

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Morocco became a member of ILO-IPEC in 2000²⁹⁴⁹ and launched its first program with ILO-IPEC in July 2001.²⁹⁵⁰ In January 2003, the Government of Morocco signed a Letter of Agreement with the Government of the United States to collaborate on reducing child labor and providing education alternatives for children vulnerable to child labor.²⁹⁵¹ As a result, USDOL is supporting a USD 3 million project executed by Management Systems International that aims to eliminate the practice of selling and hiring child domestic workers and to create educational opportunities for child laborers and those vulnerable to child labor.²⁹⁵² In addition, USDOL provided USD 2 million to fund an ILO-IPEC child labor project in Morocco, which aims to strengthen national efforts against the worst forms of child labor in Morocco and to remove and prevent children from work in rural areas of the country.²⁹⁵³ In March 2003, the Ministry of Employment, Social Affairs, and Solidarity collaborated with the ILO and Morocco's foremost public service association AFAK (or "Horizon"), to place a public service announcement in Morocco's leading newspapers urging Moroccans to unite in fighting child labor.²⁹⁵⁴

In October 1999, the Government of Morocco established national and sectoral action plans to combat child labor, especially its worst forms.²⁹⁵⁵ The focus of the national plan includes improving implementation and raising awareness of child labor laws, and improving basic education.²⁹⁵⁶ Sectoral plans target children in agriculture and herding, the industrial sector (carpets and stitching), metal and auto work, construction, the hospitality industry, and food production, as well as children working in informal sector.²⁹⁵⁷ Between February 1998 and April 2001, the government held awareness raising campaigns for the general public conducted by labor, safety, and health inspectors,²⁹⁵⁸ and in April 2001, inspectors began holding child labor awareness raising and training sessions for employers.²⁹⁵⁹ In 2000, the government began a pilot program focusing on girls who work as domestic servants to provide them with education, health care, and recreation.²⁹⁶⁰ In 2003 the government took a number of measures

²⁹⁴⁹ ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited August 29, 2003]; available from http://www.ilo.org/public/english/standards/ipec/about/countries/t_country.htm.

²⁹⁵⁰ U.S. Consulate - Casablanca, *unclassified telegram no. 1830*, October 2002.

²⁹⁵¹ See Transcript of the Remarks of Deputy Under Secretary for International Labor Affairs, Thomas Moorhead, at the Morocco Education Initiative Letter of Agreement Signing Ceremony, January 8, 2003. See U.S. Consulate - Casablanca, *unclassified telegram no. 0107*, January 17, 2003. See extensive press coverage on the agreement cited in Public Affairs Section Media Relations Unit, U.S. Embassy Rabat, Morocco Daily Press Summary, "Deputy Under Secretary for International Labor Affairs, Thomas Moorhead," *L'Opinion, Liberation, and Le Matin of January 10* (Rabat), 2003. , U.S. Consulate - Casablanca, *unclassified telegram no. 0107*.

²⁹⁵² USDOL, *Letter of Agreement between the U.S. Department of Labor, the Moroccan Ministry of National Education, and the Moroccan Ministry of Employment, Vocational Training, Social Development and Solidarity Regarding the U.S. Department of Labor Child Labor Education Initiative*, Washington, D.C., January 2003.

²⁹⁵³ Media Relations Unit, "Deputy Under Secretary for International Labor Affairs, Thomas Moorhead." See also U.S. Embassy Morocco official, Electronic communication to USDOL official, March 19, 2003.

²⁹⁵⁴ U.S. Embassy Morocco official, Electronic communication to USDOL official, March 19, 2003. See also U.S. Consulate - Casablanca, *unclassified telegram no. 0397*, March 28, 2003.

²⁹⁵⁵ U.S. Consulate- Casablanca, *unclassified telegram no. 1157*, October 2001. See also Kingdom of Morocco, *Plans national et sectoriels d'action de la lutte contre le travail des enfants au Maroc*, October 1999.

