

*In 2012, Morocco made a moderate advancement in efforts to eliminate the worst forms of child labor in Western Sahara. During the reporting period, the Government of Morocco provided specialized training to inspectors dedicated to child labor issues. Although the Moroccan-controlled territory is subject to the 2004 Labor Code, there are exemptions that compromise its effectiveness. The latest draft bill to protect domestic servants and a separate draft bill to prohibit child labor in traditional artisan or handicraft sectors were not yet adopted. Children continue to engage in the worst forms of child labor, particularly in dangerous work in agriculture.*

### **Prevalence and Sectoral Distribution of the Worst Forms of Child Labor**

Some evidence suggests that children in Western Sahara are engaged in the worst forms of child labor in dangerous work in agriculture.(1) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(2, 3) Information about the nature and prevalence of the problem remains limited.

### **Laws and Regulations on the Worst Forms of Child Labor**

The Moroccan-controlled territory of Western Sahara is subject to Moroccan laws.(1) The Popular Front for the Liberation of the Polisario Front, a Sahrawi national liberation movement, controls fifteen percent of the territory, and information on the laws applicable in this area is unavailable.(1, 4)

In the Moroccan-controlled territory, the minimum age for employment is 15, as established by the Labor Code of 2004. The Labor Code of 2004 prohibits night work for children age 15.(5) However, the law exempts certain types of agricultural work from this prohibition, potentially exposing any children involved in this exempted agricultural work to hazardous labor. Since children 16-17 are not prohibited from agricultural night work, they may also potentially be exposed to hazardous labor.(5)

The Labor Code prohibits hazardous activities for children younger than age 18, although children working on family farms are not protected by the provisions of the Labor Code, and therefore may not be protected from involvement in hazardous activities.(5) The Ministry of Employment and Professional Training (MOEPT) updated its list of occupations that qualify as “hazardous work” for children.(6, 7) The list addresses some work in agriculture, including hazards such as use of pesticides and sharp blades.(8)

Multiple versions of bills have been drafted to provide protections to domestic workers since the 2004 Labor Law was approved; however, legislation has not yet been enacted, which leaves children in domestic service without basic protections.(9) In October 2011, a bill on setting the minimum age for domestic service at 15 years old was submitted to Parliament for approval.(10, 11) In 2012, the draft bill to clarify Article 4 of the Labor Code regarding child labor in traditional artisan or handicraft activities was revised to incorporate comments from the National Department for Artisanal Works and was submitted to the Secretary General for approval. As of the end of the reporting period, neither bill had been passed.(10, 12)

Forced or compulsory labor is prohibited under the Labor Code and the Penal Code.(13, 14) The commercial sexual exploitation of children, including pornography and prostitution, is prohibited under the Moroccan Penal Code. In addition, it is specifically prohibited under the Penal Code to incite, procure, or facilitate the prostitution of a minor. Sex tourism is also criminalized under an amendment to the Penal Code.(13)

According to Moroccan law, education is compulsory through age 15 and is free through university.(15, 16)

The minimum age for voluntary recruitment to the military is 18. There is no compulsory military service.(17)

### **Institutional Mechanisms for Coordination and Enforcement**

The Government of Morocco administers its laws in Western Sahara through Moroccan institutions.(14)

The Government of Morocco’s Ministry of Social Development, Family, and Solidarity (MOSDFS) coordinates child labor efforts and oversees the National Plan of Action for Children (PANE), which addresses child labor, in cooperation with other ministries.(10, 11)

The Government of Morocco’s MOEPT enforces the Labor Code and implements child labor laws.(11) The MOEPT Director of Work heads the Child Labor Task Force to coordinate this effort.(11, 18) The MOEPT employs 51 focal point inspectors dedicated to child labor issues, all of whom receive training on child labor issues. These inspectors also received specialized training during the reporting period.(12) Labor inspectors and child focal point inspectors cover Western Sahara as well as Morocco.(11)

The Government of Morocco’s Ministry of the Interior (MOI) is responsible for enforcing the Penal Code’s prohibitions on prostitution and trafficking.(11, 18)

# Western Sahara

## Government Policies on the Worst Forms of Child Labor

The Government of Morocco has initiated child protection and development policies that extend to Western Sahara.

The MOSDFS is carrying out the broad PANE 2006-2015, which focuses on children's health, protection, participation, and education.(10, 11, 18) PANE includes the issue of child labor and sexual exploitation of children, and calls for pilot programs focusing on street children and domestic child labor.(10, 11, 18) In May 2011, the MOSDFS held a conference to review PANE and begin developing the second phase of the policy.(11)

The issue of child labor has been incorporated into the Government's policies, such as the King's National Initiative for Human Development second phase 2012-2015 (NIHD2).(12, 19) This initiative serves as a framework to reduce poverty through improved education and health facilities, access to electricity and drinking water, attention to the needs of girls and women, and income and employment initiatives such as microfinance.(11, 18, 20, 21) Reducing child labor is one of the goals of the initiative.(11, 22)

Under a United Nations Development Assistance Framework (UNDAF), during the reporting period the Government began implementing a new antipoverty action plan (2012-2016) that addresses education, health, socioeconomic development, democratic governance, and protection of the environment. Budgeted at \$32 million, the plan includes a focus on equal access to education for vulnerable children.(12, 23)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Morocco has initiated programs against child labor and for livelihood that extend to Western Sahara.

Through PANE, the Government of Morocco continued to fund programs against child labor, which were implemented by local NGOs in 2012.(10, 12, 24) Research did not identify the scale of these programs, or whether they address child labor in agriculture.

Under the first phase of the NIHD program (2005-2011), the Government implemented programs in Western Sahara designed to reduce poverty in rural areas and to decrease instability for those living in extreme instability.(25) NIHD2 builds on the first phase, investing nearly twice as many resources countrywide. It allocates resources directly to communities based on poverty and social exclusion criteria, which includes child workers.(19, 26, 27) Western Sahara receives more funding per capita under the NIHD program than does Morocco proper.(28, 29)

In 2012 under a UNDAF, the Government of Morocco continued cooperating with UNICEF and UNDP on a \$32 million program focusing on education for vulnerable children, health services for mothers, and socioeconomic development; the program will run through 2016.(12, 23, 30) Research did not identify which specific UN programs have been implemented in Western Sahara.

The question of whether NIHD2 or UN programs have an impact on child labor does not appear to have been addressed.

## Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Western Sahara:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend the Labor Code to protect children from engaging in hazardous work on family farms.	2009, 2010, 2011, 2012
	Approve legislation to: <ul style="list-style-type: none"> <li>Protect domestic workers from hazardous work and to prevent children under the legal working age from domestic service.</li> <li>Prohibit children under the legal working age from employment in traditional sectors and to regulate apprenticeships in traditional sectors.</li> </ul>	2009, 2010, 2011, 2012
Social Programs	Collect, analyze and disseminate information regarding the worst forms of child labor, particularly in agriculture, to guide the development of policies and programs to address the problem.	2012

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Develop new or expand existing programs to ensure they adequately target children in the worst forms of child labor in agriculture.	2011, 2012
	Assess the impact that existing education and livelihoods programs may have on reducing child labor.	2011, 2012

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