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2023 Trafficking in Persons Report: Morocco

MOROCCO (Tier 2)

The Government of Morocco does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Morocco remained on Tier 2. These efforts included improving law enforcement data collection efforts and disaggregating trafficking from smuggling cases in the data. The government reported achieving the most trafficking convictions since 2001 and increased investigations and prosecutions. The government also initiated prosecutions of government officials for alleged complicity in child forced labor and trafficking-related crimes. In addition, the government fully approved a comprehensive victim identification guide, an NRM, and a 2023-2030 anti-trafficking strategy in March 2023. However, the government did not meet the minimum standards in several key areas. Specialized shelter and services for trafficking victims remained insufficient, and the government did not report providing financial or in-kind support to civil society organizations providing victim services. Despite progress on a victim identification guide and the NRM, the government remained without comprehensive victim identification and referral procedures for most of the reporting period. Lack of proactive screening and identification measures continued to leave certain populations, such as undocumented migrants, vulnerable to penalization solely for unlawful acts committed as a direct result of being trafficked, including immigration violations.

PRIORITIZED RECOMMENDATIONS:

- Systematically implement procedures to proactively identify trafficking victims, especially among vulnerable populations such as undocumented migrants.
- Fully implement a national victim referral mechanism and train judicial, law enforcement authorities, civil society, and other victim protection actors on its application.
- Provide adequate protection services for victims of all forms of trafficking, including but not limited to shelter, psycho-social services, legal aid, and repatriation assistance.
- Increase provision of specialized services for populations vulnerable to trafficking and increase financial or in-kind support to NGOs that provide these services.
- Investigate, prosecute, and convict traffickers using the anti-trafficking law, including forced labor cases.
- Train law enforcement and judicial officials, child labor inspectors, and healthcare personnel on awareness of the anti-trafficking law, victim identification, non-penalization of victims, and referral best practices using current mechanisms with the NGO community to increase officials' ability to identify internal trafficking cases, as well as cross-border trafficking cases, as distinct from migrant smuggling crimes.
- Ensure that victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked, such as "prostitution" or immigration violations.
- Implement nationwide anti-trafficking awareness campaigns.
- Continue improving law enforcement data collection and disaggregating trafficking data from migrant smuggling data.

PROSECUTION

The government increased overall anti-trafficking law enforcement efforts. Law 27.14 criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and a fine between 10,000 and 500,000 dirhams (DH) (\$950 and \$47,710) for crimes involving adult victims, and 20 to 30 years' imprisonment and a fine between 100,000 and one million DH (\$9,540 and \$95,420) for those involving child victims. These penalties were sufficiently stringent, and regarding sex trafficking, commensurate with penalties for other serious crimes, such as rape.

Despite past conflation of human trafficking and migrant smuggling data, authorities significantly improved efforts to disaggregate and distinguish between smuggling and trafficking cases. In 2022, the government investigated 120 new trafficking cases, leading to the arrest of 97 suspects, involving 56 sex trafficking and 64 labor trafficking cases (15 forced labor cases, 39 forced begging cases, two "slavery-like practices" cases, and eight forced criminality cases). This was an increase compared with 85 investigations in 2021. The government initiated the prosecution of 149 alleged traffickers, an increase compared with the prosecution of 111 alleged traffickers in 2021. Of the 149 prosecutions in 2022, 110 were for alleged sex trafficking, 17 for forced labor, four for forced begging, 11 for "practices similar to slavery," and seven for forced criminality. The government convicted 101 traffickers in 2022, the highest number of trafficking-specific convictions the government has ever reported, and a significant increase from the conviction of 54 traffickers in 2021. The 101 convictions included 82 sex trafficking convictions, five forced labor convictions, two forced begging convictions, five domestic servitude convictions, one conviction for "practices similar to slavery," and six forced criminality convictions. Courts sentenced 11 traffickers to less than one year imprisonment, 29 traffickers to one to two years' imprisonment, 39 traffickers to one to five years' imprisonment, 17 traffickers to five to 10 years' imprisonment, and five traffickers to 10 to 20 years' imprisonment.

