

PREPARED BY

HUMAN TRAFFICKING SEARCH

www.humantraffickingsearch.org info@humantraffickingsearch.net ALGERIA • EGYPT • LIBYA • MOROCCO • TUNISIA • THE CONTESTED TERRITORY OF WESTERN SAHARA • THE WESTERN STATES OF NORTH AFRICA • SUDAN



This research guide follows the regional division defined by the United Nations Statistics Division

Intergovernmental organizations include the African Union, the Arab Maghreb Union, Union for the Mediterranean, the League of Arab States, and the Arab Trade Union Confederation

MAJOR FORMS OF TRAFFICKING:

- Migrant smuggling/ trafficking
- Trafficking/kidnapping for ransom
- Child labor/ child labor trafficking
- Child soldiers
- Forced Marriage / Child marriage
- Sexual exploitation/ sex trafficking
- Organ trafficking
- Drug trafficking
- Forced begging
- Criminal exploitation
- Child Sexual trafficking / Child sexual exploitation
- Domestic servitude

SPECIFIC TERMINOLOGY:

Migrant Smuggling: The United Nations Office on Drugs and Crime defines smuggling as the "facilitation, for financial or other material gain, of irregular entry into a country where the migrant is not a national or resident." Smuggling is distinct from trafficking as the participant has given their consent to be transported. However, migrants who originally agreed to be smuggled can be exploited and trafficked against their will during their journey. Migrant's increased vulnerability to trafficking during transport makes the line between

human trafficking and migrant smuggling harder to define. Smuggled migrants are often held in debt bondage or sold on to traffickers on arrival in the destination country.

Western Sahara: A disputed territory claimed by Morocco and Saharawis situated on the northwest coast of Africa. Since Spanish decolonization and annexation to Morocco in 1975, the Sahrawi indigenous people have been seeking selfdetermination. In 1991 the UN brokered a ceasefire resulting from the 16-year-long guerrilla war. The ceasefire promised the Sahrawi a referendum on independence which has yet to take place. Hostilities remain between both and appear to have <u>increased</u> due to the COVID-19 pandemic.

A <u>buffer strip</u> filled with landmines and defensive fortifications separates the Moroccan-administered western portion from the eastern area which is controlled by the Polisario Front. In 1976 the Polisario Front proclaimed the territory the Saharan



Arab Democratic Republic (SADR). In July 2016 Brahim Ghali was elected leader of the Polisario Front and President of the SADR. The United States recognises Morocco's sovereignty over the entire Western Sahara territory but has agreed to inaugurate a '<u>virtual presence post for Western Sahara</u>'. Resulting from this situation, the nationality status of individuals with a connection to the territory remains complex with Sahrawi refugees prevalent in Algeria. In the territories administered by Morocco, Sahrawis are considered Moroccan nationals as per Moroccan law contrary to individuals living in territories living in SADR administered territories. The SADR however is not recognized in a number of countries that do not recognise its sovereignty.

According to the <u>US Bureau of International Labor Affairs</u>, child labor, forced domestic labor and commercial sexual exploitation are prevalent in Western Sahara. The report <u>2020 Findings on the Worst Forms of Child Labor: Western Sahara</u> highlighted the inadequate action, laws and standards related to child labor as well as the lack of information on penalties in cases of child labor and labor violations. Additionally, Western Sahara serves as a transit route for irregular migrants on their way to Europe through the Canary Islands.

Sinai Trafficking: Egypt's Sinai Desert has been the site of kidnapping, hostage holding, and trafficking of tens of thousands of African refugees and migrants, primarily between 2007 and 2014. The majority (around 90%) of victims came from Eritrea, but also Sudan and Ethiopia. Victims paid human smugglers to help them escape the political violence and instability in their home countries. Instead of escape, they often faced egregious human rights violations such as being held hostage and tortured for ransom, being forced into labor and sex trafficking, or having their organs harvested for sale. Many people were

reportedly taken by force from refugee camps in Sudan. Immigration laws and border close-offs with surrounding countries such as Egypt and Israel exacerbated the issue. This made it harder for refugees, asylum-seekers, and migrants to travel safely. The Sinai Desert became a hotbed for trafficking due to the lack of security forces in the region. This was a result of political instability in Egypt stemming from the Arab Spring in 2011. Under the current government, however, security forces have made a return, and similar trafficking schemes have shifted to neighboring Libya and other routes.

