

In 2017, Morocco, which administers an estimated 75 percent of the territory of the Western Sahara, made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Morocco passed two decrees in support of the recent Law on Setting Up Employment Conditions of Domestic Workers, which limits the employment of children between the ages of 16 and 18 for domestic work. In addition, the government operated child protection centers and continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers to qualifying families whose children meet school attendance criteria. However, some children in Western Sahara engage in the worst forms of child labor in commercial sexual exploitation. The low number of labor inspectors may hinder adequate labor law enforcement. In addition, the scope of government programs that target child labor is insufficient to fully address the extent of the problem. 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. Research also could not determine if penalties were applied for violations related to the worst forms of child labor. In addition, programs to address child labor are 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 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) Some children with disabilities beg in the streets. Children, particularly in rural areas, are vulnerable to child labor due to similar barriers to educational opportunities faced in internationally recognized Morocco, such as deficient facilities, lack of reliable and safe transport, and unqualified teachers. (2; 1; 3)

In general, research has not been conducted on the extent of child labor in Western Sahara, nor has research explored education levels, and data on key indicators of children’s work and education are not available from the sources used in this report. (4)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Moroccan-administered portion of the territory of Western Sahara is subject to the same laws as internationally recognized Morocco. (5; 6; 7; 8) The Popular Front for the Liberation of the *Saguia el-Hamra* and *Rio de Oro* (Polisario Front), a Sahrawi national liberation movement, controls the remaining roughly 25 percent of the territory; information on the laws applicable in this sparsely populated area is unavailable. (9; 10; 3) 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 (Table 2). However, gaps exist in Morocco’s legal framework to adequately protect children from child labor, including the prohibition of using children in illicit activities.

Western Sahara

MODERATE ADVANCEMENT

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	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)
Prohibition of Child Trafficking	Yes		Articles 448.1 and 448.4–448.5 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		
Prohibition of Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 4 of Royal Decree of 9 June 1966 (15)
Non-state	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 2017, the Government of Morocco passed two decrees related to the recent Law on Setting Up Employment Conditions of Domestic Workers that provides protections for child domestic workers. The two decrees together prohibited specific activities in the employment of domestic workers between ages 16 and 18 and provided a work contract model for domestic workers. (18; 19; 20; 3; 21; 22; 23)

The Labor Code does not apply to 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. This leaves children vulnerable to exploitation, which does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. (24; 11; 10; 25) 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 be undertaken under conditions that harm children’s health, safety, and morals. (12) Moroccan law does not provide increased penalties or a separate crime for using, procuring, and offering children for both the production and trafficking of drugs. (26; 8)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The Government of Morocco has established relevant 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)	Enforce child labor laws and oversee programs on child labor through its child labor task force. (27; 24; 28; 26) Provide occupational health and safety services, administer social security, and organize labor inspections and employment services through nationwide satellite offices. (28) Renamed from the Ministry of Employment and Social Affairs, and maintains the same functions. (3)
Ministry of the Interior	Enforce prohibitions on prostitution and other exploitive crimes involving minors, as established in the Penal Code. (24; 29)
General Prosecutor (<i>Procureur General</i>)	Prosecute criminal offenses against children and process cases involving women and children within the court system through the Child Labor Units. Formerly under the Ministry of Justice and Liberties but made independent during the reporting period. (3)

In 2017, labor inspectors visited 25 companies in the 2 largest regions of the Moroccan-administered portion of the territory of Western Sahara. They removed 6 children under the age of 15 from work and registered 21 children between the ages of 15 and 17 at work. (30)

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 and 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 Head of the Government 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. (26; 31)
MOLVI	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. (28; 32; 33)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Continue child protection and child labor elimination efforts. Increase children’s access to education. (29; 34) Responsible for implementing the Integrated Public Policy on the Protection of Children. (24; 35) Support 142 Child Reception Centers that provide services to child victims of violence. (26)
Ministry of Foreign Affairs and International Cooperation	Coordinate efforts to reduce migrant vulnerability to child labor through its Delegate Ministry in Charge of Moroccans Living Abroad and Migration Affairs. Promote migrant children’s access to public education facilities in addition to other social services and assistance. (28; 26; 36; 3)
Ministry of National Education, Vocational Training, Higher Education, and Scientific Research	Provide education and job training to former child workers, including former child domestic workers and migrant youth. (24; 26)

The Ministry of Employment and Social Affairs was renamed the Ministry of Labor and Vocational Integration. (3) The Ministry in Charge of Moroccans Living Abroad and Migration Affairs became a delegate ministry under the Ministry of Foreign Affairs and International Cooperation. (3) In addition, the Ministry of National Educational and Vocational Training was renamed the Ministry of National Education, Vocational Training, Higher Education, and Scientific Research. (3)

V. GOVERNMENT POLICIES ON CHILD LABOR

The Government of Morocco has established policies related to child labor (Table 5). However, policy gaps exist that hinder efforts to address child labor, including the lack of inclusion of child labor elimination and prevention strategies into the National Migration Strategy.

Table 5. Key Policies Related to Child Labor

Policy	Description
MSWFSD’s Integrated Public Policy on the Protection of Children in Morocco	Promotes an interdisciplinary approach to respond to child exploitation, among other issues. (24; 28; 35; 31) In 2017, activities included an informational workshop and training on social standards for implementing partners; the development of terms of reference for technical support for the promotion of good parenting; and the development of terms of reference to raise awareness on the 2016 Law on Setting Up Employment Conditions of Domestic Workers, specifically the implications for domestic workers between the ages of 16 and 18. (8; 37; 3)

The Government of Morocco has not included child labor elimination and prevention strategies into the National Migration Strategy. (28; 38; 33; 39; 40)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, 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—in particular, children victims of commercial sexual exploitation.

