



Morocco

- Population: 33.5 million
- GDP per capita (in US dollars): 3,190
- Constitutional monarchy
- Human development index (HDI): 0.628 (126th rank among 187 countries)
- Gender inequality index (GII): 0.525 (117th rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 36 on a scale from 0 (highly corrupt) to 100 (very clean)
- No official national statistics on prostitution.
- Prostitution is illegal under articles 497-499 of the Moroccan Penal Code; prostituted persons can be prosecuted along with their procurer and clients.
- Trafficking in persons defined and criminalized under a new 2015 draft law
- A Moroccan representative was elected to the Committee on the Rights of the Child in 2014
- Morocco lacks a centralized data reporting system for sexual exploitation
- Sex tourism, pedophilia, and child marriages remain threats to Moroccan children; street children are especially at risk of exploitation.
- Recent rise in prostituted females entering “jihad marriages” with Islamic State fighters.
- Country of origin, transit, and destination for victims of trafficking; most foreign victims originate from Sub-Saharan Africa and some from South-East Asia.

As a key transit route for victims of trafficking, a destination for sex tourists, and the origin country of many women prostituted abroad, Morocco is currently mired with several types of sexual exploitation. International victims of trafficking in Morocco largely come from sub-Saharan African countries, though some are also brought from South-East Asia. Due to Morocco’s location, it is a major transit hub for people hoping to enter Spain and other European countries from Africa. Sexual exploitation is the main cause and purpose of trafficking of women and girls in Morocco (Ngozi Ezeilo, 2014). Additionally, a large number of Moroccan migrants are coerced or tricked into prostitution abroad, often having been previously promised different jobs. The United Nations Special Rapporteur on Trafficking in Persons, Joy Ngozi Ezeilo, reported that at least an estimated 2,500 Moroccan girls were brought to the Gulf States to be prostituted between the years 2002 and 2012. However, the

Rapporteur also noted that this number and other statistics related to sexual exploitation in Morocco are large underestimates because of a lack of data collection and victim identification in Morocco, as well as the taboo nature of the subject.

Morocco does however have laws in place to combat sexual exploitation, largely because it is party to a variety of international treaties and conventions about related issues. For example, Morocco has agreed to the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Convention on the Rights of the Child, among other agreements (Ngozi Ezeilo, 2014). Articles 497-499 of the Moroccan Penal Code criminalize prostitution, any involvement in the system of prostitution, and child prostitution. Therefore, the code allows for the punishment of victims of prostitution for their “debauchery,” along with their procurers and clients. In fact, the code even specifies that people who cannot provide justification for their income can be arrested for prostitution, as can anyone living with them. The code prescribes sentences of 1 to 5 years’ imprisonment and a fine for offenses related to the prostitution of adults. For offenses involving the prostitution of minors, both the specified prison sentence is increased, to 2 to 10 years, along with the minimum fine.

Despite its strict laws on prostitution, however, Morocco has not had any laws concerning human trafficking until very recently. In April 2015, a new draft section of the Moroccan Penal Code defines and criminalizes human trafficking. The new draft gives a definition of trafficking that matches that of the 2005 Convention of the Council of Europe and includes trafficking for the purpose of sexual exploitation. Under the new law, traffickers would be punished by 30 years’ imprisonment and heavy fines, with the fines doubling in cases of child victims (*Libération Maroc*, April 25th, 2015). Having a legally specified definition of trafficking should help Morocco identify and assist victims, and will also better align Morocco’s legal system with the terms of the Palermo protocol, which Morocco previously ratified (*UNICEF*, 2014).

Controversy over the film, “*Much Loved*”

Currently, prostitution is at the core of a heated debate in Morocco. The film “*Much Loved*”, a drama about four Moroccan prostituted persons, debuted at Cannes film festival in May 2015. It was subsequently banned in Morocco amidst widespread anger about its subject matter as well as its crude content. Many Moroccans complained that the film portrayed the country in a negative light and exaggerated the existence of prostitution in Morocco, while others argued that such critics were just afraid of facing the harsh reality of sexual exploitation. When banning the film, the Moroccan Minister of Communication stated that it “undermines the moral values and dignity of Moroccan women as well as all the image of Morocco”. Some of the film’s negative reception could be a response to the fact that it furthers Morocco’s reputation as a country where sex tourism is commonplace (*BBC Trending*, June 6th, 2015).

