of understanding (MoU)¹¹⁸ between Jordan and UNHCR which amended in 2014.

¹¹⁸ A 1998 Memorandum of Understanding signed between UNHCR and the Government outlines the major principles of international protection, including the definition of a refugee and the principle of non-refoulement. It specifies that asylum-seekers may stay in Jordan pending refugee status determination (RSD) and allows mandate refugees a maximum stay of six months after recognition, during which period a durable solution has to be found. Currently, resettlement is the only possible solution for the majority of refugees as the conditions in Iraq do not allow for large-scale returns, nor are there local integration possibilities in Jordan.

According to the UNHCR 660,315 Syrians are registered in Jordan¹¹⁹. The actual number is much higher, the Jordanian government estimates that around 1.3 million Syrians are living in Jordan. This includes Syrians that have not yet registered and Syrians who have been living in Jordan before the war. The influx of Syrian refugees has increased the population by at least 8 per cent¹²⁰. Jordan has been a safe-haven to refugees from all over the Middle East¹²¹. This is the second refugee crisis Jordan has faced in the past decade. Jordan took in Iraqi and Palestinians that were displaced by Gulf wars in 1991 and 2003-11¹²². The 1948-1967 Arab-Israeli wars have resulted to one million Palestinian refugees in the country¹²³. The situation of Syrians cannot be compared with previous refugee crisis. Iraqi refugees arrived to Jordan with savings and assets while the majority of Syrian refugees arrived with very little. The number of Syrian refugees is much higher than Iraqi refugees which mean Syrians need more assistance. At the early stages of the refugee crisis, Syrian refugees were settling in urban areas and especially in the north Syrian border, camps were not yet established. However as the number of refugees entering Jordan continued to increase, the government insisted upon the establishment of camps¹²⁴. A third of Syrian refugees in Jordan now live in camps¹²⁵ while the rest remain in host communities (urban and rural areas). There are two main camps in Jordan for Syrians, Za'atari and Azraq. Za'atari camp is located in the city of Mafraq, Jordan. According to the last update report by UNHCR, 79,909 Syrian refugees are registered inside of Za'atari camp¹²⁶. Azraq camp is located near the city of Azraq, Jordan. According to the latest report by UNHCR, 53,843 persons of concern are registered in Azraq camp¹²⁷.

The growing number and needs of refugees are placing serious pressure on the international community and hosting country and government in Jordan. The international community is struggling to meet the basic needs of Syrian refugees in Jordan due to fund constraints. As there is a lack of funds, as the international community has only covered 36% from the total

¹¹⁹ <http://data.unhcr.org/syrianrefugees/country.php?id=107>

¹²⁰ Doris Carrion (September 2015). Syrian refugees in Jordan. Confronting difficult truths. Chatham house

¹²¹ Szparaga, A. (2014). The effect of the Syrian Crisis on Jordanian internal security . Fall 2014

¹²² Idem

¹²³ Palestinian Refugee ResearchNet (PRRN), ‘Palestinian Refugees: An Overview’, <http://prrn.mcgill.ca/background/>.

¹²⁴ Crisp, J., Garras, G., Spiegel, P., Voom, F., McAvoy, J. & Schenkenberg, E. (2013). From slow boil to breaking point: A real-time evaluation of UNHCR’s response to the Syrian refugee emergency, *UNHCR*.

¹²⁵ Idem

¹²⁶ <http://data.unhcr.org/syrianrefugees/settlement.php?id=176®ion=77&country=107>

¹²⁷ <http://data.unhcr.org/syrianrefugees/settlement.php?id=251&country=107®ion=73>

requirements which were US\$ 1.07 Billion to the JRP2015 (Jordan Response Plan for the year 2015)¹²⁸ a more refined vulnerability criterion is used and fewer are eligible for assistance, families are cut out of aid as in 2014, 12,000 Syrian refugees were no longer receiving food vouchers from WFP (World Food Program) along with many other assistance stopped or reduced¹²⁹. The country resources and infrastructure has been tested, strains on public services and competition over resources and job opportunities; tensions between the host community and refugees are rising. This has caused resentment towards the presence of Syrian refugees. Although the presence of Syrian refugees and the international aid that has come with them has benefited Jordanians especially in the host communities, it has also hit the most vulnerable people in their country the hardest¹³⁰.

