

In 2018, Morocco made a moderate advancement in efforts to eliminate the worst forms of child labor. The Kingdom of Morocco claims the territory of Western Sahara and administers the area that it controls by the same constitution, laws, and structures as in internationally-recognized Morocco, including laws that deal with child labor. The government published information on criminal and labor law enforcement efforts, in addition to investigating and prosecuting criminal cases. Moreover, it continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers to qualifying families whose children meet school attendance criteria, reaching more than 2 million students across both Morocco and Western Sahara in 2018. Limited research indicates that there is some evidence that children in Western Sahara engage in the worst forms of child labor, including in commercial sexual exploitation. Although the government made meaningful efforts in all relevant areas during the reporting period, laws related to the minimum age for work and the use of children for illicit activities do not meet international standards. In addition, research could not determine whether penalties were imposed for violations related to the worst forms of child labor. The scope of government programs that target child labor is insufficient to fully address the extent of the problem.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Limited research indicates that there is some evidence that children in Western Sahara engage in the worst forms of child labor, including in commercial sexual exploitation. Commercial sexual exploitation of migrant girls occurs and is reportedly more prevalent in fishing villages and on fishing boats. (1) Children, particularly in rural areas, are vulnerable to child labor due to educational barriers similar to those faced in internationally-recognized Morocco, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers. (1-4) In general, research has not been conducted to determine the extent of child labor in Western Sahara, nor has research explored levels of education as they relate to children engaged in child labor in Western Sahara. Data on key indicators of children's work and education are not available from the sources used in this report. (5)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Moroccan-controlled portion of the territory of Western Sahara is subject to the same laws as internationally-recognized Morocco. (4,6-9) The Popular Front for the Liberation of the *Saguia el-Hamra and Río de Oro* (Polisario Front), an organization that seeks the territory's independence, controls the remaining territory; information on the laws applicable in the remaining portion of the territory is unavailable. (3,4,9-11) Morocco has ratified all key international conventions concerning child labor, which the Government of Morocco extends to the areas in Western Sahara that it controls (Table 1).

Table 1. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government of Morocco has established laws and regulations related to child labor (Table 2). However, gaps exist in Morocco's legal framework to adequately protect children from the worst forms of child labor, including with the prohibition of using children in illicit activities.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 143 of the Labor Code (12)
Minimum Age for Hazardous Work	Yes	18	Articles 147 and 181 of the Labor Code (12)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Child Labor List, Decree No. 2-10-183; Article 181 of the Labor Code (12,13)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code (12)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (15)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 4 of Royal Decree of 9 June 1966 (16)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes	19	Article 4 of Law No. 44-18 (17)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (14)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (18)
Free Public Education	Yes		Article 1 of Law No. 04-00 (18)

Following the passage of the Law on Setting Up Employment Conditions of Domestic Workers in 2016, the law entered into force on October 2, 2018; however, despite regulations to inform agencies on implementing the law, there remain enforcement issues, such as the inability of labor inspectors to inspect closed private residences, where many domestic workers are employed. (4,8) In 2018, the government drafted legislation to enhance enforcement abilities in the artisanal sector, specifically allowing labor inspectors to enter into private workshops employing any number of employees. (19,20) In addition, in 2018, the government instated military conscription for the national armed forces with an age of 19. (11,21)

However, the law does not provide explicit protections for self-employed children, those who work in the traditional artisan or handicraft sectors for businesses with fewer than five employees, or those who work on private farms and in residences. Despite assurances from the Government of Morocco that inspectors may inspect in the case of any established labor relationship, often verified through witnesses in the absence of contracts, there is an absence of explicit legal protections that conform to international standards requiring all children to be protected under the law establishing a minimum age for work. (9,12,20,22-24) The types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur or sectors in which work may occur under conditions that harm children's health, safety, and morals. (13) Moroccan law does not define using, procuring, and offering children for either the production and trafficking of drugs as a separate crime, nor does it provide for increased penalties in such cases. (8,25)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The Government of Morocco has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3). Information about labor law and criminal law enforcement in Western Sahara is unavailable.

