

In 2022, Morocco made moderate advancement in efforts to eliminate the worst forms of child labor. The Kingdom of Morocco claims the territory of Western Sahara and administers the area that it controls with the same constitution, laws, and structures as in internationally recognized Morocco, including laws that deal with child labor. During the reporting period, the Moroccan government drafted a national strategy against human trafficking and developed a guide to help government ministries identify trafficking victims. However, children in Western Sahara are subjected to the worst forms of child labor, including in forced domestic work and commercial sexual exploitation. Additionally, the Labor Code's minimum age for work provisions do not meet international standards as children 15 years of age and under are not protected when working in traditional artisan and handicraft sectors. Furthermore, the scope of government social programs is insufficient as they do not fully address children exploited through domestic work and commercial sexual exploitation.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Western Sahara are subjected to the worst forms of child labor, including in forced domestic work and commercial sexual exploitation. (1,2) Children, particularly in rural areas, are vulnerable to child labor due to educational barriers similar to those faced in other locations in Morocco, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers. (2,3) Data on key indicators on children's work and education are not available from the sources used in this report.

II. LEGAL FRAMEWORK FOR CHILD LABOR

Western Sahara is subject to the same laws as internationally recognized Morocco. (4) Morocco has ratified all key international conventions concerning child labor, which the government extends to the areas in Western Sahara that it controls (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 that extend to Western Sahara (Table 2). However, gaps exist in Morocco's legal framework to adequately protect children from the worst forms of child labor, including a minimum age for work that does not meet international standards.

Table 2. Laws and Regulations on Child Labor

| Standard | Meets International Standards | Age | Legislation |
|---|-------------------------------|-----|---|
| Minimum Age for Work | No | 15 | Articles 4, 143, and 151 of the Labor Code; Article 6 of Law No. 19-12 (5,6) |
| Minimum Age for Hazardous Work | Yes | 18 | Articles 147 and 181 of the Labor Code; Article 6 of Law No. 19-12 (5,6) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | Hazardous Child Labor List, Decree No. 2-10-183; Articles 179 and 181 of the Labor Code (5,7) |

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Table 2. Laws and Regulations on Child Labor (Cont.)

| Standard | Meets International Standards | Age | Legislation |
|---|-------------------------------|-----|--|
| Prohibition of Forced Labor | Yes | | Articles 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings; Article 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (5,8,9) |
| Prohibition of Child Trafficking | Yes | | Articles 497, 498, 499, and 503-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (8,9) |
| Prohibition of Commercial Sexual Exploitation of Children | No | | Articles 497, 498, 499, and 503-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (8,9) |
| Prohibition of Using Children in Illicit Activities | Yes | | Law number 1-73-282; Article 467-2 of the Penal Code; Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (8-10) |
| Minimum Age for Voluntary State Military Recruitment | No | | |
| Prohibition of Compulsory Recruitment of Children by (State) Military | Yes | | Article 4 of Law No. 44-18 (11) |
| Prohibition of Military Recruitment by Non-state Armed Groups | Yes | | Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (9) |
| Compulsory Education Age | Yes | 15 | Article 1 of Law No. 04-00 (12) |
| Free Public Education | Yes | | Article 1 of Law No. 04-00 (12) |

The 2016 Law on Setting Up Employment Conditions of Domestic Workers prohibits employing children under the age of 18 in domestic work; this provision will take effect in October 2023. However, the Labor Code does not apply to children who work in the traditional artisan or handicraft sectors for family businesses with five or fewer employees. (3,5)

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, including Western Sahara (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role & Activities |
|---|--|
| Ministry of Economic Inclusion, Small Business, Employment and Skills (MEIPEEC) | Enforces child labor laws with its 54 inspection offices throughout the country. (2,3) Partners with civil society organizations working to remove children from child labor and provides them with an education or vocational training. (2,13) MEIPEEC's priorities in the 2022 National Labor Inspection Plan include upholding workers' representation rights and focusing inspections on temporary work agencies, security, gardening, construction, and cleaning companies. (2) |
| Ministry of the Interior | Enforces prohibitions on trafficking in persons, prostitution, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security. (2) |
| General Prosecutor | Prosecutes criminal offenses against children, and processes cases involving children in the court system. Serves independently as a judiciary body separate from the Ministry of Justice. (2) |