A. Issues

Issue 1: livelihood and shelter

Inability to rent housing is the main issue that Syrian refugees are facing outside of camps in Jordan. Since the beginning of the refugee flow in 2011, Syrians arrived with savings and assist, depending on spending their savings and selling their assists as a mean of income. Six years into the crisis, Syrian families have used up all their savings and now have insufficient or no capital. Since the arrival of Syrian refugees in Jordan, with the high demand of housing, many Jordanian landlords and property owners gained by setting higher rents. Some cases were reported where landlords evicted Jordanians in order to rent to Syrians which they can charge higher rent. This has caused tensions between both communities. While high-income families, landlords and property owners are highly gaining from the presence of Syrians, low-income families are being affected negatively living conditions are worsen for them. Families are using different coping strategies in order to survive the living conditions in Jordan. Coping mechanisms include living in sub-standard accommodations such as abandoned or unfinished buildings or in informal dwellings, which usually lacks adequate access to water, sanitation, waste management, or

¹²⁸The plan is composed of eleven sector strategies, each guided by an overall objective that brings together specific objectives to address refugee and resilience-building needs. The eleven sector overall objectives are: education, energy, environment, health, justice, livelihood and food security, local governance and municipal sector, shelter, social protection, transportation and WASH.

¹²⁹<https://static1.squarespace.com/static/522c2552e4b0d3c39cc1e00/t/56b9abe107eaa0afdc35f02/1455008783181/JRP%2B2016-2018%2BFull%2B160209.pdf>

¹³⁰ Doris Carrion (September 2015). Syrian refugees in Jordan.Confronting difficult truths. Chatham house

electricity¹³¹. The case of Morocco is slightly different. Most Syrian refugees have relatives before arriving so just the case of Syrian refugees in Jordan, Syrian refugees were coping by living more than one family together in order to share the rent and expenses. Syrian refugees in Morocco were also sometimes living in sub-standard conditions. However unlike Syrian refugees in Jordan that are concentrated in certain areas, Syrian refugees in Morocco are scattered around Moroccan cities. When there is a high demand, it leads to higher rents like the case of Jordan and allows landlords to raise prices and exploit the situation. The number of Syrian refugees in Morocco has been estimated to be 6 thousand in 2017. Syrian refugees are scattered within 42 locations around the country, so their presence did not cause a significant rise in rent prices since there is not a high demand. Another noticeable change is in the type of housing which has shifted away from independent housing towards apartments that accommodate more people within less space.

Issue2: Employment

Jordan's economy is one of the smallest in the Middle East¹³². The presence of Syrians has affected the job market and employment in Jordan, causing a rise in unemployment rates which were already a huge challenge before the Syrian war, where it was 12.7 per cent, in addition to the lowest female participation rates in the world with only 14 per cent, Adding to that a percentage of 41.3 for the national youth unemployment¹³³, along with a decrease in wages. Most Syrians work in the informal labor market. While it's controversial, there is a wide impact Syrians have had on employment. Some studies have argued that in some areas where Syrians were present, Jordanian unemployment increased, since Syrians work for lower wages that Jordanians would not agree to work for, making them preferable to hire. Others argued that most employed refugees work in jobs that have been created since their arrival, after the crisis. This is

¹³¹Berti, B. (2015). The Syrian Refugee Crisis: Regional and Human Security Implications. *Strategic Assessment* (Vol.17, pp. 41-53),

¹³² Andrew E.Szparaga . The effect of the Syrian Crisis on Jordanian internal security . fall 2014

