

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	292
Land:	Marokko-Vestsahara
Kilde:	US Department of State
Titel:	Trafficking in persons report.
Udgivet:	1. juli 2021
Optaget på baggrundsmaterialet:	3. december 2021

Document #2055244

USDOS – US Department of State

2021 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, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Morocco remained on Tier 2. These efforts included identifying and referring to care 441 trafficking victims; establishing support units in each branch of the National Security Directorate (DGSN) to assist female victims of crime, including trafficking; convicting two Moroccan peacekeepers for sexual exploitation; implementing a 2019 initiative to combat child forced begging; and launching an online portal detailing resources available to trafficking victims and for people to submit trafficking allegations. However, the government did not meet the minimum standards in several key areas. Investigations, prosecutions, and convictions of trafficking cases decreased, with the government reporting it investigated 79 alleged trafficking cases involving 138 alleged traffickers and prosecuted 69 cases in 2020. Authorities continued to conflate trafficking with other crimes such as migrant smuggling. Lack of proactive screening and identification measures continued to leave vulnerable populations such as migrants vulnerable to penalization for unlawful acts traffickers compelled them to commit, such as immigration violations.

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. • Investigate, prosecute, and convict traffickers using the anti-trafficking law and sentence convicted traffickers to significant prison terms. • 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 decreased efforts to investigate, prosecute, and convict traffickers. 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) (\$1,120 and \$56,070) for offenses involving adult victims, and 20 to 30 years' imprisonment and a fine between 100,000 and 1 million DH (\$11,210 and \$112,150) 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.

Authorities did not always disaggregate between human trafficking and migrant smuggling crimes; thus investigation, prosecution and conviction data reported may include human trafficking and other crimes. In 2020, the government reported it investigated 79 alleged trafficking cases involving 138 suspects; cases included alleged sex trafficking, forced labor, domestic servitude, and forced begging. Due to the pandemic, the government diverted law enforcement away from routine anti-trafficking activities to enforce pandemic countermeasures. Despite the reduced function of courts from the onset of the pandemic until August 2020 and challenges adapting to digital processes and reduced staff, the government reported initiating the prosecution of 69 alleged traffickers for sexual exploitation and forced labor in 2020 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 69 alleged perpetrators committed smuggling crimes rather than trafficking crimes. The government reported convicting 69 traffickers during the reporting period but did not report details on the types of trafficking involved. This demonstrated a

decrease in investigations and prosecutions but maintenance in convictions in comparison to 2019, when the government reported it investigated 151 potential sex and labor trafficking cases, prosecuted 307 individuals, and convicted 68 perpetrators; however, 2019 data likely included migrant smuggling cases. Convicted traffickers received sentences ranging from penalties ranging from suspended sentences to 12 years in prison and fines up to 500,000 DH (\$56,070); the government did not report how many convicted traffickers received sentences longer than one year in prison. Although not explicitly reported by an international organization as trafficking, the government convicted two Moroccan peacekeepers for sexual exploitation with trafficking indicators while deployed to UN peacekeeping operations in the Democratic Republic of the Congo and Central African Republic, though only one of those cases had been officially closed with the international organization; prosecution of a third case was ongoing at the end of the reporting period. Aside from these cases, the government did not report initiating any investigations, prosecutions, or convictions of government officials complicit in human trafficking. 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; the other two defendants remained at large. For the third consecutive year, the government did not report taking any action to hold the former diplomat accountable.

The General Prosecutor continued to ensure there were two prosecutors specialized in handling trafficking cases in every court of appeal across the country. The government did not report cooperation with foreign governments on international trafficking investigations, despite requests to do so. The government provided ongoing anti-trafficking internal training to law enforcement officers, and officials participated in trainings funded and provided by NGOs and international organizations.

