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2020 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 to the previous reporting period; therefore Morocco remained on Tier 2. These efforts included increased prosecutions and convictions of traffickers, as well as increased identification of trafficking victims and referral to care. However, the government did not meet the minimum standards in several key areas. It remained without institutionalized, nation-wide victim identification and referral procedures, and—as a result—unidentified victims remained at risk of penalization, including arrest and deportation, and re-trafficking. The government continued to forcibly relocate some sub-Saharan African migrants from the areas near Ceuta and Melilla—a highly vulnerable population to trafficking in Morocco—without instituting measures to screen for trafficking indicators. The government also did not provide specialized protection services specifically for trafficking victims.

PRIORITIZED RECOMMENDATIONS:

Adopt and systematically implement procedures to proactively identify trafficking victims, especially among irregular migrants, to appropriate protection services. • Create and implement a national victim referral mechanism and train judicial and law enforcement authorities on its application. • Continue to investigate, prosecute, and convict traffickers using the anti-trafficking law and sentence convicted traffickers to significant prison terms. • Continue to 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. • 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. • Disaggregate law enforcement data on human trafficking and migrant smuggling crimes. • Increase provision of specialized services for populations vulnerable to trafficking and/or financial or in-kind support to NGOs that provide these services. • Ensure that victims are not punished for unlawful acts traffickers compelled them to commit, such as immigration and prostitution violations. • Implement nationwide anti-trafficking awareness campaigns.

PROSECUTION

The government increased efforts to investigate, prosecute, and convict traffickers, but the government did not disaggregate data to distinguish human trafficking from migrant smuggling crimes. Law 27.14 criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and 10,000 and 500,000 dirhams (~\$1,040 and \$52,100) for offenses involving adult victims, and 20 to 30 years' imprisonment and a fine of between 100,000 and one million dirhams (\$10,420 and \$104,200) for those involving child victims. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties for other serious crimes, such as rape.

In 2019, the government reported it investigated 151 alleged trafficking cases involving sex trafficking, forced labor, and forced begging. Authorities did not report disaggregated human trafficking and migrant smuggling; without detailed information, it was unclear if the government prosecuted and convicted perpetrators for human trafficking or for other crimes. The government reported that it initiated the prosecution of 307 alleged traffickers for sexual exploitation and forced labor under Law 02-03 and Articles 52, 53, and 73. These laws, however, pertained to irregular migration, and the government did not disaggregate the data to demonstrate how many of the 307 alleged perpetrators committed smuggling crimes rather than trafficking crimes. The government reported it convicted 68 traffickers and acquitted 10, but it did not report the details of these cases or the laws under which the traffickers were convicted; of the 68 convictions, 17 received less than

one year imprisonment, 27 received sentences of one to five years’ imprisonment, 17 received sentences ranging from five to 10 years’ imprisonment, and seven received more than 10 years’ imprisonment. This demonstrated a significant increase in comparison to 2018, when the government reported it investigated 80 potential sex and labor trafficking cases involving 231 alleged traffickers, prosecuted 16 cases, and convicted five perpetrators. The government did not report initiating any investigations, prosecutions, or convictions of government officials complicit in human trafficking. Following on a criminal complaint, as of December 2019, a former member of the Moroccan Mission to the United Nations in New York, his ex-wife, and her brother had been charged with, among other crimes, conspiring to commit visa fraud from 2006 to 2016 in order to exploit foreign domestic workers from the Philippines, Morocco, and other countries. Police arrested the ex-wife in March 2019.

The General Prosecutor continued to ensure there were two prosecutors specialized to handle trafficking cases in every court of appeal across the country. In 2019, the Ministry of Labor provided anti-trafficking training to 32 newly recruited labor inspectors. The government did not report providing other anti-trafficking training, but it allowed officials to participate in trainings funded and provided by NGOs and international organizations.

PROTECTION

The government significantly increased efforts to identify trafficking victims, but it remained without appropriate victim protection services, and authorities continued to punish unidentified victims among vulnerable populations, such as undocumented foreign migrants. In 2019, the government reported it identified 423 trafficking victims—including both children and adults, 277 Moroccans, and 146 foreigners—and referred them to Ministry of Justice (MOJ) protection units and civil society organizations for assistance; the government reported it provided victims with legal aid, housing assistance, medical care, foreign residence permits, and family reunification. This data represented an increase from 2018, when the government reported it identified 131 male and female victims. The government did not have formal victim identification procedures or a national victim referral process, but it continued to collaborate with an international organization to establish standard procedures and a draft victim referral mechanism. In the absence of a formal referral mechanism, the government continued to informally refer victims and provided financial or in-kind support to some civil society organizations that provided essential services to populations vulnerable to trafficking.

The government did not provide shelter or psycho-social services specific to the needs of victims of all forms of trafficking. However, it continued to provide services to female and child victims of violence, including potential trafficking victims, at 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 continued to use a list of NGO service providers to whom authorities could refer trafficking victims for care. The government did not specify if any of these services were available to adult male trafficking victims. 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 to be removed from exploitative situations and to place them 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 encourage victims to cooperate in investigations against their traffickers, but it did not report the number of victims who did so during the reporting period, nor did it report if victims received restitution from traffickers or if measures were taken to protect witness confidentiality. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

The Ministry Delegate in charge of Moroccans Residing Abroad and Migration Affairs continued to lead the government’s National Strategy for Immigration and Asylum, which aimed to regularize the legal status of migrants, 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 during the reporting period. Due to the lack of proactive screening and identification measures, some foreign trafficking victims remained unidentified. Furthermore, foreign trafficking victims—especially among the sub-Saharan African migrant population—remained vulnerable to penalization for unlawful acts traffickers compelled them to commit, such as immigration violations. For example, in 2019, the government continued to conduct large-scale arrests and forced relocations away from the areas near Ceuta and Melilla of reportedly thousands of sub-Saharan African migrants in Morocco in an effort to curb irregular migration; however, the government did not report proactively screening for

trafficking among this highly vulnerable population. Foreign migrants reported they feared arrest and deportation, thereby deterring them from reporting trafficking or other types of crimes to the police.