Petites Bonnes ("young housemaids" in French): The phrase "petites bonnes" refers to young children, often girls aged 8 to 15 years old, who engage in domestic work for households in Morocco. These children often come from poor, rural areas in Morocco and are employed, often through force, coercion, or deception, for domestic service in the homes of wealthier families in the urban centers of Morocco. The practice is condemned by many human rights organizations, as children are often unable to attend school, employed with little to no compensation, and are particularly vulnerable to exploitation and abuse. Some of these children migrate from Sub-Saharan Africa in an effort to support their families.

Temporary/Seasonal Marriage: While prostitution is illegal in most countries across the region, the practice of "tourist" or "seasonal marriages" exists as a loophole enabling sexual exploitation in several areas of the Middle East. Some interpretations of Islamic law allow for these temporary marriages, which range from a few minutes or hours to several months, and often exploit girls as young as 10. Temporary marriages heavily privilege the husband as opposed to traditional Islamic marriage, and are often used as a way to exploit and prostitute women through brokers. Families living in poverty sometimes make these arrangements for their daughters as a way of providing income. Engaging in this practice is common among wealthy men from the gulf, especially in Egypt where it is codified into law under Ministerial Regulation No. 9200, also known as the seasonal marriage law. The Egyptian government claims that the law is in place to help impoverished families in Egypt; however, critics say that the practice is effectively formalized sex trafficking.

Trafficking for Ransom: This form of trafficking occurs when people are smuggled, kidnapped, abducted, and tortured in order to force victims' families to pay ransom fees sometimes as large as \$50,000 USD. In recent years, this issue has impacted refugees, asylum seekers, and immigrants from Eritrea, Ethiopia, Sudan, and South Sudan fleeing to Europe and parts of the Middle East. The Sinai Desert in Egypt is a major hotbed for this form of trafficking due to it being a popular route for smugglers and traffickers.

Forced/Exploitative Begging: This recently identified form of trafficking occurs across the globe. Regionally it is connected mainly to the trafficking crisis in the Sinai Desert. Victims are forced to beg through threat of severe violence or torture. With many migrants, refugees, and asylum seekers passing through or resettling across North Africa there remains a large number of victims to exploit as forced beggars, including children.

Irregular Migration: Movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination. This type of migration can render migrants vulnerable to abuse, trafficking and exploitation as a result of the migrants' irregular status. The irregular routes that are used are often precarious and can be deadly. Additionally, irregular migrants may have arrived in a State through regular pathways but become an irregular migrant for reasons, such as denied asylum claims, becoming a victim of trafficking, etc. Please also refer to the note below on the Irregular Migration.

<u>Note on Irregular Migration from the International Organization on Migration (IOM)</u>: Although a universally accepted definition of irregular migration does not exist, the term is generally used to identify persons moving outside regular migration channels.

The fact that they migrate irregularly does not relieve States from the obligation to protect their rights. Moreover, categories of migrants who may not have any other choice but to use irregular migration channels can also include refugees, victims of trafficking, or unaccompanied migrant children. The fact that they use irregular migration pathways does not imply that States are not, in some circumstances, obliged to provide them with some forms of protection under international law, including access to international protection for asylum seekers fleeing persecution, conflicts or generalized violence. In addition, refugees are protected under international law against being penalized for unauthorized entry or stay if they have traveled from a place where they were at risk (Convention relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954)189 UNTS 137, Art. 31(1)).

TIP REPORT:

The U.S. State Department releases an annual <u>Trafficking in Persons Report (TIP</u>), which ranks countries on a three-tier system based on their efforts to combat human trafficking. The full list of each report since 2001 can be found on the <u>State</u> <u>Department's website</u> and in the HTS database. Rankings for 2022 are listed below, with more detailed descriptions following the rankings.

TIP REPORT 2022

- All countries in North Africa, except for the special case of Libya, are classified as Tier 2 with Algeria being classified as Tier 2 watch list. Algeria has improved its status since 2021, then classified as Tier 3.
- Libya is classified as a special case for the seventh consecutive year. The Libyan Government of National Unity (GNU), established through a UN-led process in March 2021, does not exercise control in several parts of the country.
- Western Sahara is not included or mentioned in the report as the official policy of the United States recognizes the sovereignty of the Kingdom of Morocco over Western Sahara.

COUNTRY BREAKDOWN:

The political, social and economic situations vary across North Africa leading to differences in what human trafficking looks like in each location. Below is a summary of the human trafficking trends in each country included in North Africa.