PROTECTION

The government maintained 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 2020, the government reported it identified 441 trafficking victims—including 426 Moroccans and 15 foreigners—and referred them to Ministry of Justice (MOJ) protection units and civil society organizations for assistance. Of the 441 identified victims, 245 were female, 196 male, 398 were adults, and 43 were children. The government reported it provided victims with legal aid, housing assistance, medical care, foreign residence permits, and family reunification. This data is similar to 2019, when the government reported it identified 423 victims, of whom 277 were Moroccans and 146 were foreign victims. The government did not have formal victim identification procedures or a national victim referral process but 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. During the reporting period, each branch of the National Security Directorate (DGSN) established a support unit for women victims of violence to ensure a more victim-centered approach to sensitive cases, including cases involving female trafficking victims.

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 they continued to use a list of NGO service providers to whom authorities could refer trafficking victims for care. The government reported these services are available to adult male victims but acknowledged they are 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 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. NGO service providers noted pandemic-related lockdown measures impeded their ability to assist trafficking victims and reported trafficking victims were stranded for extended periods of time in unsanitary locations or temporary shelters. 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 or if it took measures to protect witness confidentiality, nor did it report if victims received restitution from traffickers. 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. 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 maintained efforts to prevent human trafficking. The national inter-ministerial anti-trafficking committee, which was led by the MOJ and included two representatives from civil society, 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. During the reporting period, the Ministry of Family, Solidarity, Equality, and Social Development implemented a December 2019 initiative to combat forced child begging; the initiative aimed to strengthen child protection systems, focusing interagency field teams in different regions, and improving protection services for child forced begging victims. The government, however, relied heavily on NGOs and international organizations to address trafficking. As in the previous reporting periods, 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. At the onset of the pandemic, the government established a digital portal to field trafficking complaints and outline resources available to trafficking victims. The government expanded 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 abuse and crimes against children, but the government did not report if the hotline received any reports of potential child trafficking crimes. During the reporting period, the government continued partnering with NGOs that assisted homeless children and single mothers in urban areas, particularly Casablanca, to prevent vulnerable youth from becoming victims of various forms of exploitation, including forced labor. The government conducted 4,886 labor inspections during the reporting period specifically to verify the welfare of 87,584 female workers, including individuals vulnerable to trafficking, and inform them of their rights under Moroccan law. 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 the labor inspectorate suffered from insufficient personnel and resources to address child labor violations, including potential child trafficking crimes, within their routine work throughout the country. In addition, labor inspectors were mobilized to enforce pandemic-related countermeasures. Furthermore, there was no national focal point to receive complaints about child labor or forced child labor and no national 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. Although not explicitly reported as trafficking, an international organization reported receiving three allegations of sexual exploitation with trafficking indicators by Moroccan peacekeepers deployed to UN peacekeeping missions in the reporting period. 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, two of whom were convicted during 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 2020, 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 30 percent in comparison to 2019; however, the number of migrants departing from Morocco for Europe reportedly increased due to an eight-fold increase in migrants making the dangerous ocean crossing to the Canary Islands. The Spanish government and international organizations estimate that 38,000 people, including Moroccan citizens, crossed clandestinely from Morocco to Spanish territory in 2020 either by sea or over land; the majority, approximately 21,000, arrived in the Canary Islands. 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.

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 in 2018 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 in Morocco. 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; these cases reportedly decreased during 2020 due to pandemic-related diminished international travel. Traffickers exploit Moroccan adults and children in forced labor and sex trafficking, primarily in Europe and the Middle East, particularly in the Gulf. Traffickers force Moroccan women into commercial sex abroad where they experience restrictions on movement, threats, and emotional and physical abuse. During the reporting period, media reported Moroccan workers in Spain’s strawberry farms were subjected to severe labor conditions, at times amounting to forced labor, and sexual abuse. Swedish authorities reported 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 have reportedly decreased since 2019.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2020 to March 2021)

Country:

Morocco

Source:

USDOS – US Department of State

Original link:

<https://www.state.gov/reports/2021-trafficking-in-persons-report/morocco/>

Document type:

Periodical Report

Language:

English

Published:

1 July 2021

Document ID:

2055244

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

