



## MOROCCO:

### Summary of Key Issues related to Child Domestic Workers

#### Submission from Human Rights Watch to the Committee on the Rights of the Child

July 2013

In Morocco, thousands of children—predominantly girls and some as young as eight—work in private homes as domestic workers. Known as *petites bonnes*, they typically come from poor, rural areas hoping for a better life in the city and the opportunity to help their family financially. Instead, they often encounter physical and verbal violence, isolation, and seven-day-a-week labor that begins at dawn and continues until late at night.

Although Moroccan law sets 15 as the minimum age of employment, many children—overwhelmingly girls—still enter domestic work at much younger ages. Laws prohibiting the employment of children under 15 are not effectively enforced, and government mechanisms to identify children who are working below the minimum age or are subject to violence and abuse are grossly inadequate.

In 2012, Human Rights Watch conducted an investigation into working conditions for child domestic workers in Morocco, interviewing 20 former child domestic workers as well as government officials, lawyers, teachers, and representatives of NGOs, UNICEF, and the International Labor Organization. We found that since our previous 2005 investigation of child domestic work in Morocco, the government had made some progress in reducing overall rates of child labor and increasing school enrolment. However, our investigation revealed continuing and serious violations of child domestic workers' rights to be free from violence (Article 19), to education (Article 28), to rest and leisure (Article 31), to be free from economic exploitation (Article 32), and to access physical and psychological recovery and social reintegration (Article 39).

## Key issues covered by this submission include:

*Protection from violence, negligent treatment, and abuse (Article 19):* Many child domestic workers experience physical and verbal violence from their employers, and negligent treatment, including food deprivation. Eleven of the twenty girls interviewed by Human Rights Watch said their employers beat them, and fourteen of the twenty described verbal abuse. Girls said their employers beat them with their hands, belts, wooden sticks, shoes, and plastic pipes. Two of the girls Human Rights Watch interviewed reported sexual assault and in at least one case, attempted rape by male members of the household. Some reported not receiving enough food to eat, and frequently being hungry.

*Right to education (Article 28):* Domestic work severely limits a child's ability to continue her education. Of the twenty former child domestic workers interviewed by Human Rights Watch in 2012, only two said they had completed three years of schooling before beginning work. None were allowed to attend school while employed. The Casablanca-based NGO Insaf found in a 2010 study that 49 percent of child domestic workers had dropped out of school to work and 30 percent had never attended at all.

*Right to rest and leisure (Article 31):* Child domestic workers often work long hours, with little opportunity for rest or leisure. Although some interviewees had free afternoons or evenings, others worked from early morning until late at night. Most worked in an unfamiliar city, far from family and friends, and had little social contact apart from their employer's family. Many said they were not allowed outside their employer's home and had limited contact with their families while employed. Of the twenty former child domestic workers interviewed, only eight said their employer gave them a weekly day of rest. The others said they worked seven days a week, sometimes for up to two years.

*Right to protection from economic exploitation (Article 32):* Although Morocco's Labor Code sets a limit of 44 hours per week for most workers, the code does not address domestic workers, and therefore sets no limit for domestic work. Some of the girls Human Rights Watch interviewed reported working from 6 a.m. until near midnight, with little break. Despite the prohibition on work before age 15 in Morocco's Labor Code, 15 of the 20 former child domestic workers whom Human Rights Watch interviewed had started work at ages 9, 10, or 11.

Wages of the child domestic workers are very low. On average, the girls Human Rights Watch interviewed earned 545 dirhams per month (approximately \$61), far below the minimum monthly wage of 2,333 dirhams (approximately \$261) for Morocco's industrial

sector. Several did not even know their wages, which are typically negotiated between the parents and an intermediary or prospective employer. In almost every case, the girl received no money directly; her wages were paid directly to her father or another family member.