Algeria: Algeria was upgraded and became a Tier 2 Watchlist country due to its efforts to combat human trafficking during the COVID-19 pandemic. As mentioned previously, refugees, asylum seekers and migrants heading to Algeria are extremely vulnerable to trafficking before and during their migration. The prevalence of human smuggling in this region, paired with the government's increased efforts to combat irregular migration has led to more precarious routes being taken by migrants. These new routes have increased opportunities for smugglers and traffickers alike. Smuggling fees and the associated

debts often result in migrants being forced into exploitative labor situations and commercial sexual exploitation. Forced domestic servitude, forced begging and commercial sex trafficking are the prevalent forms of labor exploitation and forced labor in Algeria. Irregular Sub-Saharan migrants seem to be most vulnerable to this form of trafficking with the highest numbers being from Mali, Niger, Burkina Faso, Cameroon, Guinea, Liberia and Nigeria.

Egypt: Egypt remained a Tier 2 country due to not meeting minimum standards in several key areas but making strong efforts in other areas. Efforts include increased prosecutions and a fully operational specialized trafficking shelter. Importantly, the government established eight specialized prosecution offices to manage trafficking and

irregular migration cases. However, the government did not meet the minimum standards in several key areas. There was a decrease in convictions and victim identification. The government also did use trafficking charges to prosecute politically-motivated, non-trafficking cases which undercut the government's efforts to increase their ability to hold sex and labor traffickers criminally accountable. The government drafted a new national referral mechanism (NRM), but it remained unimplemented, and at times authorities penalized potential victims for unlawful acts traffickers compelled them to commit, such as immigration and prostitution violations.

The predominant form of human trafficking in the region is labor trafficking. This mainly includes construction, agriculture, domestic work, child trafficking and commercial sexual exploitation. The COVID-19 restrictions led to increased use of online recruitment and exploitation channels.

Common types of child forced labor includes domestic servitude, quarrying, construction, agriculture work and forced begging. Children are also forced into committing petty crimes, begging and being involved in drug trafficking by criminal networks. Finally, children are vulnerable to sex trafficking and sex tourism as well as forced child marriage and "summer or temporary marriages". Forced marriage may result in the underage girls being exploited into domestic servitude or commercial sex.

Domestic workers in Egypt are <u>not protected under existing labor law</u>, rendering workers and particularly migrant domestic workers increasingly vulnerable to exploitation. The majority of foreign domestic workers come from Syria, Yemen, Bangladesh, Eritrea, Ethiopia, Indonesia, the Philippines, Nigeria, Sudan, South Sudan, Sri Lanka, and parts of West Africa. Individuals from Southeast Asia and East Africa were also vulnerable to sex trafficking and forced labor in domestic servitude, construction and begging. Sex trafficking and tourism was reported in Egyptian resort towns with Columbian nationals smuggled into Egypt and later trafficked.

Refugee and asylum seekers remain amongst the most vulnerable populations to trafficking in Egypt, especially Syrian, Sudanese, South Sudanese, and Yemeni refugees. Irregular migrants from the Horn of Africa transiting through Egypt to get to Europe present increased risks of trafficking along the route.

Morocco: Morocco remained a Tier 2 country. As with the rest of the North African countries, Morocco is a key geographical location for document and undocumented migrants to cross over to Europe, often through the Canary Islands and Spain. Foreign migrants passing through, and Moroccan nationals migrating to other locations, are all vulnerable to various types of forced labor, forced begging, <u>exploitative domestic work</u> and forced commercial sex trafficking. COVID-19 restrictions led to a decrease in the number of irregular Sub-Saharan migrants making the journey to Morocco. At the same time the number of migrants making the journey from Morocco to Europe saw an increase. This pattern appears to have remained in place since 2020. The most vulnerable groups passing through Morocco are women and unaccompanied children,

particularly from the Democratic Republic of the Congo, Nigeria, Cameroon and Cote d'Ivoire.

Both regionally, outside Morocco, and in a domestic setting, Moroccan children are consistently vulnerable to forced labor, sex trafficking and forced criminal activity. This forced labor includes domestic work, agriculture, artisanal, textile, construction and mechanic shops. Forced criminal activities include forced begging, theft, and the production and trafficking of drugs. This issue is predominantly found in children from the large homeless populations in Morocco. The commercial sexual exploitation of children in Morocco is largely a product of child sex tourism by foreign nationals, especially from Europe and the Middle East.

