



2016 Trafficking in Persons Report - Morocco

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MOROCCO: Tier 2

Morocco is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. According to a November 2015 study conducted by the Moroccan government, with support by an international organization, children are exploited in Morocco for labor, domestic work, begging, and prostitution. Although the incidence of child domestic work has reportedly decreased since 2005, girls are recruited from rural areas for work in domestic service in cities and become victims of forced labor. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. The 2015 study also found that some women are forced into prostitution in Morocco by members of their families or other intermediaries. Some female undocumented migrants, primarily from sub-Saharan Africa and South Asia, are coerced into prostitution. Criminal networks operating in Oujda on the Algerian border and in the northern coastal town of Nador force undocumented migrant women into prostitution and begging; networks in Oujda also reportedly force children of migrants to beg. Some female migrants, particularly Nigerians, who transit Oujda are forced into prostitution once they reach Europe. International organizations and local NGOs report unaccompanied children and women from Cote d'Ivoire, Democratic Republic of the Congo, Senegal, Nigeria, and Cameroon are highly vulnerable to sex trafficking and forced labor in Morocco. Some reports suggest Cameroonian and Nigerian networks force women into prostitution, while Nigerian networks also force women to beg 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 are recruited for employment as domestic workers in Morocco; upon arrival, some are subjected to forced labor, experiencing non-payment of wages, withholding of passports, and physical abuse at the hands of their employers. Moroccan men, women, and children abroad are exploited in forced labor and sex trafficking, primarily in Europe and the Middle East. Moroccan women who are forced into prostitution abroad experience restrictions on movement, threats, and emotional and physical abuse. Recruiters reportedly offer Moroccan men jobs in the Persian Gulf, but seize the victims' passports and subject them to debt bondage after arrival. Some Moroccan men and boys, initially lured to Europe by fraudulent job offers, are forced to sell drugs. Some foreigners, primarily from France and Spain, engage in child sex tourism in major Moroccan cities.

The Government of Morocco does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued efforts to

prevent human trafficking, including child sexual exploitation. Moroccan law does not prohibit all forms of human trafficking and its lack of clarity frequently led officials to conflate human trafficking, human smuggling, and illegal migration. To address this challenge, the government provided anti-trafficking training to prosecutors and judges. The government reported minimal efforts to investigate potential trafficking crimes under existing laws and did not provide the details of such cases to determine if they included trafficking offenses. The lack of prosecutions and convictions for trafficking crimes was not commensurate with the scope of the known problem. The government did not proactively identify trafficking victims among vulnerable populations, especially among migrants. As a result, unidentified victims among vulnerable populations remained at risk of penalization and re-trafficking. The government, however, funded protective services, particularly for migrants, and maintained cooperation with NGOs and international organizations in referring vulnerable populations, including potential unidentified trafficking victims, to social services on a limited ad-hoc basis.

RECOMMENDATIONS FOR MOROCCO:

Enact and implement legislation, in line with international standards, that prohibits all forms of trafficking, distinct from human smuggling, and prescribes sufficiently stringent penalties; significantly increase investigations, prosecutions, and convictions of traffickers, and ensure stringent sentencing; proactively identify trafficking victims, especially among the foreign migrant community; develop and implement formal procedures for victim identification and referral to care using a victim-centered approach; ensure victims are not punished for crimes, such as immigration violations, committed as a direct result of being subjected to human trafficking; increase funding or in-kind support to NGOs that provide specialized services for trafficking victims, including foreign victims; significantly improve law enforcement data collection and reporting, including the disaggregation of data between human trafficking and human smuggling crimes; enact and implement legislation that provides protection for foreign and Moroccan domestic workers, including victims of domestic servitude; and enhance public awareness campaigns addressing all forms of trafficking of men, women, and children.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. Morocco lacks an anti-trafficking law, which remained a serious obstacle to prosecuting human trafficking crimes and contributed to confusion among officials in differentiating human trafficking, human smuggling, and illegal migration. Existing laws prohibit some, but not all, forms of trafficking; penalties under these laws are generally not sufficiently stringent. Morocco's penal code prohibits forced child labor through article 467-2, which prescribes punishments of one to three years' imprisonment, which are not sufficiently stringent. The penal code also prohibits forced prostitution and child prostitution through articles 497-499, which prescribe punishments of up to 10 years' or life imprisonment for crimes found to have occurred with aggravated circumstances; these penalties are sufficiently stringent and commensurate with other serious crimes such as rape. The penal code does not specifically define and penalize sex trafficking. Article 10 of Morocco's labor code prohibits forced labor of a worker; this offense is punishable by a fine for the first offense and a jail term of up to three months for subsequent offenses; these penalties are not sufficiently stringent.