*Right to physical and psychological recovery (Article 39):* Moroccan government efforts to identify and remove children from underage or abusive employment are inadequate. The government has no mechanism to register or identify child domestic workers, and existing programs for vulnerable children (for example, Child Protection Units established in five Moroccan cities) are often unknown or inaccessible to child domestic workers. None of the child domestic workers interviewed by Human Rights Watch knew of a government entity that could offer them assistance.

## Background

In 2005, Human Rights Watch issued a report *“Inside the Home, Outside the Law: Abuse of Child Domestic Workers in Morocco.”* (Online at: <http://www.hrw.org/reports/2005/12/19/inside-home-outside-law-o>), documenting domestic work by girls as young as five years old, some of whom worked for as little as US\$0.04 an hour, for 100 or more hours per week, without rest breaks or days off. The girls we interviewed said that their employers frequently beat and verbally abused them, denied them education, and sometimes refused them adequate food or medical care.

In 2012, Human Rights Watch conducted a follow-up investigation to assess what progress has been made in eliminating child domestic labor in Morocco since 2005, and what challenges remain. We conducted interviews in Casablanca, Rabat, Marrakech, and the Imintanoute region of Chichaoua province, speaking with former child domestic workers, government officials (including the minister of employment and professional training and the minister of solidarity, women, family, and social development), lawyers, teachers, and representatives of NGOs, UNICEF, and the International Labour Organization. We interviewed 20 former child domestic workers who ranged in age from 12 to 25 at the time of interview, and who began working as domestic workers between the ages of 8 and 15. All but 4 of the 20 were still under the age of 18 at the time of the interview. They had worked in a total of 35 households for periods ranging from 1 week to 2.5 years.

The complete findings of Human Rights Watch’s investigation can be found in our report, *Lonely Servitude: Child Domestic Workers in Morocco*, which was published in

November 2012. It can be found online at:

<http://www.hrw.org/reports/2012/11/15/lonely-servitude>

## Child Domestic Workers in Morocco

There are no accurate statistics on the numbers of children working as domestic workers in Morocco. No surveys on child domestic work have been conducted since 2001, when a government survey found that 23,000 girls under the age of 18 (including 13,580 girls under age 15) worked as child domestic workers in the greater Casablanca area alone. A 2001 study by the Norwegian-based Fafo Institute for Applied Social Science estimated that nationally between 66,000 and 86,000 girls under 15 were working as domestic workers. The government of Morocco reported to the International Labor Organization that it planned a new survey on child domestic workers in greater Casablanca in 2010, with results and data to be extrapolated to the national level. In June 2012, the government informed Human Rights Watch that the survey was being prepared, but had not yet been completed.

Following the Committee on the Rights of the Child's last review of Morocco's compliance with the Convention on the Rights of the Child in 2003, the Committee said that it was "deeply concerned" at the situation of child domestic workers in Morocco and urged the government to take all necessary measures to prevent and end the practice of children working as domestic servants, through a comprehensive strategy.

In recent years, some progress has been made in reducing the number of child domestic workers. Despite the lack of credible data, the number of child domestic workers in Morocco appears to be on the decline. Virtually all of the actors whom Human Rights Watch interviewed, including local NGOs, UNICEF, ILO, local teachers, and government officials, reported that the practice appears to be less common than when Human Rights Watch published its first report in 2005. Government surveys show an overall decline in the number of children working in Morocco.

Despite this progress, child domestic labor remains a serious problem in Morocco and more concerted government efforts are needed to eliminate it.

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<sup>1</sup> Tone Sommerfelt, ed., *Domestic Child Labor in Morocco: An analysis of the parties involved in relationships to "Petites Bonnes,"* Fafo Institute for Applied Social Science (Oslo: Fafo, 2001), pp. 15-17.

<sup>2</sup> International Labor Organization (ILO), *Report of the Committee of Experts on the Application of Conventions and Recommendations*, ILC, 100<sup>th</sup> Session, 2011, ICL.100/111/1A, p 358.

<sup>3</sup> Email communication from the Moroccan Interministerial Delegation for Human Rights to Human Rights Watch, June 15, 2012.