Libya: Libya has remained a special case for the seventh consecutive year. Instability and rampant corruption has meant that Libya is ranked 172 out of 180 in the 2021 Transparency International's Corruption Perception Index. The strong influence and abundance of armed militia groups has resulted in the government's inability to effectively address human trafficking. Libya has suffered from multiple years of political instability, socio-economic hardships and insecurity. This coupled with ongoing cycles of conflict has created fertile ground for traffickers, who operate with relative impunity and in a highly profitable manner. Due to Libya's strategic location, it continues to be a departure point for migrants and displaced persons to reach Europe through the Mediterranean. Displaced persons in Libya include both Libyans and foreigners coming typically from Sahel and Sub-Saharan states, more specifically Niger, Nigeria and Chad. The recruitment and use of child soldiers, abductions for ransom and the use of migrants for both forced labor and the provision of ancillary services to armed groups in noncombat roles by state and non-state actors has been widely documented by NGOs and the Department of State alike. Forced labor is so prevalent in Libya that it touches on almost every industry including, domestic servitude, garbage collection, construction, road paving, agriculture, offloading and transporting weapons, cooking, clearing unexploded ordnance.

The state does <u>not criminalize</u> sex trafficking involving adult male victims. To date, sex trafficking and child sex trafficking of men and boys has reportedly been increasing alongside the commercial sex trafficking of Sub-Saharan women and girls especially in southern Libya.

The October 2020 ceasefire agreement, which aimed to put an end to the ongoing conflict, has resulted in the absence of a political settlement, allowing the ongoing instability to persist.

Tunisia: Tunisia has remained a Tier 2 country. Child trafficking in the forms of forced labor, forced criminality and sex trafficking remain prevalent in Tunisia with perpetrators sometimes being part of the victims' family. Since 2020 and the pandemic, online sex trafficking and recruitment for the purpose of sexual exploitation has reportedly

<u>increased</u>. The dominant forms of forced child labor in Tunisia include domestic work, auto repair garages, various small workshops, agriculture and as street vendors. Forced criminality includes forced begging, and petty theft as well as drug production and drug trafficking. The most vulnerable children include those who are not in school, are experiencing homelessness and rural children supporting their families.

Both Tunisian and foreign migrants are reportedly exploited in sex trafficking and forced labor within Tunisia and in the region more broadly, especially in the Middle East and North Africa regions. Migrant women from West Africa, especially from Cote d'Ivoire are exploited in domestic servitude while their male counterparts are most often exploited in the agriculture and construction sectors. In addition, Ivorians are forced to smuggle and traffic drugs namely cannabis and opioids into Tunisia.

Crucially, migrants and asylum-seekers from the region who are fleeing violence and discrimination for their gender identity or sexual orientation <u>may face further abuse and</u> <u>be vulnerable to trafficking</u> for both labor and sex in Tunisia.

Sudan: Sudan has remained a Tier 2 country with t<u>raffickers exploiting Sudanese and</u> <u>foreign individuals</u> within Sudan and abroad. Child trafficking is prevalent in Sudan with reported child soldiers trafficked by armed groups, forced labor and sex trafficking. Child forced labor includes domestic servitude, forced begging, labor in public transportation, large markets, agriculture, mining, construction, collecting medical waste and street vending. Children most at risk of trafficking are those experiencing homelessness, unaccompanied migrant children from West and Central Africa and Sudanese and foreign displaced children.

Abduction for ransom and labor or sex trafficking are prevalent in Sudan mainly conducted by people smugglers. The primary victims of these atrocities are Eritrean nationals crossing the border. Sudanese making their way to Israel through the Sinai are vulnerable to abduction for ransom and trafficking either on their way, or once in Israel. Sudan is a primary transit point for irregular migrants and refugees, especially from the Horn of Africa traveling to Europe. The individuals most at risk of human trafficking include asylum-seekers, South Sudanese refugee populations, Eritrean and Ethiopian nationals, West and Central African nationals, especially from Chad, Mali and Niger as well as Syrian refugees. Traffickers often exploit them for labor and sex trafficking.

TRAFFICKING ROUTES

The countries that make up North Africa present a <u>strategic and key geographic location</u> being a prime transit region for migrants and asylum seekers heading towards Europe. All the countries that make up North Africa serve as both destination and transit countries rendering individuals vulnerable to trafficking, smuggling and exploitation. Algeria, Egypt, Libya, Morocco, Tunisia and Sudan are all, source, destination and transit countries for human trafficking.