²⁹⁵⁶ Kingdom of Morocco, *Plans national et sectoriels d'action*, 5-6.

²⁹⁵⁷ *Ibid.*, 10-35. The plan is based on a survey of working children in Morocco. See Kingdom of Morocco, *Le travail des enfants au Maroc. Diagnostic et propositions de plan national et de plans sectoriels d'action*, ILO, Rabat, October 1999.

²⁹⁵⁸ U.S. Consulate - Casablanca, *unclassified telegram no. 1830*.

²⁹⁵⁹ U.S. Consulate- Casablanca, *unclassified telegram no. 1157*.

²⁹⁶⁰ *Ibid.*

to address child labor by strengthening legal protections for children [see Child Labor Laws and Enforcement below] and by signing accords with artisans to define conditions of work for young persons.²⁹⁶¹

The government has taken steps to improve the quality of primary education by reforming the curriculum, training and hiring more teachers, and assigning teachers to their hometowns to reduce absenteeism.²⁹⁶² The Ministry of National Education and Youth (MNEY) also runs programs for out-of-school children under its Non-Formal Education Program.²⁹⁶³ In June 2003, MNEY announced that the government was increasing the number of schools and classrooms.²⁹⁶⁴ In September 2003, the government initiated coursework in the Berber language within 317 primary schools serving primarily a Berber population, with plans to expand the program throughout the country by 2008 should it result in reduced drop-out rates among such children.²⁹⁶⁵ The Government of Morocco continues to work with international organizations and local partners to increase school attendance. MNEY is implementing a World Bank-funded program to strengthen institutional capacity, improve teaching quality and build or rehabilitate rural schools.²⁹⁶⁶ MNEY contracts with over 40 local NGOs to provide non-formal education.²⁹⁶⁷ In cooperation with the Ministry of Health and with the support of UNICEF, MNEY is also pursuing a strategy to ensure basic education and healthcare for child workers.²⁹⁶⁸

Incidence and Nature of Child Labor

According to the 2000 National Survey of Activity, Employment and Unemployment, approximately 3.4 percent of children in Morocco under the age of 15 were engaged in child labor.²⁹⁶⁹ More than 85 percent of these children were in rural areas where 6.6 percent of boys under the age of 15 and 5.1 percent of girls are engaged in work.²⁹⁷⁰ The majority of child labor is found in the agricultural sector.²⁹⁷¹ Boys and girls work as shepherds and

²⁹⁶¹ For a detailed discussion see U.S. Consulate - Casablanca, *unclassified telegram no. 1257*, August 3, 2003.

²⁹⁶² U.S. Consulate- Casablanca, *unclassified telegram no. 1157*. The teacher-student ratio is still high with 52.5 students per class in urban schools and 38.2 in rural schools. See U.S. Consulate - Casablanca, *unclassified telegram no. 1830*.

²⁹⁶³ Kingdom of Morocco Ministry of National Education, *Education non-formelle: L'école de la deuxième chance*. Since its inception in 1997, the Ministry's non-formal education program has given remedial instruction to 164,076 children and is working to adapt the curriculum to make it more relevant to the needs of older students. See U.S. Consulate - Casablanca, *unclassified telegram no. 0091*, January 15, 2003, U.S. Consulate - Casablanca, *unclassified telegram no. 1257*. See also U.S. Consulate - Casablanca, *unclassified telegram no. 1257*.

²⁹⁶⁴ U.S. Embassy Morocco official, Electronic communication to USDOL official, June 12, 2003. In 2003 the Ministry of Education planned to open 32 new primary schools and 50 junior highs. Another 380 schools are being built in poor neighborhoods. See U.S. Consulate - Casablanca, *unclassified telegram no. 1257*.

²⁹⁶⁵ U.S. Consulate- Casablanca, electronic communication to USDOL official, February 15, 2004. See also U.S. Consulate - Casablanca, *unclassified telegram no. 1257*.

²⁹⁶⁶ World Bank, *Documents and Reports: Morocco - Education Reform Support Project*, project information document, PID10151, Rabat, March 6, 2001, [cited December 16, 2002]; available from http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000094946_01041102152241.