Information concerning labor enforcement for Western Sahara is not tracked separately from the entirety of Morocco, so the following information refers to Morocco as a whole. Between January 2022 and February 2023, 522 children were removed from hazardous working conditions, with 332 of these children being younger than 15 years of age. (2) The National Observatory for Children's Rights also established an online portal and reporting mechanisms on its website to provide more ways to report child abuse, including child labor. This complements the hotline already in use for formal child labor complaints. (14) Additionally in 2022, the government increased the number of labor inspectors by over 23 percent, from 404 to 500 in total. (2,3) Of the 500 labor inspectors in Morocco, 101 are contractors rather than public servants. (2) Due to the instability of contract employment, the authority and training of these labor inspectors may be called into question.

Despite this increase in inspectors, research indicates Morocco does not have an adequate number of labor inspectors to carry out their mandated duties. (15-17) Penalties for employing children in hazardous work are also insufficient to deter child labor, as labor inspectors generally recommend to employers to remove children from work before imposing any penalties and may not impose penalties if the employer ends the employment of children. (4,18,19)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 4). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

Table 4. Key Mechanism to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Activities |
|---|---|
| National Commission for the Coordination of Measures to Combat and Prevent Trafficking in Persons | Coordinates the government's efforts to address trafficking in persons. Led by the Ministry of Justice, with 22 members representing various ministries and civil society organizations. (2,14,20) In 2022, the Commission completed a guide for human trafficking indicators to help government ministries identify trafficking victims and organized a workshop on establishing strong national referral mechanisms for trafficking victims. (21) In March 2023, the Commission also enacted a new trafficking strategic plan. (22) |

Although Morocco has a committee to coordinate efforts to address trafficking in persons, as well as the Technical Committee Under the Special Ministerial Commission for Children for the Protection and Improvement of Childhood to address child protection in general, it does not have active coordinating mechanism to address all forms of child labor. (2)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 5).

Table 5. Key Policies Related to Child Labor

| Policy | Description & Activities |
|--|---|
| Ministry of Solidarity, Social Inclusion, and Family (MSISF) Integrated Public Policy on the Protection of Children in Morocco | Promotes an interdisciplinary approach to respond to the exploitation of children and other relevant issues. (23) Implemented by MEIPEEC. (2,14) |
| National Strategy to Address Trafficking in Persons† | Aims to raise awareness of human trafficking and improve the identification and referral of victims to services. Enacted in March 2023 with assistance from international partners. (21,22) |

† Policy was approved during the reporting period.

In late 2022, the Ministry of Economic Inclusion, Small Business, Employment and Skills made arrangements with the ILO and NGOs to draft a strategic action plan to address the worst forms of child labor. (2,14)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs that include the goal of eliminating child labor (Table 6). However, gaps exist in these social programs, including inadequate efforts to address child labor in all sectors.

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Table 6. Key Social Programs to Address Child Labor

| Program | Description & Activities |
|-------------------------------|---|
| Social Cohesion Support Fund† | Programs that aim to improve access to education. Include the MSISF-funded Tayssir Conditional Cash Transfer Program that provides direct cash transfers to qualifying families whose children meet school attendance criteria. (24) These cash transfers continued in 2022. (14) |

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† 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. (2,25)

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 for children engaged in forced domestic work, especially in rural areas where undercounting the extent to which children are engaged in labor is likely, and in commercial sexual exploitation. (26)

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 all children age 15 and under are protected by law, including children who work in artisan and handicraft sectors for family businesses. | 2009 – 2022 |
| | Ensure that the law establishes 16 as the minimum age for voluntary recruitment by the state military with safeguards for voluntariness. | 2022 |
| | Ensure that the law criminally prohibits the use of a child for prostitution. | 2022 |
| Coordination | Establish a coordinating mechanism to prevent and eliminate all forms of child labor. | 2022 |
| Social Programs | Remove barriers to education, such as insufficient facilities and a lack of reliable and safe transportation, particularly in rural areas. | 2015 – 2022 |
| | Expand existing programs to address the full scope of the child labor problem, including in rural areas and in forced domestic work and commercial sexual exploitation. | 2017 – 2022 |
| | Collect and publish information on the extent and nature of child labor to inform policies and programs, including in farming and forestry. | 2013 – 2022 |

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