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Vocational Integration (MOLVI)	Enforces child labor laws and oversees programs on child labor through its child labor task force. (19,22,25,26) Provides occupational health and safety services, administers social security, and organizes labor inspections and employment services through nationwide satellite offices. (26)

Table 3. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Ministry of the Interior	Enforces prohibitions on human trafficking, commercial sexual exploitation, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security (DGSN). (4,19,22)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children within the court system through the Child Labor Units. (3,4,19)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Ensures continuity of child protection and child labor elimination efforts and expands children's access to education. (27) Implements the Integrated Public Policy on the Protection of Children. (22,28) Supports 142 Child Reception Centers that provide services to child victims of violence. (25)
Ministry of Foreign Affairs and International Cooperation	Coordinates efforts to reduce migrant vulnerability to child labor through its Delegate Ministry in Charge of Moroccans Living Abroad and Migration Affairs. Promotes migrant children's access to public education facilities in addition to other social services and assistance. (3,26,29)
Ministry of National Education, Vocational Training, Higher Education, and Scientific Research	Provides education and job training to former child workers, including former child domestic workers and migrant youth. (22,25)

In 2018, the Office of the General Prosecutor selected two prosecutors from the court of appeals in Laayoune as responsible for handling human trafficking cases. (11,19)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The Government of Morocco has established mechanisms to coordinate its efforts to address child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for the Protection and Improvement of Childhood	Ensures inter-sectoral coordination and monitoring of the implementation of international conventions on children's issues through a committee of 25 government bodies, chaired by the Head of the Government of Morocco. Establishes strategies and mechanisms to implement national policies and plans in the area of child protection and in coordination efforts managed primarily at the local and regional levels. (25,30) In 2018, the committee met twice to coordinate inter-agency policies and programs, and to create an action plan for 2019. (4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to child exploitation, among other issues. (22,26,28,30) Stakeholders in the PPIEM confirmed that formal meetings for review and discussion of progress related to the policy were held during the reporting period. (20)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, which extended to Western Sahara (Table 6). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors, particularly with children who are victims of commercial sexual exploitation.

Table 6. Key Social Programs to Address Child Labor

Program	Description
Tayssir Conditional Cash Transfer Program†	MSWFSD program that provides direct cash transfers to qualifying families whose children meet school attendance criteria, aiming to increase school enrollment and reduce dropout rates, particularly in rural areas, with 832,500 project participants in 2015–2016 and 509,475 in 2016–2017. (4,9,26,28,31–33) In 2018, the program provided assistance to 2,087,200 students from low-income families. (4)

† Program is funded by the Government of Morocco.

‡ The Government of Morocco had other social programs that may have included the goal of eliminating or preventing child labor. (3,8,26,31,32,34)

Western Sahara

MODERATE ADVANCEMENT

In 2018, the Government of Morocco continued a regularization campaign to provide legal status and documentation to foreign migrants. (19) Although the government has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including with regard to children who are victims of commercial sexual exploitation. (3,8,26,35)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Western Sahara (Table 7).

Table 7. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered in illicit activities, including for the production and trafficking of drugs.	2014 – 2018
	Ensure that all children are protected by law, including children who are self-employed, work for artisan and handicraft businesses with fewer than five employees, or work on private farms and in residences.	2017 – 2018
	Ensure that the types of hazardous work prohibited for children under 18 are comprehensive, including work that may be undertaken in conditions that harm children's health, safety, and morals.	2016 – 2018
Social Programs	Conduct a comprehensive study of children's work activities to determine whether they are engaged in or at risk of becoming involved in child labor, and determine the number of child laborers and education levels.	2013 – 2018
	Remove barriers to rural children's ability to access educational opportunities.	2015 – 2018
	Expand existing programs to address the scope of the child labor problem, including child victims of commercial sexual exploitation.	2017 – 2018

