

WHAT QUALIFIES SOMEONE AS A REFUGEE?

According to the Geneva Convention and the OAU Convention, a refugee is someone who :

- is outside her/his country
- has a well-founded fear of being persecuted for reasons of
 - > race
 - > religion
 - > nationality
 - > membership of a particular social group
 - > political opinion
- is unable or unwilling to seek asylum in her/his country because of this well-founded fear
- does not have a nationality and is outside her/his country of origin or habitual residence and unable or unwilling to return to her/his country of origin owing to this well-founded fear
- is unable or unwilling to return to her/his country of origin owing to serious and indiscriminate threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order in either part or the whole of her/his country of origin or nationality
- is compelled to leave his place of habitual residence because of external aggression, occupation or foreign domination



STEPS TO SEEK ASYLUM IN MOROCCO

WHO DETERMINES IF SOMEONE IS A REFUGEE IN MOROCCO?

Pending the establishment of a national asylum procedure, it is the office of the United Nations High Commissioner for Refugees (UNHCR) who handles the asylum requests, under the UN mandate and in conjunction with the Moroccan authorities.

HOW TO APPLY FOR THE REFUGEE STATUS IN MOROCCO?

The steps to follow:

1. FIRST CONTACT
2. REGISTRATION WITH THE UNHCR
3. INTERVIEW FOR THE REFUGEE STATUS DETERMINATION (RSD)
4. THE UNHCR DECISION
5. THE APPEAL (IF THE ASYLUM APPLICATION IS DENIED)

1. FIRST CONTACT

- Go to the UNHCR office in Rabat (**10 AVENUE MEHDI BEN BARKA, SOUISSI; MON-FRI 8:00-16:30, CONTACT: 05375-45400**)
- Collect and fill in the application form (on your own or with the help of an UNHCR employee) or collect the form and fill it in at home and submit it to the UNHCR office later on. In this application form you can ask for an interpreter for your interview and express your preference about the sex of the interviewer.
- It is important to fill in the application form with correct information. It will be carefully analysed to consider your request..

2. REGISTRATION WITH THE UNHCR

- During your appointment with UNHCR to submit your application form, the UNHCR will ask you questions about the registration form, will register your data, take a picture of you and collect your fingerprints.
- You will receive a certificate of asylum seeker which ensures you specific rights. This certificate has a specific period of validity. When it expires, you must contact the UNHCR to renew it.

3. THE REFUGEE STATUS DETERMINATION (RSD) INTERVIEW

- Normally, UNHCR will contact you by phone to inform you of the date and time of your Refugee Status Determination (RSD) interview.
- On the day of your RSD interview appointment, you must go to UNHCR.
- An UNHCR officer will interview you to understand why you left your home country and why you fear returning there. He/she will ask you to be as specific as possible about the facts, places, dates, reasons for fear of persecution, and triggers for your departure, as well as your journey to Morocco.
- You can communicate your story openly as everything will remain confidential. You can also benefit from an interpreter and indicate if you prefer to be interviewed by a man or a woman.



4. THE DECISION OF THE UNHCR

- If the decision of the UNHCR is positive: you are granted refugee status. You will keep your asylum seeker's certificate, also renewable, and you will have a certificate indicating your refugee status, pending regularization by the Moroccan authorities.
- If the decision of the UNHCR is negative: you are notified in writing. You have the right to receive a notification in the language you speak (through an interpreter) and you have the right to appeal against this negative decision. Your asylum seeker certificate can be renewed during this period. Alternatively, you can apply for voluntary return to your home country via the IOM.

5. THE APPEAL

- If UNHCR issues a negative response, you have 30 days to appeal this decision and request an additional RSD interview. You may submit your appeal (or reopening letter) by email, or directly in the HCR office.
- If the 30-day deadline has passed, you may send UNHCR a personalized reopening request explaining why you have missed the deadline.
- If necessary, UNHCR will invite you for a follow-up interview. If your application is accepted, UNHCR will issue you with a certificate attesting to your refugee status. If it is rejected, the final decision of refusal will be communicated to you.

- PLEASE NOTE:

- When in correspondence with UNHCR, if there are any changes in telephone number or city of residence, UNHCR must be notified.
- Most importantly, as an asylum seeker and refugee under the protection of the UNHCR, you have the right to non-refoulement, which means that you cannot be returned to your country of origin.
- Once you have the asylum seeker or refugee certificate, if you have problems with the authorities, you can call UNHCR to intervene.
- A person can access the resettlement program only if he/she is already recognized as a refugee and if he/she meets the UNHCR criteria.

Throughout the asylum process, the Hijra Clinic offers to accompany you, through assistance in filling out application forms, preparation for the Refugee Status Determination interviews, as well as in drafting appeals and reopening letters.



The Clinique Juridique Hijra is available to help you for free during all the steps of the procedures, please contact us at this number: +212 771731785