PREVENTION

The government increased some efforts to prevent human trafficking. In May 2019, the government formally established a national inter-ministerial anti-trafficking committee, which was led by the MOJ and included two representatives from civil society. The committee oversaw the government's national strategy for immigration and asylum, which included efforts to manage irregular migration, combat trafficking, and organize training sessions for security services on asylum, migration, and trafficking issues. The government also continued to implement a national anti-trafficking action plan, which included coordination across relevant ministries. In December 2019, the Ministry of Family, Solidarity, Equality, and Social Development launched a new initiative to combat forced child begging. The government, however, relied heavily on NGOs and international organizations to address trafficking. As in the previous reporting period, the government—in coordination with an international organization—continued to organize anti-trafficking trainings and raise awareness of the anti-trafficking law among government officials, civil society, and vulnerable populations, including women, children, and migrants. The government continued its regularization campaigns to grant legal status and protections to migrants, refugees, and asylum-seekers, which helped decrease this population's vulnerability to trafficking.

The government reportedly continued to implement Law No.19.12—adopted in October 2018—which provided protections for foreign domestic workers. The government continued to operate a hotline through the National Center for Listening and Reporting for the public to report abuses against children's rights, but the government did not report if the hotline received any claims of potential child trafficking crimes. During the reporting period, the government continued partnering with NGOs that assisted homeless children in urban areas, particularly Casablanca, to prevent vulnerable youth from becoming victims of various forms of exploitation, including forced labor. The Ministry of Labor and Vocational Integration continued to conduct child labor inspections in the formal economy across the country, but the government reported it remained concerned about child labor violations in the informal sector, including potential forced child labor crimes. The government reported that overall labor inspections suffered from insufficient personnel and resources to address child labor violations, including potential child trafficking crimes, throughout the country. Furthermore, there was no national focal point to receive complaints about child labor or forced child labor, and no national referral mechanism for referring children found during inspections to appropriate social services. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. Moroccan peacekeeping forces received anti-trafficking training and operated under a “no tolerance” standard for troops involved in UN peacekeeping missions; the government reported that, in 2019, the government—in collaboration with the UN—initiated the prosecution of three cases of Moroccan peacekeepers for allegations of sexual exploitation and abuse, which were ongoing at the end of the reporting period.

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 many migrants who voluntarily use smugglers to enter Morocco. In 2019, the number of sub-Saharan migrants clandestinely entering the country—the majority of whom intend to transit Morocco on their way to Europe—decreased by an estimated 50-60 percent in comparison to 2018; however, the number of Moroccan migrants departing for Europe reportedly increased. The Spanish government and international organizations estimate that 25,000 people, including Moroccan citizens, crossed clandestinely from Morocco to Spanish territory in 2019 either by sea or over land. Both sub-Saharan and Moroccan migrants making this journey to Spain 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 and 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 migrants in forced begging. Some female migrants, particularly Nigerians, who transit Oujda are exploited in sex trafficking once they reach Europe. Furthermore, some contacts claim that entrenched Nigerian networks, working with Moroccan criminal elements, exploit primarily Nigerian women in sex trafficking, and retain control over these victims when they arrive in Europe. International organizations, local NGOs, and migrants report women and unaccompanied children from Cote d'Ivoire, Democratic Republic of the Congo, Nigeria, and Cameroon are highly vulnerable to sex trafficking and forced labor in Morocco. Some reports

suggest Cameroonian and Nigerian networks exploit women in sex trafficking, while Nigerian networks also exploit women in forced begging in the streets by threatening the victims and their families; the victims are typically the same nationality as the traffickers. Some women from the Philippines and Indonesia and francophone sub-Saharan Africa are recruited for employment as domestic workers in Morocco; upon arrival, employers force them into domestic servitude through non-payment of wages, withholding of passports, and physical abuse.

Country:

Morocco Traffickers, including parents and other intermediaries, exploit Moroccan children in Morocco for labor, domestic work, begging, and sex trafficking. Some Moroccan boys endure forced labor while serving as apprentices in the artisanal, textile, and construction industries and in mechanic shops. Although the use of 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 trafficking. NGOs and other observers anecdotally reported in 2018 that a significant number of Moroccan households, but it is difficult to determine the extent of the trafficking because of authorities' inability to access this population. Some family members and other intermediaries exploit Moroccan women in sex trafficking. Some foreigners, primarily from Europe and the Middle East, engage in child sex tourism in major Moroccan cities. Traffickers exploit women, and children in forced labor and sex trafficking, primarily in Europe and the Middle East, particularly in the Gulf. Using force, restrictions of movement, threats, and emotional abuse, traffickers force Moroccan women into commercial sex abroad where they experience language barriers on movement, threats, and emotional and physical abuse. Swedish authorities reported in early 2020 that, since 2016, traffickers force homeless boys and young men from Morocco to deal drugs, carry out thefts, and perpetrate other criminal activities in Sweden; however, these cases reportedly decreased in 2019.

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