REFERENCES

- UN Human Rights Council. Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo: Visit to Morocco. Geneva: UN Human Rights Council, April 1, 2014: A/HRC/26/37/Add.3. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-37-Add3_en.doc.
- UN Committee on Economic Social and Cultural Rights. Concluding observations on the fourth periodic report of Morocco. Geneva: October 22, 2015: E/C.12/MAR/CO/4. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MAR/CO/4&Lang=En.
- U.S. Consulate- Casablanca. Reporting, February 12, 2018.
- U.S. Consulate- Casablanca. Reporting, February 8, 2019.
- UCW. Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys. Analysis received January 12, 2018. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- Human Rights Watch. World Report 2014: Morocco/Western Sahara. New York: 2014. <http://www.hrw.org/world-report/2014/country-chapters/moroccowestern-sahara>.
- Kouddous, Sharif Abdel. Letter From Western Sahara, a Land Under Occupation. The Nation, November 4, 2013. <http://www.thenation.com/article/176968/letter-western-sahara-land-under-occupation#>.
- U.S. Consulate- Casablanca. Reporting, January 17, 2017.
- U.S. Department of State. Country Reports on Human Rights Practices-2018: Western Sahara. Washington, DC. March 14, 2019. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/western-sahara/>
- CIA. The World Factbook. Accessed March 9, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html>.
- U.S. Consulate- Casablanca official. Email communication to USDOL official. July 15, 2019.
- Government of Morocco. Dahir n° 1-03-194 du 14 rejev 1424 (11 septembre 2003) portant promulgation de la loi n° 65-99 relative au code du travail, No. 1-03-194. Enacted: 2003. http://www.ilo.org/dyn/travail/docs/450/Maroc_-_Code_travail.pdf.
- Government of Morocco. Décret n° 2-10-183 du 9 hija 1431 (16 novembre 2010) fixant la liste des travaux auxquels il est interdit d'occuper certaines catégories de personnes, No. 2-10-183. Enacted: November 16, 2010. http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=86187.
- Government of Morocco. Loi n° 27-14 relative à la lutte contre la traite des êtres humains, No. 27-14. Enacted: 2016. <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/103357/125489/F1582466313/MAR-103357.pdf>.
- Government of Morocco. Code Penal. Enacted: November 26, 1962. http://www.wipo.int/wipolex/en/text.jsp?file_id=190447.
- Government of Morocco. Décret royal n° 137-66 du 20 safar 1386 (9 juin 1966) portant loi relatif à l'institution et à l'organisation du service militaire. Enacted: June 9, 1966. <http://adala.justice.gov.ma/production/html/Fr/93248.htm>.
- Government of Morocco. Law No. 44-18. Enacted: 2018. Source on file.
- Government of Morocco. Loi n° 04-00 modifiant et complétant le dahir n° 1-63-071 du 25 jourmada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental, No. 04-00. Enacted: 2000. [Source on file].
- U.S. Consulate- Casablanca. Reporting, March 4, 2019.
- U.S. Consulate- Casablanca. Reporting, May 20, 2019.

- 21 Government of Morocco. Law N° 44-18. Enacted: 2018. Source on file.
- 22 U.S. Consulate- Casablanca. Trafficking in Persons reporting, January 28, 2016.
- 23 ILO Committee of Experts. Individual Direct Request Concerning Minimum Age Convention, 1973 (No. 138) Morocco (Ratification: 2000) Published: 2016. Accessed: November 8, 2016. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3245258.
- 24 U.S. Department of State. Country Reports on Human Rights Practices- 2018: Morocco. Washington, DC March 14, 2019 <https://www.state.gov/documents/organization/289466.pdf>.
- 25 U.S. Consulate Casablanca official. Email communication to USDOL official. June 6, 2017.
- 26 U.S. Consulate- Casablanca. Reporting, January 15, 2015.
- 27 Embassy of Morocco Washington, DC official. Fax communication to USDOL official. March 9, 2014.
- 28 Government of Morocco. Données relatives au questionnaire du département d'Etat Américain sur la traite des êtres humains et le travail des enfants au titre de l'année 2014 et 2015. Submitted in response to U.S. Department of Labor Federal Register Notice (October 27, 2015) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 17, 2016. [Source on file].
- 29 U.S. Consulate- Casablanca. Trafficking in Persons reporting, February 15, 2015.
- 30 Government of Morocco. Politique Publique Intégrée de Protection de l'Enfance 2015–2025 Ministère de la Solidarité de la Femme de la Famille et du Développement Social. 2016. http://www.social.gov.ma/sites/default/files/PPIPEM_fr_280316_0.pdf.
- 31 U.S. Consulate- Casablanca. Reporting, January 26, 2016.
- 32 Government of Morocco. Les éléments de réponse au questionnaire émanant de l'Ambassade des Etats-Unis d'Amérique. Submitted in response to U.S. Department of Labor Federal Register Notice (September 6, 2016) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor." February 24, 2017. Source on file.
- 33 U.S. Consulate Casablanca official. Email communication to USDOL official. June 7, 2018.
- 34 U.S. Consulate- Casablanca. Reporting, January 16, 2014.
- 35 UNODC, IOM, and UNICEF. Global action to prevent and address trafficking in persons and the smuggling of migrants. UNODC, Accessed: December 22, 2016. <https://www.unodc.org/brussels/en/globalhumantrafficking.html>.