<sup>4</sup> Committee on the Rights of the Child, "Concluding Observations: Morocco," CRC/C/15/Add.211, July 10, 2003, para. 61.

## Article 19: Protection from violence, negligent treatment, and abuse

The majority of the former child domestic workers Human Rights Watch interviewed described both verbal and physical abuse by their employers. Fatima K.<sup>5</sup> said: “The woman beat me whenever I did something she didn’t like. She beat me with anything she found in front of her. Sometimes with a wooden stick, sometimes with her hand, sometimes with a plastic pipe. When I asked her not to beat me with such things, she would say, ‘It’s not up to you what I can beat you with.’”<sup>6</sup>

Aziza S., who started working in Casablanca when she was nine, said, “The woman never spoke to me with respect. She used every bad word she could think of. She talked to me badly. When I didn’t do something as she wanted, she started shouting at me and took me into a room and started beating me. This happened several times a week. She beat me with her hands and pinched me. Once she beat me with a stick.”<sup>7</sup>

The 20 former child domestic workers interviewed by Human Rights Watch worked in a total of 35 different households. They reported physical beatings in 19 of those 35 households and verbal abuse, typically shouting or insults, in 24 of 35.

Three of the 20 former child domestic workers Human Rights Watch interviewed reported incidents of sexual harassment, assault, or attempted rape. Aziza S., 13, said she started working in Casablanca when she was 9 for an employer with two sons. The eldest was 22 years old. Aziza told Human Rights Watch that, “One time when the woman traveled, the son got drunk and tried to rape me. I pushed back and ran away.... I didn’t know where the police were, but there was a bus stop near my employer’s house. I ran to the bus stop and told the bus driver my story. He took me to the police.”<sup>8</sup>

Several of the girls said their employers did not give them enough food and that they were often hungry. Hanan E. said her employer sometimes gave her leftovers that had become inedible.<sup>9</sup> Samira B. said that she was given olive oil and bread twice a day. “I didn’t get breakfast until I cleaned the floor, did the other morning tasks, and cooked lunch. I didn’t get dinner until the family slept. The family ate lunch but didn’t leave me any food.”<sup>10</sup>

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<sup>5</sup> All names have been changed to protect the privacy of the girls interviewed.

<sup>6</sup> Human Rights Watch interview with Fatima K., Imintanoute, Morocco, May 1, 2012.

<sup>7</sup> Human Rights Watch interview with Aziza S., Casablanca, Morocco, April 25, 2012.

<sup>8</sup> Human Rights Watch interview with Aziza S., Casablanca, Morocco, April 25, 2012.

<sup>9</sup> Human Rights Watch interview with Hanan E., Imintanoute, Morocco, May 1, 2012.

<sup>10</sup> Human Rights Watch interview with Samira B., Imintanoute, Morocco, April 30, 2012.

Latifa L. also said she received only two meals a day. She ate breakfast at 7 in the morning, but had no other food until receiving dinner at around midnight. She finally left the house because, she said, “I felt tired and there was not enough food. I don’t mind working, but to be beaten and not to have enough food, this is the hardest part of it.”<sup>11</sup>

## Article 28: Right to education

Although Moroccan law requires free and compulsory education until age 15, child domestic workers typically have little schooling. Of the twenty former child domestic workers interviewed by Human Rights Watch, only two had completed three or more years of schooling before beginning to work. Most told us they only attended one or two years of school before going to work, and six had never attended school at all.

Similarly, the 2010 Insaf survey of child domestic workers found that 30 percent of those surveyed had never attended school. Forty-nine percent of the child domestic workers Insaf surveyed had dropped out of school, while 21 percent were still in school but worked during school holidays. Forty-three percent of the girls left school for financial reasons, while 25 percent cited the distance between the school and their home as a reason for not continuing their education.<sup>12</sup>

None of the child domestic workers Human Rights Watch interviewed were allowed to attend school by their employers. Karima R. said, “My employer told my parents I would be allowed to go to school, but I never was able to go. The woman never told me why.”<sup>13</sup> Souad B. said she once asked her employer if she could attend school, but her employer refused without giving a reason.<sup>14</sup> Although a few of the girls interviewed initially were promised an education, most of the girls entered domestic work knowing that they were hired to work and had no expectation of going to school.

