

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)

Western Sahara

SIGNIFICANT ADVANCEMENT

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

Western Sahara

SIGNIFICANT ADVANCEMENT

REFERENCES

1. U.S. Department of State. "Western Sahara," in *Country Reports on Human Rights Practices- 2015*. Washington, DC; April 13, 2016; <https://www.state.gov/documents/organization/253165.pdf>.
2. UCW. *Analysis of Child Economic Activity and School Attendance Statistics From National Household or Child Labor Surveys*. Analysis received December 15, 2016. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
3. 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. Report No. A/HRC/26/37/ Add.3. http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-37-Add3_en.doc.
4. UN Committee on Economic Social and Cultural Rights. *Concluding observations on the fourth periodic report of Morocco*. Geneva; October 22, 2015. Report No. E/C.12/MAR/CO/4. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/MAR/CO/4&Lang=En.
5. Human Rights Watch. "Morocco/Western Sahara," in *World Report 2014*. New York City; 2014; <http://www.hrw.org/world-report/2014/country-chapters/moroccowestern-sahara>.
6. Longoria, Á. "Sons of the Clouds, The Last Colony," Candescent Films; February 16, 2012; 1 hr., 21 min., 23 sec., documentary; [cited August 30, 2016]; <https://vimeo.com/61751899>.
7. Kouddous, S.A. "Letter From Western Sahara, a Land Under Occupation." The Nation, New York City, November 4, 2013. <http://www.thenation.com/article/176968/letter-western-sahara-land-under-occupation#>.
8. U.S. Consulate- Casablanca. *reporting, January 26, 2016*.
9. U.S. Consulate- Casablanca. *reporting, January 17, 2017*.
10. CIA. *The World Factbook*, [online] [cited December 22 2016]; <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html> Data provided is the most recent estimate of the country's total labor force. This number is used to calculate a "sufficient number" of labor inspectors based on the country's level of development, as determined by the UN.
11. Government of the Kingdom of Morocco. *Dahir n° 1-03-194 du 14 rejeb 1424 (11 septembre 2003) portant promulgation de la loi n° 65-99 relative au code du travail*, No. 1-03-194, enacted 2004. <http://www.ilo.org/dyn/travail/docs/450/Maroc%20-%20Code%20travail.pdf>.
12. Government of the Kingdom 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 2010. [Source on file].
13. Government of the Kingdom 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>.
14. Government of Morocco. *Code Penal*, enacted 1962. http://www.wipo.int/wipolex/en/text.jsp?file_id=190447.
15. Government of the Kingdom 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 1966. <http://adala.justice.gov.ma/production/html/Fr/93248.htm>.
16. Government of the Kingdom of Morocco. *Loi n° 04-00 modifiant et complétant le dahir n°1-63-071 du 25 jomada II 1383 (13 novembre 1963) relatif à l'obligation de l'enseignement fondamental*, No. 04-00, enacted 2000. [Source on file].
17. Child Soldiers International. "Appendix II: Data Summary Table on Recruitment Ages of National Armies," in *Louder than Words: An agenda for action to end state use of child soldiers*. London; 2012; <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=da92581e-7130-40e6-bf3a-a86b944f17dd>.
18. U.S. Consulate- Casablanca. *reporting, September 26, 2016*.
19. Government of the Kingdom of Morocco. *Loi n° 12-19 relative aux conditions d'emploi des travailleurs domestiques*, No. 12-19, enacted 2016. [Source on file].
20. Human Rights Watch. "Morocco: New Law Advances Domestic Workers' Rights: Key Protections, but Significant Gaps Remain." hrw.org [online] August 1, 2016 [cited November 9, 2016]; <https://www.hrw.org/news/2016/08/01/morocco-new-law-advances-domestic-workers-rights>.
21. U.S. Consulate- Casablanca. *Trafficking in Persons reporting, January 28, 2016*.
22. U.S. Consulate- Casablanca. *reporting, January 15, 2015*.
23. U.S. Consulate- Casablanca official. E-mail communication to USDOL official. June 6, 2017.
24. U.S. Consulate- Casablanca. *reporting, January 30, 2013*.
25. U.S. Consulate- Casablanca. *reporting, January 19, 2012*.
26. U.S. Consulate- Casablanca. *Trafficking in Persons reporting, February 15, 2015*.
27. Government of the Kingdom 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. [Source on file].
28. Government of the Kingdom of Morocco. *Programme national de mise en oeuvre de la politique Publique Intégrée pour la Protection de l'Enfance 2015–2020* Ministère de la Solidarité de la Femme de la Famille et du Développement Social; 2016. [Source on file].
29. U.S. Consulate- Casablanca. *reporting, December 4, 2014*.
30. U.S. Consulate- Casablanca. *reporting, January 16, 2014*.
31. Embassy of the Kingdom of Morocco- Washington, DC, official. Fax communication to USDOL official. March 9, 2014.
32. Government of the Kingdom 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.
33. U.S. Consulate Casablanca official. E-mail communication to USDOL official. February 15, 2017.
34. Government of the Kingdom 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].
35. UNDAF. *Plan Cadre des Nations Unies d'Aide au Développement 2012–2016*. Action Plan. Rabat; 2011. https://www.unicef.org/about/execboard/files/Morocco-UNDAF_2017-2021.pdf.
36. U.S. Consulate- Casablanca official. E-mail communication to USDOL official. February 18, 2015.
37. Embassy of the Kingdom of Morocco- Washington, DC, official. Fax communication to USDOL official. February 3, 2012.
38. Ali, S. "Education assistance pays off in Morocco." *moroccoworldnews.com* [online] November 3, 2012 [cited August 30, 2016]; <http://www.moroccoworldnews.com/2012/11/63557/education-assistance-pays-off-in-morocco/>.