

*In 2016, Morocco, which administers an estimated 80 percent of the territory of the Western Sahara, made a significant advancement in efforts to eliminate the worst forms of child labor in the portion of Western Sahara it controls. The Government of Morocco passed the Law on Trafficking in Human Beings, improving protections for children vulnerable to trafficking, and the Law on Setting Up Employment Conditions of Domestic Workers, limiting the employment of children between the ages of 16 and 18 for domestic work. The Government also launched an implementation plan for the Integrated Public Policy on the Protection of Children in Morocco, which aims to protect children from the worst forms of child labor. In addition, the Government continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers of between \$7 and \$16 a month to qualifying families whose children meet school attendance criteria. Although research is limited, there is evidence that children in Western Sahara perform dangerous tasks in agriculture. Furthermore, the Government of Morocco has programs that target child labor; however, the scope of these programs is insufficient to fully address the extent of the problem.*

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Although research is limited, there is evidence that children in Western Sahara perform dangerous tasks in agriculture.(1) In general, research has not been conducted on the extent of child labor in Western Sahara, nor has research explored education levels. Data on key indicators on children's work and education are not available from the sources used in this report.(2)

Commercial sexual exploitation of migrant girls occurs and is reportedly more prevalent in fishing villages and on fishing boats. Some children with disabilities beg in the streets.(3) Children, particularly in rural areas, are vulnerable to child labor due to similar barriers to educational opportunities faced in internationally recognized Morocco.(4)

### II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Moroccan-administered portion of the territory of Western Sahara is subject to the same laws as internationally recognized Morocco.(5-9) The Popular Front for the Liberation of the *Saguia el-Hamra* and *Río de Oro* (Polisario Front), a Sahrawi national liberation movement, controls the remaining 20 percent of the territory; information on the laws applicable in this sparsely populated area is unavailable.(1, 6, 10) Morocco has ratified all key international conventions concerning child labor, which extend to the areas in Western Sahara administered by the Government of Morocco (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, including its worst forms (Table 2). However, gaps exist in Morocco's legal framework to adequately protect children from child labor.

**Table 2. Laws and Regulations on Child Labor**

| Standard  | Meets International Standards: Yes/No | Age | Legislation   |
|---|---------------------------------------|-----|---|
| Minimum Age for Work  | Yes                                   | 15  | Article 143 of the Labor Code (11)  |
| Minimum Age for Hazardous Work  | Yes                                   | 18  | Articles 147 and 181 of the Labor Code (11)   |
| 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 (11, 12) |
| Prohibition of Forced Labor   | Yes                                   |     | Article 10 of the Labor Code (11)   |

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**Table 2. Laws and Regulations on Child Labor (cont)**

| Standard  | Meets International Standards: Yes/No | Age | Legislation  |
|---|---------------------------------------|-----|--|
| Prohibition of Child Trafficking                          | Yes                                   |     | Article 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (13) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes                                   |     | Article 503 of the Penal Code (14)   |
| Prohibition of Using Children in Illicit Activities       | No                                    |     |  |
| Minimum Age for Military Recruitment                      |                                       |     |  |
| State Compulsory  | N/A*                                  |     |  |
| State Voluntary   | Yes                                   | 18  | Article 4 of Royal Decree of 9 June 1966 (15)                                  |
| Non-state Compulsory                                      | Yes                                   | 18  | Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (13)        |
| Compulsory Education Age                                  | Yes                                   | 15  | Article 1 of Law No. 04-00 (16)  |
| Free Public Education                                     | Yes                                   |     | Article 1 of Law No. 04-00 (16)  |

\* No conscription (17)