²⁹⁶⁷ Kingdom of Morocco, Ministry of National Education, Non-Formal Education Directorate, and Partnership Division, *Liste des Associations Partenaires du M.E.N. dans le Programme d'Education Non-Formelle*, Rabat, October 19, 2001.

²⁹⁶⁸ U.S. Department of State, *Country Reports on Human Rights Practices - 2000: Morocco*, Washington, D.C., February 2001, Section 6d [cited October 16, 2003]; available from <http://www.state.gov/g/drl/rls/hrrpt/2000/nea/index.cfm?docid=804>.

²⁹⁶⁹ Bureau of Statistics Government of Morocco, *Emploi et Chomage- 2002*, Casablanca, 2002.

²⁹⁷⁰ *Ibid.*

²⁹⁷¹ U.S. Consulate- Casablanca, *unclassified telegram no. 1157*. See also U.S. Consulate - Casablanca, *unclassified telegram no. 1257*. A Ministry of Finance and Planning labor force study by the Statistics Directorate concluded that nearly 9 out of 10 child workers are found in rural areas, and 84 percent of these are engaged in farm work. See U.S. Consulate - Casablanca, *unclassified telegram no. 1830*.

are paid with cash or in kind.²⁹⁷² Children are also known to work as carpet weavers, metalworkers, mosaic-makers, mechanics, porters, tour guides, and street vendors.²⁹⁷³ A 2001 study on street children found that they engage in diverse forms of work including selling cigarettes, begging, shining shoes, and other miscellaneous occupations.²⁹⁷⁴ Additionally, children work as laborers in small family-run workshops that produce ceramics, jewelry, woodwork, and leather goods.²⁹⁷⁵ Many children work as apprentices before they reach 12 years of age, particularly in the informal handicraft industry.²⁹⁷⁶ In urban areas, girls can be found working as domestic servants, often in situations of unregulated “adoptive servitude.”²⁹⁷⁷ In these situations, girls from rural areas are trafficked, “sold” by their parents, and “adopted” by wealthy urban families to work in their homes.²⁹⁷⁸ Girls and boys working as domestic servants and street vendors are increasingly targets of child sex tourism, particularly in the cities of Marrakech and Casablanca.²⁹⁷⁹

Education is free and compulsory for children ages 7 to 15 years as a result of a truancy-school attendance act adopted in January 2000.²⁹⁸⁰ In 2000, the gross primary enrollment rate was 94.4 percent, and the net primary enrollment rate was 78.0 percent.²⁹⁸¹ Attendance rates are not available for Morocco. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.²⁹⁸² Morocco has high dropout rates, particularly for rural girls who often do not complete primary school.²⁹⁸³ The

²⁹⁷² Girls also feed and milk animals, fetch water, and collect firewood. See International Working Washington File Group on Child Labour, *Forgotten on the Pyjama Trail: A Case Study of Young Garment Workers in Méknès (Morocco) Dismissed from Their Jobs Following Foreign Media Attention*, International Society for the Prevention of Child Abuse and Neglect, 1998, 15.

²⁹⁷³ U.S. Department of State, *Country Reports on Human Rights Practices-2002: Morocco*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/index.htm>. UNICEF estimates that 5,000 to 10,000 children work in the artisan carpet industry, and it is estimated that up to 3,000 are producing carpets for export. A Ministry of Employment and ILO-IPEC investigation found that 98 percent of children in this sector are 12 years old or younger. See U.S. Consulate – Casablanca, *unclassified telegram no. 1830*.

²⁹⁷⁴ Kingdom of Morocco, Ministry in Charge of the Condition of Women, the Protection of the Family, Childhood, and the Integration of the Handicapped, *Synthèse d’une étude préliminaire sur les enfants de la rue*, Rabat, October 2001.