In 2015, the government reported 34 cases involving suspects allegedly engaged in the abduction and illegal confinement of children; however, the status of these cases was unclear, and it was unknown whether they included trafficking offenses. The government also reported disbanding 105 human smuggling and trafficking networks in 2014, but it did not provide statistics for 2015 nor details about efforts to investigate and prosecute criminal actions by such groups. The government did not report any investigations, prosecutions, or convictions of government

employees complicit in human trafficking. The media and an international organization reported allegations that a Moroccan peacekeeper deployed in the Central African Republic (CAR) was involved in sexual exploitation of a woman in February 2016; although the media reported the government would initiate an investigation of these allegations, the outcome of this case was unclear at the end of the reporting period. Additionally, the media reported some Moroccan troops were allegedly involved in a child sex trafficking ring in CAR during the reporting period; the government and an international organization investigated these claims and found them to be unsubstantiated. The government, in partnership with international organizations, provided regular anti-trafficking trainings to judicial and law enforcement officials on distinguishing trafficking from human smuggling. In September 2015, the government cooperated with international organizations to establish standard procedures for identifying and assisting trafficking victims; it also created training materials for national and local law enforcement officials to identify trafficking victims.

PROTECTION

The government sustained minimal efforts to identify and protect trafficking victims. As in past years, the government did not report proactively identifying trafficking victims, including those within vulnerable populations, such as irregular migrants and refugees, that officials encountered through the government's migrant regularization program. International organizations and NGOs reported some local law enforcement officials referred cases of vulnerable women, children, and migrants to them for social services; NGO service providers identified potential trafficking victims among these referrals in 2015. The government did not provide protection services to trafficking victims in 2015, and there were no other government services designed or funded specifically to assist trafficking victims. Civil society organizations and some foreign embassies continued to be the primary providers of protection services, including shelter, for trafficking victims; the government provided limited funding or in-kind support. Although the government drastically decreased forced deportations of migrants in 2015, it occasionally conducted forced internal relocations of foreign migrants, particularly in Oujda, Nador, and Tangier. The government did not make efforts to identify potential trafficking victims among this vulnerable population, and therefore some unidentified victims may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations. Despite these actions, international organizations and NGOs reported authorities were more sensitive to the plight of migrants and have shown greater willingness to allow civil society organizations to protect these populations. In October 2015, the government officially broadened its criteria to regularize migrants, which may include the regularization of potential trafficking victims and provision of benefits to victims under this program. The government did not make efforts to identify trafficking victims among those whose stay was regularized through the migrant regularization program.

The government provided repatriation assistance to an unknown number of female Moroccan trafficking victims exploited in the Middle East, sub-Saharan Africa, and Asia, but it did not provide specialized care to these victims once they returned home. While the government provided some services, including medical and housing services, to foreign and Moroccan women and child victims of violence through the Ministries of Justice and Solidarity and its child reception centers, it did not report if trafficking victims received such services in 2015. In 2015, the Ministry of Moroccans Resident Abroad and Migration Affairs expanded a partnership program, signed with 70 civil society organizations, to provide urgent humanitarian services, as well as education and vocational training to vulnerable migrant populations, including potential trafficking victims. The government reportedly encouraged victims to cooperate in the investigations against their traffickers, yet the government did not provide evidence that any victims testified in 2015. Decree No. 1-11-164 provides some protections to victims and witnesses

who testify against traffickers. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

PREVENTION

The government continued to make efforts to prevent human trafficking. In November 2015, with support of an international organization, the government published a study on the trafficking of women and children in Morocco. In 2015, with assistance from an intergovernmental organization, the government supported local NGOs' efforts to implement informational campaigns to prevent child labor and promote the rights of migrants and refugees, populations vulnerable to trafficking. The government continued to take some measures to reduce the demand for commercial sex acts and child sex tourism. In June 2015, the government formally adopted its Integrated Public Policy for the Protection of Children. The policy aims to improve the legal framework on child protection to include implementing criminal penalties for the sexual solicitation of children online and sex tourism, as well as advocating for involvement of the private sector to fight against child sex tourism, coordinating with internet providers to prevent sexual exploitation of children online, and developing awareness campaigns on children's rights. In addition, the government continued to work with the tourism industry to prevent sexual exploitation of children. The government took efforts to reduce the demand for forced labor. In the first half of 2015, the Ministry of Employment and Social Affairs conducted 247 labor inspections, identified 292 child laborers, and removed more than 180 children from work sites; however, inspectors did not identify trafficking victims among these children. As in previous years, inspectors continued to be hindered by inadequate staffing and did not have the legal authority to enter homes, preventing them from identifying children or adults in domestic servitude. The government reported it continued to conduct an unknown number of inspections of private employment agencies that failed to follow employment regulations, and in December 2015, it blocked six Moroccan employment agencies from granting work contracts to foreign domestic workers who were considered to be at risk of trafficking. The government provided its diplomatic personnel human rights training, which included background on human trafficking issues. Moroccan peacekeeping forces continued to operate under a "no tolerance" policy, and the government provided training on the issue of sexual exploitation, but not specifically of human trafficking, to Moroccan soldiers prior to their deployment abroad on UN peacekeeping missions.

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