The government initiated prosecutions of five officials for trafficking-related crimes such as sexual exploitation or child forced labor but the cases remained pending at the end of the reporting period; the officials worked for the Ministry of Education, Ministry of Justice (MOJ), and at a government child protection center. Aside from these cases, the government did not report any new investigations or convictions of government officials complicit in human trafficking crimes. In March 2023, the Department of State suspended for one year the A-3 and G-5 visa sponsorship privileges afforded to Morocco mission members because the government declined to waive diplomatic immunity for U.S. criminal proceedings related to human trafficking and serious mistreatment of domestic workers and has not initiated its own prosecution. In December 2019, a diplomat posted to the Moroccan Mission to the United Nations in New York, his ex-wife, and her brother were indicted for, among other crimes, conspiring to commit visa fraud from 2006 to 2016 to exploit foreign domestic workers from the Philippines, Morocco, and other countries. U.S. authorities arrested the former diplomat's ex-wife in March 2019; she died in 2021 prior to trial. The other two defendants remain at large. The government reported prosecutors interviewed the former diplomat on two occasions in previous reporting periods; however, for the fifth consecutive year, it did not report completing a prosecution or other administrative action to hold the former diplomat accountable. In June 2022, the government partnered with INTERPOL to arrest an alleged trafficker accused of recruiting and transporting women from Nigeria, through Morocco, to Spain and other European countries where the women were exploited in sex trafficking. The government also partnered with two foreign governments to form a working group investigating child sexual exploitation, including child sex trafficking; the working group investigated 152 cases but did not report whether those cases involved trafficking indicators. In 2022, the government submitted two requests to European governments to extradite alleged traffickers facing trafficking prosecutions in Morocco. The General Prosecutor continued to ensure there were two prosecutors specialized in handling trafficking cases in every court of appeal across the country, resulting in 44 trafficking-specialized prosecutors across Morocco. The government coordinated trainings, at times in cooperation with international organizations, for prosecutors, border officials, law enforcement, labor inspectors, and other officials on trafficking indicators, investigations, and related topics.

PROTECTION

The government increased overall efforts to protect trafficking victims. The government did not have formal comprehensive victim identification SOPs or a national victim referral process for most of the reporting period but collaborated with an international organization to establish standard procedures and a draft NRM. The government completed and approved a comprehensive victim identification guide and NRM in March 2023; both were pending implementation at the end of the reporting period. In 2022, the government identified 166 trafficking victims, compared with the identification of 169 victims in 2021. Of the 166 victims, 101 were sex trafficking victims, 27 forced labor victims, four forced begging victims, 45 victims of “practices similar to slavery,” and eight forced criminality victims; numerous victims experienced multiple forms of exploitation. The identified 166 victims included 43 men, 26 boys, 39 women, and 58 girls; ten identified victims were foreign nationals. Despite the lack of comprehensive SOPs and an NRM during the full reporting period, the Ministry of Interior (MOI) used standard procedures for the reception, orientation, and care of undocumented migrants and trafficking victims encountered during border management activities. In the absence of a formal referral mechanism, the government continued to informally refer victims to services. The government reported referring all 166 identified victims to either government, NGO, or international organization shelters or services. During the previous reporting period, the government referred 20 victims to government shelters and provided services to 54 victims but did not report whether the remaining 95 identified victims received any services. Each branch of the National Security Directorate maintained a support unit for women victims of violence to ensure a more victim-centered approach to sensitive cases, including cases involving female trafficking victims, and their referral to services.