²⁹⁷⁵ U.S. Department of State, *Country Reports- 2002: Morocco*. See also Nicolas Pelham, “Fine crafts from too-tiny hands. Morocco’s new king launches jihad on rampant child labor,” *The Christian Science Monitor*, January 11, 2001; available from <http://www.csmonitor.com/durable/2001/01/11/pls3.htm> [hard copy on file]. See also International Working Washington File Group on Child Labour, *Forgotten on the Pyjama Trail*, 15.

²⁹⁷⁶ A study of the artisan sector in the city of Fez found that 45 percent of workers were less than 15 years of age. See U.S. Consulate- Casablanca, *unclassified telegram no. 1157*. See also U.S. Department of State, *Country Reports- 2000: Morocco*, Section 6d. See also International Working Washington File Group on Child Labour, *Forgotten on the Pyjama Trail*, 15. See also U.S. Consulate – Casablanca, *unclassified telegram no. 1830*.

²⁹⁷⁷ U.S. Department of State, *Country Reports- 2002: Morocco*, Section 5.

²⁹⁷⁸ U.S. Consulate- Casablanca, *unclassified telegram no. 1157*. See also U.S. Department of State, *Trafficking in Persons Report-2003: Morocco*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21273.htm>. A 2000 study by the Ministry of Planning funded by UNICEF estimates that there are approximately 13,000 girls under age 15 working as maids in Casablanca, while another put the total at 20,000 in other major Moroccan cities. See U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Morocco*, Washington, D.C., March 4, 2002, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/nea/8277.htm>. See also U.S. Department of State, *Country Reports- 2002: Morocco*, Section 6d. UNICEF estimates the average age of all child maids was less than 11 years old and the Morocco Statistics Directorate estimates that child maids work on average 67 hours per week. See U.S. Consulate – Casablanca, *unclassified telegram no. 1830*.

²⁹⁷⁹ The prostitution of boys is reportedly a growing problem in Morocco. See UNICEF, *Profiting from Abuse: An investigation into the sexual exploitation of our children*, New York, November 2001, 11; available from http://www.unicef.org/publications/pub_profiting_en.pdf. See also Dr. Najat M’jid, “Rapport sur la situation de l’exploitation sexuelle des enfants dans la région MENA” (paper presented at the Arab-African Forum against Commercial Sexual Exploitation, Rabat, Morocco, October 26, 2001); available from http://www.unicef.org/events/yokohama/background8.html#_edn1.

²⁹⁸⁰ U.S. Embassy Morocco official, Electronic communication to USDOL official, March 8, 2004. See also U.S. Consulate – Casablanca, *unclassified telegram no. 1257*.

²⁹⁸¹ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

²⁹⁸² For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

²⁹⁸³ U.S. Consulate – Casablanca, *unclassified telegram no. 1830*. See also U.S. Consulate – Casablanca, *unclassified telegram no. 1257*.

government does not enforce the compulsory education law consistently²⁹⁸⁴ and, in 1999, an estimated 80 percent of working children were not in school.²⁹⁸⁵

Child Labor Laws and Enforcement

Morocco has recently updated legislation relating to child labor. A new labor code was published in the Official Bulletin on December 8, 2003 and will take effect on June 7, 2004.²⁹⁸⁶ The new Labor Code raises the minimum age for employment from 12 to 15 years.²⁹⁸⁷ The minimum age restriction applies to the industrial, commercial, and agricultural sectors and also extends to children working in apprenticeships and family enterprises.²⁹⁸⁸ However, the new amendments do not apply to the informal sector or domestic service, where working children are particularly prevalent.²⁹⁸⁹ According to the Labor Code, children under the age of 16 are prohibited from working more than 10 hours per day, including at least a 1-hour break.²⁹⁹⁰ Children under the age of 18 are not permitted to work in hazardous occupations or at night between the hours of 9:00 p.m. and 6:00 a.m. in non-agricultural work.²⁹⁹¹ The law also sets limits on the weights that children may push, bear, or pull as part of their work, according to their age and gender.²⁹⁹²