Additionally, victims are also trafficked to and within this region for the purposes of sex and labour exploitation.

The multiple trafficking routes include but are not limited to:



North Africa -> Middle East



<u>South-East Asia -> North Africa</u>



North Africa -> Europe



<u>Horn of Africa -> Israel</u>



ANTI-TRAFFICKING LEGISLATION

All of the countries in North Africa have ratified or signed the <u>Protocol to Prevent</u>, <u>Suppress and Punish Trafficking in Persons</u>, <u>Especially Women and Children</u>, supplementing the <u>United Nations Convention against Transnational Organized Crime</u>.

- Libya is the only country in North Africa <u>that does not possess comprehensive anti-</u> <u>trafficking legislation outlawing all forms of human trafficking</u>.
- The <u>International Labor Organization's law database</u> possesses some legislation under "forced labor" for Algeria, Egypt, Morocco, Sudan, and Tunisia.
- <u>African Union Ten Year Action Plan on Eradication of Child Labour, Forced Labour,</u> <u>Human Trafficking and Modern Slavery in Africa (</u>2020-2030)
- <u>Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially</u> <u>Women and Children</u> (2006)
- <u>Khartoum Declaration on AU-Horn of Africa Initiative on Human Trafficking and</u> <u>Smuggling of Migrants</u> (2014)

KEY ORGANIZATIONS

For lists of country specific NGOs, please click here..

- The International Organization for Migration
- The Global Modern Slavery Directory and End Slavery Now's Antislavery Directory
- <u>United Nations High Commissioner for Refugees</u>
- <u>Free the Slaves</u>
- S.O.S Femmes en Detresses (Algeria)
- El-Nadim Center for Rehabilitation of Victims of Violence (Egypt)
- <u>Libya Project</u> under the regional program "Dismantling human trafficking and migrant criminal networks in North Africa" (Libya)
- <u>SAVE</u>, pour « Soutien dans l'identification et l'Accompagnement des Victimes de traite des Etres humains » (Morocco)
- Médecins Sans Frontières (Tunisia)
- "Briser le Tabou" (Tunisia)
- <u>War Child</u> (Sudan)

There are several standard worldwide publications that discuss human trafficking and modern-day slavery in North Africa including the <u>Global Slavery Index's 2018</u> report on Africa, the United Nations Office on Drugs and Crime's 2020 "<u>Global Report on Trafficking in Persons</u>," and the US Department of State's <u>2022 Trafficking in Persons Report</u>.

Other regional reports include:

- ECPAT's report, "<u>The Sexual Exploitation of Children in the Middle East and North</u> <u>Africa,"</u>
- INTERPOL and ENACT's report "<u>Trafficking of Human Beings for the purpose of Organ</u> <u>Removal in North and West Africa</u>,"
- ENACT's Global Organized Crime Index,
- the human trafficking in North Africa section of the IOM's Migration Data Portal,
- UNODC's country profiles of North Africa,
- UNODC's "<u>Dismantling Human Trafficking & Migrant Smuggling Criminal Networks in</u> <u>North Africa</u>",

More specific country or region reports include but are certainly not limited to:

- INSAF and the Collective for the Eradication of the Work's joint reports on "petites bonnes," "<u>Pour un Maroc Sans Petites Bonnes: Modifier la Loi 19.12</u>!" and "Pour l'éradication du travail des « petites bonnes » au Maroc: Eléments de plaidoyer,"
- ECPAT's country reports on Morocco and Egypt,
- Human Rights Watch report on child labor in Morocco,
- IOM's report, "<u>Baseline Study on Trafficking in Persons in Tunisia: Assessing the Scope</u> <u>and Manifestations</u>,"
- the Roméo Dallaire Child Soldiers Initiative's report on Libya,
- Amnesty International's report, "<u>Libya is full of cruelty': Stories of abduction, sexual</u> violence and abuse from migrants and refugees,"
- and the Global Initiative Against Transnational Organized Crime's report, "<u>The Human</u> <u>Conveyor Belt: Trends in human trafficking and smuggling in post-revolution Libya</u>."

For more resources on all forms of human trafficking and modern slavery, please visit <u>Human Trafficking Search.org</u> and select or enter specific search terms in the Global Database.