The government did not provide shelter or psycho-social services specific to the needs of victims of all forms of trafficking and the overall lack of shelters and protection services for victims continued to impede overall protection efforts. In March 2023, the government announced it was in the process of establishing four specialized shelters for trafficking victims in Oujda, Casablanca, Agadir, and Tangier with plans to eventually establish specialized shelters in all 12 provinces. In the meantime, the government continued to provide services to female and child victims of violence – including potential trafficking victims – at 40 reception centers staffed by nurses and social workers at major hospitals, as well as in MOJ protection units in Moroccan courts. Moroccan law enforcement agencies reportedly continued to utilize focal points to work directly with these reception centers and MOJ units, and they continued to use a list of NGO service providers to whom authorities could refer trafficking victims for care. The government reported these services were available to adult male victims but acknowledged they were more difficult to access. Prosecutors in the courts of first instance and the courts of appeal – in coordination with the Ministry of Health – had the authority to order trafficking victims be removed from exploitative situations and placed in the care of a hospital or civil society organization. The government also reported it placed an unknown number of officials in courts throughout the country, who were responsible for identifying and referring trafficking victims to psycho-social support, medical services, and legal aid. The government, however, did not report how many – if any – victims these officials or prosecutors referred to protection services. The government continued to rely heavily on NGOs and international organizations to provide assistance to victims and provided some financial assistance to organizations assisting child labor and child trafficking victims but did not otherwise report providing financial resources to organizations assisting trafficking victims. The government continued to encourage victims to cooperate in investigations against traffickers, but it did not report the number of victims who did so during the reporting period or if it took measures to protect witness confidentiality, nor did it report if victims received restitution from traffickers. The government did not report assisting in the voluntary repatriation of foreign trafficking victims during the reporting period; between January and November 2021, the government organized the voluntary repatriation of 2,376 foreign nationals but did not report if there were trafficking victims among that population. The government did not report providing legal alternatives to the removal of foreign victims of trafficking to countries where they might face

retribution or hardship, aside from coordinating with international organizations on asylum and refugee cases.

The MOI continued to lead the government's National Strategy for Immigration and Asylum, which aimed to regularize the legal status of refugees and asylum-seekers, including trafficking victims. Under this strategy, foreign trafficking victims could benefit from various services, including reintegration assistance, education, vocational training, social services, and legal aid. However, the government did not report proactively identifying potential trafficking victims during these regularization efforts or how many foreign trafficking victims, if any, benefited from these services. Due to the lack of proactive screening and identification measures, some foreign trafficking victims may have remained unidentified. Furthermore, foreign trafficking victims – especially among the sub-Saharan African undocumented migrant population – remained vulnerable to penalization solely for immigration offenses committed as a direct result of being trafficked. Undocumented migrants reported they feared arrest and deportation and therefore were reluctant to report trafficking or other types of crimes to the police.

PREVENTION

The government increased efforts to prevent human trafficking. The national inter-ministerial anti-trafficking committee, which was administered by MOJ and included two representatives from civil society, coordinated the government's efforts to combat trafficking. The government continued to implement its 2007 NAP, which included coordination across relevant ministries, and began drafting a 2023-2030 national strategy and an accompanying 2023-2026 implementation plan in coordination with international organizations; the government fully approved the new strategy and implementation plan in March 2023 and it was pending implementation at the end of the reporting period. In 2022, the anti-trafficking committee partnered with an international organization to develop a comprehensive database to track law enforcement actions, judicial proceedings, trafficking trends, protection measures, and other information on the government's efforts; the database was pending full operationalization at the end of the reporting period. The government conducted public awareness campaigns, at times in coordination with international organizations.