¹³³<https://books.google.jo/books?id=416zCwAAQBAJ&pg=PA257&dq=unemployment+in+jordan+before+and+aft+er+the+syrian+crisis&hl=en&sa=X&ved=0ahUKEwjf8qL5tsrUAhVKVRoKHZygCoAQ6AEIQjAF#v=onepage&q&f=false>

due to the growing aid economy and increased demand¹³⁴. Other studies show that unemployment decreased in some northern areas where the presence of Syrian refugee is higher than other. It is very difficult to have an accurate study since as mentioned before the majority work in the informal sector. An additional argument is Syrians are working in sectors which employ migrant labors such as Egyptians rather than Jordanians¹³⁵. Syrian refugees in Jordan are working in sectors that Jordanians usually refuse to work in with wages that they wouldn't agree to work, mainly in agriculture, construction and food services.

Syrian refugees in Jordan working for the formal job market require a working permit. Most Syrians working outside of camps usually do not have work permits. Syrians in Jordan are required to follow the same work permit applications procedures as other foreign nationals¹³⁶ which involves finding an employer to sponsor them¹³⁷. Obtaining a working permit is costly and difficult not all Syrian refugees have the means and documentation. Although the government sometimes tolerates informal Syrian Labor, sometimes Syrians caught working have been imprisoned, fined, forced to relocate to camps or even deported back to Syria¹³⁸. This has led to families preferring to send their children to work (child labor) since authorities have more empathy toward children and chances of children being deported or fined is much lower than in the case of adults, they can slide under the radar. It has been estimated that approximately 30,000 Syrian children are working in the informal sector¹³⁹. Syrian refugees in Jordan often worked in construction, restaurants and agriculture.

The case of Syrian refugees in Morocco is different, Syrian refugees in Morocco still do not have a legal status. Although Syrians who apply for asylum are interviewed by the ad hoc Commission and receive a receipt from the Moroccan authorities that confirms their registration and protects them against refoulement, the government has not yet decided on their definitive status¹⁴⁰. The government of Morocco has launched two tracks for exceptional regularization of

¹³⁴ Svein Erik Stave and Solveig Hillesund, Impact of Syrian refugees on the Jordanian labor market, Fafo and the ILO, May 2015, p. 7–8.

¹³⁵ Doris Carrion (September 2015). Syrian refugees in Jordan. Confronting difficult truths. Chatham house

¹³⁶ Idem

¹³⁷ Luigi Achilli, Syrian Refugees in Jordan: a Reality Check, Migration Policy Centre, European University Institute, p. 2, February 2015

¹³⁸ Doris Carrion (September 2015). Syrian refugees in Jordan. Confronting difficult truths. Chatham house

¹³⁹ Khalid W. Al Wazani, The Socio-Economic Implications of Syrian Refugees on Jordan, Konrad Adenauer Stiftung; Ajluni and Kawar, Impact of Syrian Refugee Crisis, p. 6, ILO, 2014.

¹⁴⁰ UNHCR Morocco, (February 2017). Regularization of refugees by national authorities.

irregular migrants, during the first regularization, 5,250¹⁴¹ Syrians were accepted and issued with resident permits. However Syrians that have applied for residency permits during the second launch of regularization for irregular migrants are still waiting for their acceptance. Syrians have access to the legal employment in Morocco but the problem of national preference is wide spread in Morocco with Syrian refugees having barriers such as language. Syrians in general in Morocco, not just refugees work in well drilling and restaurants, introducing Syrian cuisines. The situation is very different between both countries, in the case of Syrian refugees in Jordan; they are preferred for employment over nationals despite not obtaining a working permit. Syrian refugees in Jordan work for lower wages and more hours, making them preferable for employment. In both countries Syrian refugees resorted to work informal jobs to have a means of income.