For some, seeing the children of their employer or other children in the neighborhood attend school when they had no such opportunity was particularly difficult. When Karima R. was asked about the most difficult aspect of being a domestic worker, she replied, “The hardest part was when I saw other girls going to school and I was forced to stay at the house.”<sup>15</sup>

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<sup>11</sup> Human Rights Watch interview with Latifa L., Imintanoute, Morocco, April 30, 2012.

<sup>12</sup> Ibid.

<sup>13</sup> Human Rights Watch interview with Karima R., Casablanca, Morocco, April 25, 2012.

<sup>14</sup> Human Rights Watch interview with Souad B., Casablanca, Morocco, April 25, 2012.

<sup>15</sup> Human Rights Watch interview with Karima R., Casablanca, Morocco, April 25, 2012.

The Moroccan government has made significant efforts to increase school enrollment for Moroccan children. Government statistics indicate that between 2002 and 2010, the percentage of Moroccan children who completed primary school rose from 62 percent to 85 percent. A cash transfer program called “Tayssir” has provided financial assistance to more than 406,000 families on the condition that they send their children to school. The government has also expanded school cafeteria and other programs aimed at increasing school enrollment and retention.

However, not all children who are at risk of entering child domestic labor have been reached by such programs. In addition, once children begin domestic work, often far from their families, there is no effective mechanism to identify them and ensure that they have access to schooling.

### **Article 31: Right to rest and leisure**

Long working hours and isolation from friends and family inhibit child domestic workers’ right to rest and leisure. During Human Rights Watch’s 2012 investigation, we found that most of the 20 girls we interviewed worked seven days a week with no day off. For example, Najat S., who started work at age nine, said she worked for two years without receiving a day off or the chance to go home to visit her family.<sup>16</sup> Hanan E., who started work at age eleven, also told us she worked for more than two years with no days off. She typically worked from 5 or 6 in the morning until midnight. If she tried to rest, her employer would shout at her. Hanan said, “I felt very tired and that the woman did not care about me.”<sup>17</sup> Fatima K. described pressure to work continuously: “The woman [the employer] wouldn’t let me sit. Even if I was finished with my tasks she wouldn’t let me sit. I had to act as if I was working because if she saw me sitting, she would shout at me.”<sup>18</sup>

Child domestic workers often experience extreme isolation after traveling long distances from their homes. Many know no one apart from their employers’ family, and in some cases, are not allowed outside of their employer’s home. This isolation severely limits their opportunities for recreation and for contact with friends and family. Aziza S., who started working in Casablanca when she was nine, explained, “I didn’t know anyone. I only knew what I could see from the window.”<sup>19</sup>

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<sup>16</sup> Human Rights Watch interview with Najat S., Imintanoute, Morocco, May 1, 2012.

<sup>17</sup> Human Rights Watch interview with Hanan E., Imintanoute, Morocco, May 1, 2012.

<sup>18</sup> Human Rights Watch interview with Fatima K., Imintanoute, Morocco, May 1, 2012.

<sup>19</sup> Human Rights Watch interview with Aziza S., Casablanca, Morocco, April 25, 2012.

## Article 32: Right to protection from economic exploitation and harmful work

Child domestic workers in Morocco often experience economic exploitation and work that is harmful to their health, and physical, mental, spiritual, or social development.

The girls interviewed by Human Rights Watch, on average, earned 545 dirhams (US\$61) per month, barely one-quarter of the minimum wage for industrial jobs, often for working hours far in excess of the 44 hours per week set by the labor code for the industrial sector. While some earned as much as 750 dirhams (\$84) per month, Nadia R. told us she earned only 100 dirhams (\$11) per month and several said that they had no idea of their wages. In almost all cases, their wages were negotiated by an intermediary or their parents, and were paid directly to their parents.