The government reportedly continued to implement Law No. 19.12, adopted in October 2018, which provided protections to foreign domestic workers including requiring valid work contracts that meet national labor standards for the granting of a work visa. Law 19.12 also banned the use of intermediaries to negotiate the recruitment of domestic workers on behalf of the intended employer and recruitment agencies in order to reduce vulnerability to fraudulent recruitment. The government continued to operate a hotline through the National Observatory for the Rights of the Child for the public to report abuse and crimes against children, but the government did not report whether the hotline received any reports of potential child trafficking crimes. The Ministry of Economic Inclusion, Small Business, Employment, and Skills continued to conduct child labor inspections in the formal economy across the country; labor inspectors removed 522 children from hazardous working conditions, including potential trafficking victims, between January 2022 and February 2023. However, the government reported it remained concerned about child labor violations in the informal sector, including potential forced child labor crimes. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism. The government provided anti-trafficking training to its diplomatic personnel. Moroccan peacekeeping forces received anti-trafficking training and operated under a "no tolerance" standard for troops involved in UN peacekeeping missions. Although not explicitly reported as trafficking, an international organization reported receiving one sexual exploitation allegation with potential trafficking indicators against Moroccan peacekeepers deployed to the UN peacekeeping mission in the Central African Republic (CAR) in 2022; three such allegations in 2021, with two concerning peacekeepers in the CAR and one concerning peacekeepers in the Democratic Republic of the Congo (DRC); and three in 2020 (two concerning peacekeepers in the DRC and one concerning

peacekeepers in the CAR). The government reported it had jailed one perpetrator after a 2020 allegation in the DRC was substantiated and closed the 2022 allegation after it was found to be unsubstantiated. Investigations into the other five allegations remain ongoing.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Morocco, and traffickers exploit Moroccan victims abroad. Documented and undocumented foreign migrants, especially women and children, are highly vulnerable to forced labor and sex trafficking in Morocco and as they transit through Morocco to reach Europe. Traffickers exploit undocumented migrants who voluntarily use smugglers to enter Morocco. In 2022, the government tightened border restrictions which observers reported increased the vulnerability of undocumented migrants in Morocco to exploitation and trafficking. Sub-Saharan and Moroccan undocumented migrants clandestinely crossing from Morocco to the Spanish enclaves of Melilla and Ceuta or the Canary Islands and further into Europe are at risk of trafficking in Morocco and Europe. For example, traffickers exploit some female migrants while seeking assistance at “safe houses” in Morocco, which usually are run by individuals of their own nationality. Some female undocumented migrants, primarily from Sub-Saharan Africa as well as a small but growing number from South Asia, are exploited in sex trafficking and forced labor in Morocco. Criminal networks operating in Oujda on the Algerian border and in northern coastal cities, such as Nador, exploit undocumented migrant women in sex trafficking and forced begging; networks in Oujda also reportedly exploit children of undocumented migrants in forced begging. Some female undocumented migrants, particularly Nigerians, who transit Oujda are exploited in sex trafficking once they reach Europe. International organizations, local NGOs, and migrants report women and unaccompanied children are highly vulnerable to sex trafficking and forced labor in Morocco; the victims are typically the same nationality as the traffickers. Some women from the Philippines, Indonesia, and francophone sub-Saharan Africa are recruited for employment as domestic workers in Morocco but upon arrival, employers force them into domestic service through non-payment of wages, withholding of passports, and physical abuse.

Traffickers, including parents and other intermediaries, exploit Moroccan children in Morocco for forced labor, domestic work, begging, and sex trafficking. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal, textile, and construction industries and in mechanic shops. Although the incidence of child domestic workers has reportedly decreased in Morocco since 2005, girls are recruited from rural areas for work in domestic service in cities and some become victims of forced labor. NGOs and other observers anecdotally reported that a significant number of girls work as domestic help in Moroccan households, but it is difficult to determine the extent of the problem because of authorities’ inability to access this population. Drug traffickers reportedly compel children to participate in drug production and trafficking in Morocco. Some family members and other intermediaries exploit Moroccan women in sex trafficking. During the reporting period, observers reported severe drought in rural areas increased vulnerability of Moroccans of lower socio-economic means to exploitation by sex and labor traffickers as they sought other income sources. Some foreign nationals, primarily from Europe and the Middle East, engage in child sex tourism in major Moroccan cities. Traffickers exploit Moroccan adults and children in forced labor and sex trafficking, primarily in Europe and the Middle East, particularly in the Gulf states. Traffickers force Moroccan women into commercial sex abroad where they experience restrictions on movement, threats, and emotional and physical abuse. As in past years, media continued reporting Moroccan workers in Spain’s agricultural sector were subjected to forced labor and, at times, sexual abuse.