Issue 3: Access to Health

Regarding health care, the context of Jordan and Morocco, Syrian refugees are facing the similar problems and relying in the same coping mechanisms. In the case of Jordan, the high number of Syrian refugees has had direct repercussions on the states' capacity to deliver social services, with the countries health system¹⁴². The pressure on limited resources has stretched beyond their limits. Regarding the health sector, as mentioned during this study, the demographic and disease profile of Syrian refugees is that of a middle-income country, characterized by chronic and non-communicable diseases such as diabetes, cancer, cardiovascular and respiratory disease¹⁴³. The cost of treatment is high and the substantial increase in need and demand is adding extreme pressure. In addition to poor and unsanitary living conditions also contributes in adding health risks. The issue of damp housing conditions is very wide spread in Jordan, especially in rural areas where refugees are mostly concentrated causing additional health problems for Syrian refugees such as asthma and allergies and breathing problems. Lack of heating in winter which is a major problem that Syrian refugees face, not being able to afford heaters or gas, being exposed to cold weather for long periods can be very harmful for the body especially children, disabled and elderly refugee population. There are a high percentage of Syrian refugees with special

¹⁴¹UNHCR Morocco, (February 2017). Regularization of refugees by national authorities.

¹⁴²Berti, B. (2015). The Syrian Refugee Crisis: Regional and Human Security Implications. *Strategic Assessment* (Vol.17, pp. 41-53),

¹⁴³Crisp, J., Garras, G., Spiegel, P., Voom, F., McAvoy, J. & Schenkenberg, E. (2013). From slow boil to breaking point: A real-time evaluation of UNHCR's response to the Syrian refugee emergency, *UNHCR*.

needs such as chronic diseases or in need of psychological assistance. Syrians are used to a certain health care standard in Syria. Syrian refugees in both Jordan and Morocco have relied on the private sector, going to private clinics and private hospitals (negative coping). In addition to the NGOs that refer very vulnerable cases and sever medical conditions that need special care. Sever medical conditions, their treatment cannot be found in public health centers especially in Jordan. Health care remains a big issue for Syrian refugees and the limitations in funds in both countries is causing a dilemma in responding to the refugee population health demands.

Issue 4: Access to education

Regarding providing access to education has been a complex issue for the international community and the government. The schools are overcrowded and under financial stains. The public systems are constrained in terms of resources and capacity. In both countries, Syrian refugees have access to public education as long as they are registered with UNHCR. In the case of Jordan, the high numbers of Syrian refugee students has added extreme pressure on the system in terms of resources and capacity. Jordan has developed two shifts, morning for nationals and afternoon or evening shift for Syrian refugees. Unfortunately in both contexts there are a percentage of Syrian refugee children out of schools. Syrian families have used negative coping mechanisms that are factors for children not attending schools.

Child labor: The difficult economic situation of Syrian refugee households and the high cost of living has lead families to send their children to work. Child labor is widely spread through Syrian refugee children, especially in Jordan. It has been estimated that approximately 30,000 Syrian children are working in the informal sector¹⁴⁴in Jordan. Families are relying on sending their children to work to help support their families which means these children are out of schools. In the case of Morocco, the situation is quite similar. The most common form of child labor between Syrian refugee kids are begging and vending in the streets. Syrian refugee children in both countries are working for long hours, under unsafe conditions for very low wages. Children suffer from exploitation, abuse and harassment from employers. Child labor is one of the very negative coping mechanisms that affect not only the family but society as well. It is a

¹⁴⁴ Khalid W. Al Wazani, The Socio-Economic Implications of Syrian Refugees on Jordan, Konrad Adenauer Stiftung; Ajluni and Kawar, Impact of Syrian Refugee Crisis, p. 6, ILO, 2014.

major problem that the international community is trying to draw attention to the increased numbers of child labor between Syrian refugee children.

Early marriage (child marriage): Early marriage is a practice not necessarily related to the financial situation of the family. Early marriage is part of religious and culture traditions especially for girls; Family head of household marry their daughters at a young age believing it offers a form of protection and insurance. For the situation of some Syrian refugees, child marriage in some cases is used as an economic coping mechanism. As Syrian refugees are reliant on dwindling resources, lacking economic opportunities and the need to protect their daughters from the threat of sexual violence¹⁴⁵, given these pressures, families consider child marriage as a way to protect their daughters Child marriage provides a form of income to the families as a result of dowry money and to ease pressure on the family resources. Child marriage denies a girl's right to her education which has negative consequences on her and her family in the future (having an uneducated mother raising children). In addition to the psychological and physical impact on girls, child marriage removes a girl from her family and friends, leading to social and psychological isolation¹⁴⁶.