Najat S. spent two years working in a Casablanca household for 350 dirhams (\$40) per month, she told Human Rights Watch. Her employer allowed her a few hours rest in the afternoon, but she still typically worked 12 hours a day, 7 days a week, for a total of 84 hours per week. On an hourly basis, her wages averaged about 1 dirham (\$0.11) per hour, less than 10 percent of Morocco's formal minimum wage.<sup>20</sup>

Several girls expressed fear that their employer would deduct money from their wages and that this would cause hardships for their families. Fatima K. did not know how much her family received for her work, but said that when she became ill, she did not ask her employer for medicine for fear that the cost would be deducted from her salary.

As required by Article 32(2)(a) of the Convention on the Rights of the Child, Morocco has established a minimum age of employment at age 15, although enforcement of the law is extremely weak. Morocco has no provisions to allow labor inspectors to access provide homes, no registration system for child domestic workers, or other mechanism to effectively monitor children working in provide homes.

Morocco has failed to meet its obligations to regulate hours of work for children age 15 to 18 who may be employed as domestic workers, as required by Article 32(2)(b). In other sectors, workers enjoy a standard work week of 44 hours (for non-agricultural workers), with a daily work period not to exceed 10 hours. Employees must also receive a full day of rest each week. In contrast, child domestic workers are at the mercy of their employers, and may work seven days a week, in excess of 100 hours.

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<sup>20</sup> Human Rights Watch interview with Najat S., Imintanoute, Morocco, May 1, 2012.



Morocco is currently considering a new draft law to regulate domestic work. The draft law, which was adopted by the government in early 2013 but has yet to be adopted by Parliament, stipulates that domestic workers are entitled to a weekly day of rest, but makes no reference to limits on hours of work, neither for adults, nor for children above the minimum age of employment.

Article 32(3)(c) requires Morocco to apply appropriate penalties to enforce its child labor laws. Although the Morocco Labor Code stipulates that employing children who are younger than 15 is punishable by fines ranging from 25,000 to 30,000 dirhams (US\$2,811 to \$3,373), in practice, these penalties are almost never applied. Information provided to Human Rights Watch by the government indicated that no fines were imposed or offenses recorded under the Labor Code against employers of child domestic workers in either 2010 or 2011.<sup>21</sup> The ILO office in Morocco also indicated that it was not aware of any penalties that had been imposed against employers of child domestic workers under the Labor Code.<sup>22</sup>

Criminal prosecution for physical abuse of child domestic workers is also extremely rare, although in 2012, a court of appeal sentenced a 31-year old woman to 10 years in prison for beating a 10-year-old child domestic worker, leading to the child's death.<sup>23</sup>

### **Article 39: Physical and psychological recovery and social reintegration**

Under the government's National Plan for Childhood (2006-2015), five Child Protection Units have been established in the cities of Casablanca, Marrakesh, Tangiers, Meknes, and Essaouira. The purpose of the units is to provide social services and referrals to vulnerable children, including those who are victims of violence or mistreatment. According to the government, the units have provided assistance in 1,188 cases.<sup>24</sup>

In practice, however, the Child Protection Units provide assistance to very few child domestic workers. The director of the Casablanca unit informed Human Rights Watch that in 2010, the unit handled 342 cases, and in 2011, 456 cases. However, in those two years,

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<sup>21</sup> Interministerial Delegation, June 15, 2012.

<sup>22</sup> Human Rights Watch interview with Malak Ben Chekroun, program administrator, ILO Morocco, Rabat. April 24, 2012.

<sup>23</sup> Abderrafii Aloumliki, "Al Jadida: She killed her 10-year old maid and got 10 years in prison," *Maghress*, April 17, 2012, available at <http://www.maghress.com/fr/aujourd'hui/87580>.