Pedophilia and Sex Tourism

Due to Morocco's accessibility to Europe, and the large number of impoverished children in Morocco, it has become a known destination of foreign pedophile sex tourists. Bhati Patel, CEO of anti-child-trafficking NGO ECPAT UK, reported in 2013 that Morocco is a choice destination for sex tourists because "poverty is high [in Morocco], inequality is high and [pedophiles] see that the government is not playing its part in protecting children [...] [pedophiles] look for regions where they know that they can get away with this action and there is easily available access to children" (*Vice News*, September 3rd, 2013). It is difficult to know the exact scope of child sexual exploitation in Morocco because there is inadequate data collection on the issue. There is no centralized national system of data collection, and there are no agreed upon definitions distinguishing different types of sexual violence against children (*UNICEF*, 2014). Reporting sex tourism is often inaccurate because it is too specific. For example, there are very few reported cases of sex tourism at hotels in Morocco; however, that low figure is largely underestimated because the practice has moved to other locations that are less frequently monitored than hotels. As Najat Anwar, founding president of the NGO *Touche Pas à Mon Enfant* explained, "official statistics on pedo-tourism are basically non-existent...we can only count the declared cases of pedophilia, which remain an insignificantly small proportion of the total" (*UNICEF*, 2014).

According to the findings of a 2014 study by UNICEF, one of the main factors influencing whether or not children are sexually exploited is their home environment. Children from impoverished families or whose families did not play an active role in their lives and education were found to be more at risk of sexual exploitation. Street children are a particularly vulnerable group; according to a report by Morocco's General Directorate for National Security in 2012, 67% of sexual violence against children in Morocco occurs in the streets (*UNICEF*, 2014). Furthermore, a 2003 study done by the NGOs ECPAT International and Bayti found that out of a group of 530 North African children living in difficult situations (especially on the street), 46.5% had been subject to sexual violence (*UNICEF*, 2014).

Morocco has several laws pertaining to protecting children (those under 18 years old) from sexual violence. In addition to prohibiting child prostitution, Morocco has also outlawed child pornography, the sale of children, and sexual assault of children. Penalties are the harshest for offenders who take the virginity of a child (*UNICEF*, 2014). However, in spite of these laws, sexual exploitation of children and pedophilia remain prevalent in Morocco. Furthermore, the laws fail to protect child victims of prostitution from prosecution, and therefore prostituted minors can be judged guilty and legally punished (*UNICEF*, 2014).

The Moroccan government has made some efforts to combat sex tourism and the sexual exploitation of children. For example, the "Moroccan Committee of Responsible Tourism" was established in 2007, and a guide to responsible tourism is handed out at foreign embassies and Moroccan points of entry, such as airports. The guide emphasizes that sex tourism is a human rights abuse that is illegal in Morocco, and states the punishments for such crimes (*UNICEF*, 2014). Additionally, Law no. 37-10 passed in 2011, focuses on providing victims of sexual violence and their families with protection as well as legal and medical assistance. Despite these efforts, Morocco lacks a strong and unified strategy against child sexual violence and exploitation (*UNICEF*, 2014).

One major change to Morocco's policy on pedophilia came in late 2012 following a large political controversy. In July 2012 King Juan Carlos of Spain visited Morocco, and, to mark the occasion, the Moroccan king pardoned some Spanish citizens including Daniel Galvan Vina, a convicted child rapist. Just six days later, the King withdrew his pardon in response to public outrage, and a government decree in November specified that rapists and pedophiles could no longer be pardoned in Morocco (*U.S. Department of State, Bureau of Democracy, Human Rights and Labor*, 2014).

Child Marriage

Child marriage also remains a significant form of child sexual exploitation in Morocco, and it has increased in recent years. In 2013, 35,152 child marriages were reported, whereas in 2004 only 18,341 cases were reported (*UNICEF*, 2014). Although the legal marriage age is 18 for both girls and boys, judges have the right to authorize underage marriages if the family consents and if the marriage is deemed to be in the best interest of the child. Although these underage marriages are meant to be exceptions, they have become commonplace since they are easily achieved. In 2010, 92.2% of requests for underage marriages were granted, and in most of these cases, the girl was the minor (*UNICEF*, 2014). Many girls who are married young are soon abandoned by their husbands, and they are often forced to turn to prostitution to support themselves as a result. According to a 2014 study by UNICEF, 80% of girls married under the age of 11 are abandoned by their husbands after the wedding night, and 40% of abandoned women turn to prostitution.