Issue5: Food security and access to water

Obtaining food is a basic necessity for Syrian refugees regardless of the country they have settled in. Food is often the first thing that needs to be modified to compensate their lack of income. Coping strategies differ, some of them are severe and some others are not. The first coping strategy is to change what the Syrian refugee family usually consumes: eating cheaper food, depending on quantity not quality when buying food items, substituting meat with cheaper alternatives such as grains, reducing the amount of food consumed, making the portions smaller.

Another coping strategy, which can have negative effects on the family, is feeding in priority the children and the men. In fact, on one hand feeding the men is primordial because they are in

¹⁴⁵ http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/TOO_YOUNG_TO_WED_REPORT_0714.PDF

most of the cases the breadwinner; therefore they need energy. On the other hand, children need nutrition in order to grow and survive. As a consequence to this coping mechanism, some members of the family suffer from malnutrition, especially women.

Syrian refugees adopt also the coping strategy of reducing the amount of meals per day. Having a late breakfast so they can skip lunch and have a late dinner. In some severe situations, having only one meal a day is sometimes the only solution. Sharing within themselves is also widely spread between Syrian refugees especially in the case of Jordan, since usually they are concentrated in areas and live in communities together. Regarding access to water the situation is very different in both countries. Jordan, a country that is rated as the second water-poorest nation¹⁴⁷ Syrian refugees are putting a huge pressure on the infrastructure that causes contamination, as refugees generates over 34 million cubic meters of wastewater per year¹⁴⁸ which in addition to put a pressure on the neighboring areas sewage systems its contaminates ground water which being used from the surrounding villages towns and for agricultural usage and if been affected will make some serious dangers¹⁴⁹. The situation in Morocco, water scarcity is not as severe as in the situation in Jordan and Morocco does not have as many refugees. Regarding access to drinking water, Syrian refugees prefer not to drink tap water; the lack of income sometimes forces them with no other drinking source other than the tap. Cases of health problems emerging from Syrians due to drinking tap water for a long period, were reported. Having access to clean water remains one of the main issues Syrian refugees are facing in host countries.

Issue 6: National Security and safety

The population inflation which - and in some places has reached more than 50 per cent of the population of these areas within the 6 years period, and being extremely close to the tension spots of the Syrian war - caused a large number of security and safety challenges on the Jordanian armed forces, internal security forces, intelligence, and social defense. As previously mentioned, the Syrian crisis dramatically affected the Jordanian people's lives in every aspect, from economic opportunities, shelter, education, food and water, and last but not least health care, as Syrian refugees are sharing and sometimes competing for the already scarce resources,

¹⁴⁷ Andrew E.Szparaga. The effect of the Syrian Crisis on Jordanian internal security . Fall 2014

¹⁴⁸http://digitalcollections.sit.edu/cgi/viewcontent.cgi?article=2952&context=isp_collection

¹⁴⁹ Idem

and this competition is considered as a large challenge for the Jordanian security forces, and an important threat for the social peace if things went out of order.

Another issue and due to the geographically closeness to conflict zones, terrorists may seek to approach boarders having terrorist cells who entered or might try to enter among the refugees, or even having missiles, rockets or gunshots find its way to the bordering cities and villages. One other issue Morocco is lightly effected with in comparison with Jordan.

And for those issues and others Jordan had to close its boarders and not accepting any more refugees, where from 70,000 to 80,000 Syrians are in the no man area of AlRukbanun-official camp¹⁵⁰. In the case of Morocco, in recent events, Syrian refugees, including a pregnant woman and children, have been stuck on the Algerian Moroccan border since April 2017, as a result of political conflicts between Algeria and Morocco. The border between Algeria and Morocco has been closed since 1994, because of disputes over security¹⁵¹. This recent example shows how political disputes between two neighbouring countries can impact the situation of refugees on its most basic level.