The Labor Code prohibits forced or compulsory labor, including by children;²⁹⁹³ however, there are reports that such practices occur.²⁹⁹⁴ A law was enacted in 1993 for the protection of abandoned children in Morocco. According to this law, persons younger than 18 and unable to support themselves economically are identified as abandoned if their parents are unknown, unable to be located, or incompetent of assuming a parental role.²⁹⁹⁵ There has been some concern that girls are being fostered at higher rates than boys, and that some girls are being adopted into circumstances equivalent to forced domestic servitude.²⁹⁹⁶

The prostitution of children, corruption of minors, and involvement of children in pornography are prohibited under the Criminal Code.²⁹⁹⁷ Soliciting for the purposes of prostitution, as well as aiding, protecting, or profiting

²⁹⁸⁴ U.S. Consulate – Casablanca, *unclassified telegram no. 1830*.

²⁹⁸⁵ Kingdom of Morocco, *Plans national et sectoriels d'action*, 3.

²⁹⁸⁶ *Law No. 65-99 relative to the Labor Code*, (December 8, 2003), as cited in the Bulletin Officiel.

²⁹⁸⁷ *Ibid.*, Article 143.

²⁹⁸⁸ U.S. Department of State, *Country Reports- 2002: Morocco*, Section 6d.

²⁹⁸⁹ ILO, UNICEF, and World Bank, *Understanding Children's Work in Morocco*, prepared by Inter-Agency Research Cooperation Initiative, March 2003, 38; available from http://www.ucw-project.org/pdf/publications/report_morocco_draft.pdf.

²⁹⁹⁰ U.S. Consulate– Casablanca, *unclassified telegram no. 1157*.

²⁹⁹¹ Hazardous work includes work that involves operating heavy machinery and exposure to toxic materials or emissions. *Ibid.* Children are also prohibited from performing night work in agriculture between 8:00 p.m. and 5:00 a.m. See *Labor Code*, Article 172.

²⁹⁹² U.S. Consulate– Casablanca, *unclassified telegram no. 1157*.

²⁹⁹³ *Labor Code*. The work of child maids is difficult to monitor because it falls outside the jurisdiction of the Ministry of Labor. Courts can take action once two witnesses file a complaint, but few employers of child maids have been prosecuted. See U.S. Consulate – Casablanca, *unclassified telegram no. 1830*.

²⁹⁹⁴ U.S. Department of State, *Country Reports- 2002: Morocco*, Section 6c.

²⁹⁹⁵ UN Committee on the Rights of the Child, *Summary Record of the 882nd Meeting, Consideration of Reports Submitted by States Parties (continued): Second Periodic Report of Morocco (continued)*, CRC/C/SR/.882, pursuant to Article 44 of the Convention on the Rights of the Child, July 16, 2003, paras. 18-19; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/8e3b9ac683d8dd0ac1256d7a004a2b52/\\$FILE/G0342258.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/8e3b9ac683d8dd0ac1256d7a004a2b52/$FILE/G0342258.pdf).

²⁹⁹⁶ *Ibid.*, para. 43.

²⁹⁹⁷ *Criminal Code of Morocco*, as cited in The Protection Project Legal Library, [database online] [cited November 10, 2003]; available from <http://209.190.246.239/protectionproject/statutesPDF/MOROCCO.pdf>.

from the prostitution of others, are also banned by the Criminal Code.²⁹⁹⁸ In December 2003 Parliament changed the Code to make child sexual abuse a crime and to increase penalties against those who hire children under age 18 for purposes of sexual exploitation. Under Criminal Code Article 497 (revised), anyone who incites a minor under age 18 to commit a vice or who contributes to the corruption of a minor is subject to a prison sentence of 2 to 10 years, and a fine of up to 200,000 dirhams (USD 21,739).²⁹⁹⁹

In 2003, the Moroccan Council of Ministers announced that it had adopted a law that will increase punishments against traffickers.³⁰⁰⁰ There are several statutes under which traffickers can be prosecuted, including laws on kidnapping, forced prostitution, and coercion.³⁰⁰¹ Law enforcement agencies actively investigate, prosecute, and convict traffickers.³⁰⁰²