Child marriages are the result of several different factors, such as the family's economic situation, but one of the main purposes of child marriages in Morocco is to protect the family and child's honor. For example, child marriages are often viewed as the preferable option in cases of unplanned pregnancies or rape (*UNICEF*, 2014). In fact, until 2014, child rapists in Morocco could legally avoid prosecution by marrying their victims. Controversy broke out in 2012 because a 16-year-old girl committed suicide seven months after being forced to marry her 23-year-old rapist in order to "protect the family honor." In wake of the tragedy, the Moroccan parliament unanimously passed an amendment to the Penal Code to ensure that marriage would no longer exempt rapists from prosecution. This new law is an important development in reducing child marriage and rape in Morocco, but many people believe that more legal changes related to child marriages need to be made, starting with the elimination of the legal "exception" which allows for underage marriages with a judge's permission. Furthermore, rape within marriage remains legal in Morocco, and girls in underage marriages are particularly vulnerable (*Al Jazeera*, January 23th, 2014).

HIV/AIDS Among Vulnerable Populations

In Morocco, sexually exploited persons are especially at risk of contracting HIV/AIDS. In general, Morocco has low levels of HIV and AIDS infections. However, according to a 2015 report by the Moroccan government in conjunction with UNAIDS, the large majority of current and new cases occur among a few small groups of the population: prostituted persons,

men having sex with other men, and users of drugs by injection. In the city of Agadir, 5% of people in prostitution are living with HIV (*Ministry of Health, 2014*).

However, under a strategic national plan for the years of 2012 to 2016, the Moroccan government has taken steps to combat HIV/AIDS and has invested more funds in the effort. The number of young people and women in Morocco with preventing education on HIV/AIDS and sexually transmitted infections (STIs) increased to over 700,000 in 2013-2014, a jump of almost 150,000 from 2012 (*Ministry of Health, 2014*). This increase in awareness is largely thanks to collaborative efforts of health and sports clubs, government agencies, and NGOs such as Association de Lutte Contre le Sida and the Pan-African Organization to Fight Against AIDS (OPALS). Similarly, 172,259 members of vulnerable population groups (including prostituted persons) have been trained in HIV/AIDS prevention as of 2014, an increase of 20,000 since 2013 (*Ministry of Health, 2014*). As part of its fight against HIV/AIDS since 2012, the government issued a guide on “norms and standards of prevention” amongst prostituted persons and homosexuals, conducted a study on the health and protection habits of clients of prostitution, and made HIV/AIDS testing more widely accessible (*Ministry of Health, 2014*). In light of these recent efforts, Morocco’s response to HIV/AIDS seems promising.

ISIS Brides

Another current danger to Morocco’s sexually exploited population, in particular to prostituted women, is recruitment by the Islamic State as “jihad brides.” Mohamed Benhammou, who directs the Moroccan Center for Strategic Studies, has recently brought the issue to light. M. Benhammou has stated that ISIS is using monetary bribes as well as moral manipulation to convince Moroccan women in prostitution to go to Syria to marry jihadi fighters. M. Benhammou explains that women are told they will be forgiven for their sins of prostitution if they repent by pleasuring ISIS members. Often these new sexual relationships are not in the form of traditional marriages, and instead consist of one woman having to sexually service multiple men (*Shafaq News, February 9th, 2015*). Some Moroccan women who are not bribed into going to Syria still end up tricked into the system. M. Benhammou reports that some North African women en route to Europe are taken hostage in Turkey by international prostitution networks. These networks can then sell the women to Islamic State fighters (*AllAfrica/Magharebia, February 6th, 2015*). With the recent rise in power of the Islamic State, its exploitation of prostituted Moroccan women is an issue that needs to be addressed.