Unlike the situation in Jordan, the Moroccan case has a lower numbers of refugees and is far away from the tension spots. The Government of Morocco has steered clear of the problems of the Arab East. Morocco even stayed away from most Arab and Islamic meetings and summits. National security is a priority in Morocco and to the monarchy. In fact, since 2003, after the Casablanca terrorist attacks, the King Mohammad VI has launched a series of reforms regarding security. These reforms affected many levels of the Moroccan life; was it on the level of religion, education or society. Therefore, national security has been a priority for the past decades, which explains the position of the Government of Morocco regarding Syrian refugees. In consequence, it has been argued that one of the reasons, the status of Syrian refugees in Morocco is pending is the fear of the interposition of the situation of the Islamic State in Syria to Morocco

¹⁵⁰<http://edition.cnn.com/2016/09/15/middleeast/jordan-rukban-refugee-camp/index.html>

¹⁵¹ <http://www.reuters.com/article/us-morocco-algeria-refugees-idUSKBN18Q1PI>

B. Similar coping strategies

There are three main coping mechanisms that Syrian refugees highly depend on regardless of the country.

- 1) Borrowing money: Syrian refugees are depending on money loans from close family, relatives and friends in order to meet their basic needs. Most Syrian refugees have very little source of income. In the case of Jordan- as mentioned previously – Syrians need to obtain a working permit in order to have access to the legal job market; this procedure is costly and requires documentation that some Syrians refugees do not have. This results in Syrian refugees working illegally-informal jobs for income. These jobs are usually not stable. In the case of Syrian refugees in Morocco, the government still has not decided on their legal status; without proper documentation, finding job opportunities is extremely difficult. Without a stable income, managing basic expenses can be a daily struggle. Running out of resources, Syrian refugees in Morocco and Jordan continue to fall further into poverty and debt.
- 2) Seeking assistance and aid: This is the most widely common coping mechanism in both countries Jordan and Morocco. Since the beginning of the Syrian refugee crisis, NGOS were flowing in from all around the world in order to respond to the needs of the refugees. The Syrian crisis is entering its 7th year, there is a shortage of assistance from the international community to respond to the increasing number of refugees, with limited funds and a wide gap between the amount received and the amount requested, funds are decreasing and the vulnerability criteria¹⁵² is getting stricter, cutting high numbers of households off what is usually their main source of income. Syrian refugees

¹⁵² “In January 2014, an inter-agency steering committee was set up, with representatives from five UN agencies, five INGOs and two donors. Its mission was to provide the tools necessary for a more effective targeting of assistance. First on the list was agreeing on a definition of vulnerability. This was then used in developing models with which to measure and track vulnerability across time. They called the result the Vulnerability Assessment Framework (VAF). Unlike previous approaches, VAF does not treat vulnerability as a single absolute. Instead, it defines the concept in terms of what a given person is vulnerable to, taking different sectors – such as lack of education, lack of documentation, or health liabilities – into account. Based on the application of these vulnerability indicators, VAF facilitates a comprehensive analysis of Syrian refugees’ situations.” – UNHCR. Retrieved June 16, 2017, from http://www.unhcr.org/innovation/labs_post/vulnerability-assessment-framework/

rely on humanitarian assistance in order to meet their basic needs especially in the case of Syrian refugees in Jordan. The case of Jordan differs slightly from the case of Morocco. Jordan is one of the largest hosting countries for Syrian refugees after Turkey and Lebanon, access to assistance and aid is much obtainable than in the case of Morocco. International aid flowed in Jordan when the Syrian refugee crisis began. In the case of Morocco, the number of refugees are not as significant. UNHCR Morocco in collaboration with its implementing partners are working together to assure that all refugees registered with UNHCR Morocco have access to all assistance and programs. Seeking assistance can be financial assistance, medical treatment/health care, food vouchers or accommodation.