Western Sahara

MODERATE ADVANCEMENT

Table 6. Key Social Programs to Address Child Labor‡

Program	Description
Tayssir Conditional Cash Transfer Program†	MSWFS program that provides direct cash transfers 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 project participants in 2015–2016 and 509,475 in 2016–2017. (27; 7; 28; 29; 35; 37; 10; 30) The cash transfer program demonstrated a significant improvement in school participation and a modest improvement in test scores. (41; 42)

† 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. (7; 8; 28; 33; 37; 3)

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 children victims of commercial sexual exploitation. (8; 3; 28; 43)

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 – 2017
	Ensure that the types of hazardous work prohibited for children under 18 that may be undertaken in conditions that harm children’s health, safety, and morals are comprehensive.	2016 – 2017
	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
Government Policies	Continue the integration of child labor elimination and prevention strategies into the National Migration Strategy policy.	2016 – 2017
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 and education levels.	2013 – 2017
	Remove barriers to rural children’s ability to access educational opportunities.	2015 – 2017
	Expand existing programs to address the scope of the child labor problem, including child victims of commercial sexual exploitation.	2017

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.
- 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/morocccwestern-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 26, 2016.
- . Reporting, January 17, 2017.
- CIA. The World Factbook. Accessed March 9, 2018. <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html>. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report[.].
- U.S. Department of State. Country Reports on Human Rights Practices- 2016: Western Sahara. Washington, DC. March 3, 2017. <https://www.state.gov/documents/organization/265738.pdf>.
- 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%20-%20Code%20travail.pdf>.
- . 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.
- . 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>.
- . Code Penal. Enacted: November 26, 1962. http://www.wipo.int/wipolex/en/text.jsp?file_id=190447.

15. —. 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>.
16. —. Loi n° 04-00 modifiant et complétant le dahir n°1-63-071 du 25 joumada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental, No. 04-00. Enacted: 2000. [Source on file].
17. —. Dahir n° 1-06-233 du 28 rabii I 1428 (17 avril 2007) portant promulgation de la loi n° 48-06 portant suppression du service militaire. http://www.sgg.gov.ma/BO/fr/2007/bo_5522_fr.pdf.
18. —. Decree n° 2-17-356 complementing the list of works for which it is prohibited to employ domestic workers aged between 16 and 18 years old. [Source on file].
19. —. Decree n° 2-17-355 on defining work contract models for domestic workers. Enacted: 2017. [Source on file].
20. —. Loi n° 12-19 relative aux conditions d'emploi des travailleurs domestiques, No. 12-19. Enacted: 2016. [Source on file].
21. **BBC Monitoring**. Morocco makes modest advance in regulating child labour. August 7, 2017. [Source on file].
22. **Khouja, Salma**. Un clip pour lutter contre le travail domestique des mineurs au Maroc. HuffPost Maroc. June 15, 2017. http://www.huffpostmaghreb.com/2017/06/15/insaf-travail-des-mineurs_n_17122010.html.
23. **Kadiri, Ghalia**. Au Maroc, un décret controversé sur le travail des « petites bonnes ». Le Monde. August 15, 2017. http://www.lemonde.fr/afrique/article/2017/08/15/au-maroc-un-decret-controverse-sur-le-travail-des-petites-bonnes_5172545_3212.html.
24. **U.S. Consulate- Casablanca**. Trafficking in Persons reporting. January 28, 2016.
25. **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.
26. **U.S. Consulate- Casablanca official**. E-mail communication to USDOL official. June 6, 2017.
27. **U.S. Department of State**. Country Reports on Human Rights Practices- 2015: Western Sahara. Washington, DC. April 13, 2016. <https://www.state.gov/documents/organization/253165.pdf>.
28. **U.S. Consulate- Casablanca**. Reporting. January 15, 2015.
29. —. Reporting. January 30, 2013.
30. **U.S. Consulate- Casablanca official**. E-mail communication to USDOL official. June 7, 2018.
31. **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%20280316_0.pdf.
32. **U.S. Consulate- Casablanca**. Reporting, December 4, 2014.
33. —. Reporting, January 16, 2014.
34. **Embassy of Morocco- Washington, DC official**. Fax communication to USDOL official. March 9, 2014.
35. **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].
36. **U.S. Consulate- Casablanca official**. E-mail communication to USDOL official. February 15, 2017.
37. **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].
38. **U.S. Consulate- Casablanca**. Trafficking in Persons reporting, February 15, 2015.
39. **UNDAF**. Plan Cadre des Nations Unis d'Aide au Développement 2017–2021. Action Plan. 2016. https://www.unicef.org/about/execboard/files/Morocco-UNDAF_2017-2021.pdf.
40. **U.S. Consulate- Casablanca official**. E-mail communication to USDOL official. February 18, 2015.
41. **Najy Benhassine, et al**. Turning a Shove into a Nudge? A "Labeled Cash Transfer" for Education. *American Economic Journal: Economic Policy* 7, no. 3 (August 2015). <https://www.aeaweb.org/articles?id=10.1257/pol.20130225>.
42. **UNICEF**. The State of the World's Children 2016 - A fair chance for every child. June 2016. https://www.unicef.org/publications/index_91711.html.
43. **UNODC, IOM, and UNICEF**. Global action to prevent and address trafficking in persons and the smuggling of migrants. UNODC. Cited: December 22, 2016. <https://www.unodc.org/brussels/en/globalhumantrafficking.html>.