The Ministry of Employment, Social Affairs, and Solidarity is responsible for implementing and enforcing child labor laws and regulations.³⁰⁰³ The Labor Code provides for legal sanctions against employers who recruit children under the age of 15.³⁰⁰⁴ Legal remedies to enforce child labor laws include criminal penalties, civil fines, and withdrawal or suspension of one or more civil, national, or family rights, including denial of residence for a period of 5 to 10 years.³⁰⁰⁵ However, with only a small number of labor inspectors, limited investigative powers, limited awareness of the issue, and a lack of resources, the Ministry's application of these remedies is severely constrained.³⁰⁰⁶ In addition, inspectors have no jurisdiction to monitor the working conditions of children working in the informal sector or in cottage industries.³⁰⁰⁷ The work of child maids is particularly difficult to monitor because it falls outside the jurisdiction of the Ministry of Employment. Courts can take action once two witnesses file a complaint, but few employers of child maids have been prosecuted.³⁰⁰⁸ In the few cases where legal sanctions for child labor violations are applied, they are generally insufficient to act as effective deterrents.³⁰⁰⁹

The Government of Morocco ratified ILO Convention 138 on January 6, 2000 and ILO Convention 182 on January 26, 2001.³⁰¹⁰

²⁹⁹⁸ The Protection Project, "Morocco," in *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery* Washington, D.C., 2002; available from <http://www.protectionproject.org/main1.htm>.

²⁹⁹⁹ See U.S. Consulate - Casablanca, *unclassified telegram no. 0077*, January 8, 2004. The same penalties apply in cases where an attempt was made to commit such offenses or when part of the offense was committed outside Morocco. See U.S. Consulate-Casablanca, electronic communication to USDOL official, March 25, 2004.

³⁰⁰⁰ U.S. Department of State, *Trafficking in Persons Report- 2003: Morocco*. This law went into effect on November 20, 2003 as Law 02-03. See U.S. Consulate - Casablanca, *unclassified telegram no. 0066*, December 30, 2003.

³⁰⁰¹ U.S. Department of State, *Trafficking in Persons Report- 2003: Morocco*. According to Articles 472-478 of the Penal Code, any person who uses violence, threats, or fraud to abduct (or attempt to abduct) a minor under 18 years of age, or facilitate the abduction of a minor may be imprisoned for up to 5 to 10 years. If the minor is under the age of 12, the sentence is doubled, from 10 to 20 years. See UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Morocco, Second periodic reports of States parties due in 2000*, CRC/C/93/Add.3, pursuant to Article 44 of the Convention on the Rights of the Child, February 12, 2003, para. 665.

³⁰⁰² U.S. Department of State, *Trafficking in Persons Report- 2003: Morocco*.

³⁰⁰³ U.S. Consulate- Casablanca, *unclassified telegram no. 1157*. See also U.S. Department of State, *Country Reports- 2002: Morocco*, Section 6d.

³⁰⁰⁴ Employers who hire children under age 15 may be punished with a fine of 25,000 to 30,000 dirhams (USD 2,759 to 3,311). See *Labor Code*, Article 151. In the past, legal penalties were only applied in cases in which child workers had lodged a complaint of abuse or maltreatment against an employer. See ILO, UNICEF, and World Bank, *Understanding Children's Work*, 38.

³⁰⁰⁵ UN Committee on the Rights of the Child, *Consideration of Reports: Morocco*, para. 647.

³⁰⁰⁶ U.S. Consulate- Casablanca, *unclassified telegram no. 1157*.

³⁰⁰⁷ ILO, UNICEF, and World Bank, *Understanding Children's Work*, 38.

³⁰⁰⁸ U.S. Consulate - Casablanca, *unclassified telegram no. 1830*.

³⁰⁰⁹ ILO, UNICEF, and World Bank, *Understanding Children's Work*, 38.

³⁰¹⁰ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited October 22, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.