- 3) Voluntarily returning back to Syria: This is a severe coping mechanism, Syrian refugees in Morocco and Jordan in some cases would voluntarily return back to Syria. The extreme living conditions, limited assistance/ aid and very little income, Syrian refugee head of households decide on taking their families and returning back to Syria regardless of the dangerous, life threatening violent situation that is still ongoing in Syria. This coping mechanism sheds the light on the alarming situation of Syrian refugees in some cases. In fact, choosing to go back to a war zone instead of living in more stable countries proves how desperate and unbearable the situation is for Syrian refugees. Although the number of voluntarily returns to Syria is not high, one case is enough to call for the
- 4) International community and host governments to take measures into hand.

Chapter 4: Strengths/weaknesses/problems in Morocco

A. Assess Moroccan institutions

The Moroccan government has made positive efforts in dealing with the Syrian refugee situation, with the two regularization launches that Syrians have obtained residence permits through the first launch and the second one is still pending. Morocco has developed a Draft Law on Asylum that has been pending for years, without the adoption of this law; Syrian refugees cannot enjoy their full fundamental rights and freedoms. In addition, the absence of the refugee status determination (RSD)¹⁵³ limits UNHCR efforts to ensure access to protection. With the adoption of the draft Law on Asylum, Syrian refugees trying to enter Morocco do not have possibility to seek asylum at any border points. It is very important that Syrian refugees benefit from a legal status. Without a proper legal status, Syrian refugees in Morocco face limitations to access their basic fundamental rights and exercise them, such as facing discrimination and not having access to the formal labor market.

All attempts from the Government of Morocco to improve the situation of Syrian refugees are limited without the Draft Law on Asylum being enacted. Although Morocco is showing progress in the implementation of the policies that safeguard the rights of migrants –in this case- Syrian refugees, their legal status still has not been defined, this hampers their local integration.

¹⁵³ “The term “refugee status determination” (RSD) describes the process used to establish whether an individual who seeks international protection is a refugee – that is, whether he or she meets the eligibility criteria established under international or regional refugee instruments, national legislation or UNHCR’s mandate. For States, this is a necessary step for the implementation of their obligations under the 1951 Convention relating to the Status of Refugees (1951 Convention), the 1967 Protocol, or regional refugee protection instruments. Under certain circumstances, UNHCR may need to undertake RSD in order to exercise its core function of providing international protection. 2. Although States have the primary responsibility for determining refugee status, UNHCR may do so in accordance with its mandate, de facto substituting for States where they do not perform this function. In practice, UNHCR often conducts RSD in countries and territories that are not party to the 1951 Convention, or which have not yet established the legal and institutional framework to support a RSD process. This process can be done on an individual or group basis. Historically, UNHCR has advocated for an individual procedure to be conducted, wherever possible, following an in-depth examination of the individual circumstances of the applicant’s case. More recently, however, UNHCR has published guidance on the use of *prima facie* recognition and on temporary protection and stay arrangements,¹ methodologies that should be considered when conditions for their use are in place. 3. The determination of refugee status is often a critical step in ensuring protection which affords the individual access to a range of rights including protection against refoulement. There are, however, situations in which refugees may not be able to access safety and protection through RSD but may be able to find it through other means. Under such circumstances it would be appropriate to conduct an assessment as to whether and when RSD is undertaken.” – UNHCR. Retrieved June 18, 2017, from <http://www.refworld.org/pdfid/57c83a724.pdf>.

Regarding the second regularization track, the Syrians interviewed by the commission still have not received their status and as a result do not hold a residence permit which means they live in precariousness. National and local systems need to be strengthened in order to provide protection to refugees. In addition, there should be a development of local integration strategy for regularized refugees and migrants in areas of education, health and employment. The Government of Morocco is addressing only a portion of the issues and is pending them. Inadequate resources are also a limitation to addressing all the needs of Syrian refugees in Morocco. The government of Morocco needs to develop a long-term strategy to overcome the problem and not just finding durable solutions for the moment.