In 2016, the Government of Morocco passed the Law on Trafficking in Human Beings, which is consistent with the Palermo Protocol and other international agreements.(13, 18) The Government also passed a law that provides protections for child domestic workers, setting the minimum age at 16 for domestic work; permits labor inspectors to mediate disputes between employers and domestic workers; and authorizes the Government to prosecute intermediaries who traffic children for labor exploitation.(18-20) The types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur, and sectors in which work may be undertaken in conditions that harm children's health, safety, and morals.(12)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (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 Employment and Social Affairs | Enforce child labor laws and oversee programs on child labor through its child labor task force. Employ labor inspectors in 51 inspectorates across Morocco; dedicate at least one of the 53 child labor inspectors to each inspectorate.(1, 21-23) Provide occupational health and safety services, administer social security, and organize labor inspections and employment services through nationwide satellite offices.(22) |
| Ministry of the Interior                  | Enforce prohibitions on prostitution and other exploitive crimes involving minors, as established in the Penal Code.(21, 24)  |
| Ministry of Justice and Liberties         | Prosecute criminal offenses against children, such as commercial sexual exploitation and child trafficking, and violations of labor laws.(21, 25) The Ministry's Child Labor Units process cases involving women and children within the court system.(26)  |

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established mechanisms to coordinate its efforts to address child labor, including its worst forms (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 | Ensure inter-sectoral coordination and monitoring of the implementation of international conventions on the issue of children through a committee of 25 government bodies, chaired by the President of the Government of the Kingdom of Morocco. Establish 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.(23, 27, 28) |

**Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

| Coordinating Body  | Role & Description  |
|--|---|
| Ministry of Employment and Social Affairs                              | Coordinate policies and efforts to combat child labor, providing guidance and limited funding to NGOs working against child labor through its Office for the Fight Against Child Labor.(22, 29, 30)   |
| Ministry of Solidarity, Women, Family, and Social Development (MSWFSD) | Continue child protection and child labor elimination efforts. Increase children's access to education. (24, 31) Responsible for implementing the Integrated Public Policy on the Protection of Children.(21, 32) Support 142 Child Reception Centers that provide services to child victims of violence.(23) |
| Ministry in Charge of Residents and Migration Affairs                  | Coordinate efforts to reduce migrant vulnerability to child labor. Promote migrant children's access to public education facilities in addition to other social services and assistance.(22, 23, 33)  |
| Ministry of National Educational and Vocational Training (MONEVT)      | Provide education and job training to former child workers, including former child domestic workers and migrant youth.(21, 23)  |

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established policies related to child labor, including its worst forms (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. (21, 22, 32) In 2016, MSWFSD presented a National Implementation Program that defines the necessary measures to reach the five strategic objectives of the PPIPEM and the responsibilities of each Government of Morocco entity, including deadlines, and monitoring and evaluation indicators.(9, 34) |

The Government of Morocco has not included child labor elimination and prevention strategies into the National Migration Strategy and the UNDAF.(22, 26, 30, 35, 36)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms, which extended to Western Sahara (Table 6).

**Table 6. Key Social Programs to Address Child Labor†**

| Program                                    | Description  |
|--|--|
| Tayssir Conditional Cash Transfer Program† | MONEVT program that provides direct cash transfers of between \$7 and \$16 a month to qualifying families whose children meet school attendance criteria and that aims to increase school enrollment and reduce dropout rates, particularly in rural areas, with 832,500 beneficiaries in 2015–2016 and an estimated 2016–2017 budget of \$77.7 million.(1, 8, 22, 24, 32, 34, 37, 38) |

† 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, including its worst forms.(8, 9, 22, 30, 34)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

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

**Table 7. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

| Area                | Suggested Action  | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework     | Ensure that laws prohibit children from being used, procured, or offered for the production and trafficking of drugs.   | 2014 – 2016       |
|                     | Ensure that the types of hazardous work prohibited for children are comprehensive.  | 2016              |
| Government Policies | Continue integration of child labor elimination and prevention strategies into the National Migration Strategy and UNDAF policies.  | 2016              |
| Social Programs     | Conduct a comprehensive study of children's work activities to determine whether they are engaged in or at risk of being involved in child labor, and determine the number of child laborers. | 2013 – 2016       |
|                     | Remove barriers to rural children's ability to access educational opportunities.  | 2015 – 2016       |

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