Necessary Next Steps

There is also a great need for more protection and care for victims of sexual exploitation and trafficking in Morocco. The UN Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo stated in her 2013 report on Morocco that it is imperative for more shelters to be specifically equipped and staffed to deal with child victims of trafficking. Moreover, she emphasized that there is a lack of resources for adult male victims of trafficking and sexual exploitation in Morocco since most existing shelters only aid

women and children. Finally, the Rapporteur pointed out that in order for victims to benefit from the protection services offered, they must first be properly identified as victims. According to the 2014 U.S. Department of State Report on Trafficking in Persons, Morocco has not yet made significant efforts to identify victims of trafficking, and has not reported the number of identified victims. Furthermore, many victims of trafficking have been deported as undocumented migrants, a practice that makes it highly probable for them to be trafficked again (*U.S. Department of State*, 2014). However, with the addition of Morocco's new trafficking law, victim identification may improve.

Beyond providing services to victims of sexual exploitation, Morocco needs to ensure that they are not prosecuted for their actions. Not only are women and children in prostitution able to be punished under current Moroccan law, but there are actually government efforts specifically aimed at arresting victims. At nightfall in Marrakech, an all-female plainclothes police brigade has been tasked with roaming the streets to look for women in prostitution. As part of their search, the police scrutinize all women walking late at night, and are especially suspicious of women wearing a large amount of makeup or clothing deemed to be promiscuous. The police policy has been greatly criticized for violating Moroccan women's freedom of movement, and even worse, the policy's specific purpose is to punish women who are themselves victims of prostitution (*Afriquinfos*, May 26th, 2014).

Prostituted men in Morocco are also very vulnerable to prosecution. Homosexuality is illegal under article 489 of the Moroccan Penal Code, and violators are subject to imprisonment. As such, in May 2014, six men in Morocco were condemned for 1 to 3 years in jail for "homosexuality, inciting to prostitution, and drunkenness in public" (*Le Monde/AFP*, May 15th, 2014). This law and its enforcement disproportionately target men in prostitution, and as such, inflict further harm upon victims of sexual exploitation.

Recent Progress and Hope Looking Forward

Despite setbacks and changes that still need to be made, Morocco is making progress in its fight against sexual exploitation. In July 2015, Belgium approved a draft piece of legislation formalizing its commitment to cooperate with Morocco to fight terrorism and organized crime. The two countries made the agreement in the winter of 2014, and it includes a provision for the nations to work together in the fight against human trafficking (*La Vie Eco*, July 3rd, 2015). The collaboration is still developing, and Belgium's formal approval signifies another hopeful step towards a partnership that may improve both country's treatment of trafficking.

Morocco also has several relatively new government committees whose tasks involve countering sexual exploitation. In 2011, Morocco created the Inter-Ministerial Delegation for Human Rights in order to craft and promote human rights policies. Soon following its establishment, the Delegation founded the Inter-Ministerial Commission on Human Trafficking in order to specifically monitor issues of trafficking in Morocco. Furthermore, Morocco's Directorate of Migration and Border Surveillance of the Ministry of the Interior, established in 2005, continues to work with other countries such as Spain to monitor Morocco's borders in the hopes of reducing human trafficking (*Ngozi Ezeilo*, 2014). The Ministry of Youth and Sport operate 20 "child protection centers" in Morocco, some of which

are female-only, and are able to care for 2,075 teenagers. The shelters aim to assist minors who are living on the street, have legal problems, or who have been sexually exploited or trafficked (*Ngozi Ezeilo*, 2014). In addition to these government bodies, there are many local and international private organizations working to lessen sexual exploitation in Morocco, particularly the sexual exploitation of children. For example, Bayti Association works to shelter and provide for street children, many of whom have been victims of forced labor or who have been sexually exploited (*Ngozi Ezeilo*, 2014). Other organizations, such as Touche Pas à Mon Enfant are working specifically to fight pedophilia in Morocco (*Vice News*, September 3rd, 2013). Finally, the U.S. Department of State reports that NGOs in Morocco continue to play a significant role in identifying and caring for victims of trafficking (*U.S. Department of State*, 2014).

With the combined work of the Moroccan government and NGOs and recent changes in Morocco's policy and legal action, the fight against sexual exploitation in Morocco seems poised to improve. In 2014, a representative of Morocco was elected to the UN Committee on the Rights of the Child (*Morocco World News*, June 26th, 2014). As a member of the committee, Morocco should take special care to ensure that it sets a good example by working to improve its own treatment of the rights of children and all vulnerable people.

Morocco has the potential to positively influence the human rights policies of other nations, but, in order to do so, it must continue to take action against sexual exploitation.

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