<sup>24</sup> Interministerial Delegation, June 15, 2012. The information provided did not indicate the period of time in which these cases were handled.

she estimated that the unit had assisted fewer than ten child domestic workers. The biggest problem, she said, was the inaccessibility of children employed in domestic work.<sup>25</sup>

The Casablanca unit has increased its caseload significantly since 2010,<sup>26</sup> but other units have been much less active. The Marrakesh unit, for example, has only handled 81 cases since it was established. Child Protection Unit staff and NGOs said that the units have been hampered by the government's failure to formalize the operation of the units and provide adequate staff and resources.<sup>27</sup>

None of the girls interviewed by Human Rights Watch had any knowledge of the Child Protection Units, where they were located, or what assistance they might provide. Because of the distinctive circumstances of child domestic work – involving work in private homes, far from one's family, and isolated from the outside world – unique strategies are needed to identify and withdraw children from illegal and hazardous domestic work, and to provide these children with appropriate assistance. Without a system to inform child domestic workers about the existence of the Child Protection Units or other available services, or a way to make those units accessible to children, it is unlikely that child domestic workers will receive any meaningful aid.

Child domestic workers who need assistance are most likely to receive it from non-governmental organizations. For example, the association Bayti hosts former child domestic workers who have been victims of exploitation or abuse at its shelter in Casablanca, and provides literacy and other programs. INSAF also works to identify child domestic workers, engages the children's families in dialogue, and seeks to reunite child domestic workers with their families. When families agree, INSAF provides a monthly stipend, conditioned on the girl's continued school attendance, and conducts monthly follow-up visits by social assistants. Although these NGOs receive some government support, they told Human Rights Watch it was not sufficient to meet their needs and they are only able to assist a small number of children.

### **Suggested questions for Morocco:**

- What steps are being taken to enforce Morocco's prohibition on employment under the age of 15 in private homes?
- In how many cases have penalties been imposed against employers of underage child domestic workers under the Labor Code?

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<sup>25</sup> Human Rights Watch interview with Serghini Saadia, director, Casablanca Child Protection Unit, April 27, 2012, Casablanca.

<sup>26</sup> Ibid.

<sup>27</sup> Interview with NGO worker, April 28, 2012, Marrakech; interview with Saadia Serghini Saadia, director, Casablanca Child Protection Unit, April 27, 2012, Casablanca.

- What efforts are being made to make schooling available to girls who have entered domestic work?
- What is the status of the government's planned survey of child domestic workers?

### **Suggested recommendations for Morocco:**

- Amend the draft domestic workers law to include limits to hours of work, equivalent to the 44 hours/week that currently apply to other sectors.
- Create an effective monitoring system, involving police, social workers, educators, local NGOs, labor inspectors, and other authorities to identify children under the age of 15 who have entered domestic work and children between 15 and 18 who may be subject to abuse or conditions that constitute the worst forms of child labor.
- Investigate cases of underage employment or abuse of child domestic workers, authorizing police, social workers, and/or labor inspectors to enter employers' homes when child domestic labor is suspected, and to withdraw children who are under age 15 or who have been subject to abuse.
- Strictly impose 15 as the minimum age for all employment, including for domestic work, and impose appropriate penalties on both employers and labor recruiters who employ or recruit children under the age of 15.
- Continue to expand initiatives designed to increase school enrollment, particularly among girls who are vulnerable to child domestic labor;
- Implement a system to identify children who are not attending school and may be employed in domestic labor in order to conduct follow-up intervention and investigation.
- Create an effective and accessible complaints mechanism for child domestic workers and others to report violations against child domestic workers, and ensure that the hotline managed by the National Observatory of Child Rights is widely publicized via television, radio, and public notices in transportation centers, schools, post offices, telephone offices, and other public locations.
- Provide shelters and medical and social services, as appropriate, for child domestic workers who have been subject to abuse or exploitation to facilitate their rehabilitation, entry into school, and reunification with their family, when it is in the child's best interests.
- Establish long-term hosting arrangements for former child domestic workers when reunification with the family is not possible or in the best interests of the child.