B. Assess UNHCR

Seeking assistance is no longer as effective as in the past, with the Syrian crisis entering its 7th year, funds are decreasing and the vulnerability criterion is getting stricter. UNHCR has a big gap in lack of funds in 2017; financial vulnerability limits UNHCR from carrying out main principles and cannot meet the basic needs of many Syrian refugees in need. According to UNHCR Morocco, reports for May 2017, UNHCR Morocco requested 6,000,000 USD as funding requirements to cover operations in Morocco 2017, 18 per cent was granted while there was a gap of 82 per cent¹⁵⁴.

UNHCR should continue to work and collaborate with the Moroccan ministries to support the implementation of the national strategy. UNHCR should urge the Government of Morocco to define the legal framework of Syrian refugees. UNHCR actions are limited by the government of Morocco and it is not mandated to intervene politically against governments. Also UNHCR should continue its work with their implanting partners around Morocco since UNHCR Morocco's office is only available in Rabat, this limits refugees access to register especially in border areas such as Oujda, to guarantee all refugees have access to registration and to be aware of their rights and to avoid legal onward movement. UNHCR should continue to register Syrian refugees until the Government of Morocco has decided on their legal status. While assisting

¹⁵⁴UNHCR Morocco. (May 2017). Morocco factsheet 2017.

Syrian refugees, extra focus should be given to the most vulnerable including women-headed households, large families with children, persons with disabilities and chronic diseases that do not allow them to work and especially families that are using negative coping mechanisms such as child labor and child marriage. Despite being granted access to public school systems, Syrian refugee children are not effectively integrated in the system, UNHCR needs to address this problem, to have fewer children out of schools and guarantee they are well integrated in the educational system. One of the major challenges arises from the scattered presence of Syrian refugees in more than 42 different locations across Morocco, it is very difficult to address their needs and collect data. Furthermore, there is a lack of representative refugee management structure/committees, which makes it more difficult to integrate refugee community representatives into UNHCR program activities¹⁵⁵. UNHCR in collaboration with its implanting partners organizes focus groups and sessions to brief with refugees-in this case Syrian refugees-on updates and to listen and hear what problems they are having, in order to improve their work and assistance. Usually a representative from UNHCR (staff member) and a representative from UNHCR implementing partners attend to hear and answer any questions from refugees. Without the right amount of funding, UNHCR cannot access and impact the Refugees' vulnerabilities.

C. Conclusion

We have studied the status of Syrian refugees in Morocco. The problems they are facing and the measurements taken by the Government of Morocco and by the international community. Although some effective measures were taken, the reality is, only a portion of their issues are being addressed. Many of their issues are a result of not having a legal status which as mentioned before effects their employment, children access to education, access to health services and even their local integration in the community. The Draft Law on Asylum has been pending for years. The issues need to be addressed and the international community needs to add pressure to the government in order to establish durable solutions to address all the needs of Syrian refugees in Morocco especially regarding their legal status.

In addition inadequate resources limit the work and effectiveness of the efforts made for Syrian refugees. This is one of the main problems that are limiting the impact on responding to their

¹⁵⁵ UNHCR Morocco (2017) . COP 2017

needs. UNHCR has a wide gap between the fund requested and the actual funding received in 2017. This limits UNHCR ability to address all the problems that Syrian refugees are facing. Syrian refugees then struggle to meet their basic needs which results in negative coping mechanisms such as child labor or even, in the most critical situations, voluntarily returns to Syria.

Finally, one of the main issues caused by the Government of Morocco's measures, UNHCR and the International community, is the lack of a long-term strategy. In fact there is a gap between addressing the long-term needs of Syrian refugees and what is actually delivered. Long-term strategy should include their status and security situation. Attention should be given to their integration and should be part of the long-term strategy. During the study, we have come to the conclusion that:

- 1) Only a portion of issues that Syrian refugees in Morocco face are being addressed
- 2) Inadequate resources
- 3) The lack of long-term strategy

These are the main factors that need to be improved by the Moroccan government and the UNHCR and NGOs in order to meet the needs of Syrian refugees and improve their living conditions in Morocco.

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