



**International Convention on the
Protection of the Rights of
All Migrant Workers and
Members of Their Families**

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**Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families**

**Second periodic report submitted by Morocco
under article 73 of the Convention pursuant to the
simplified reporting procedure, due in 2018* ****

[Date received: 18 November 2022]

* The present document is being issued without formal editing.

** The annexes to the present document are available on the Committee's web page.



General presentation

1. The Kingdom of Morocco submits its second periodic report on the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in accordance with the list of issues adopted by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families under the simplified reporting procedure ([CMW/C/MAR/QPR/2](#)).

2. The report was drafted via a process of participation and consultation that included all government departments, national institutions and the judiciary at the central and regional levels. Civil society institutions also contributed via a series of regional consultative meetings. This report has also been presented to and discussed by the competent parliamentary committees.¹

Part I

A. General information

Reply to the question raised in paragraph 1 of the list of issues

(a) National legal framework regarding the Convention and migration policies

Legal framework

Constitution of the Kingdom of Morocco

3. The preamble to the Constitution of the Kingdom of Morocco reaffirms the country's commitment to the protection of universally recognized human rights and, in view of their universality and indivisibility, acknowledges the contribution they make to national development. It also enshrines a commitment to prohibit and combat all forms of discrimination on the basis of sex, colour, belief, culture, social or regional affiliation, language, disability or any other personal condition. Furthermore, the preamble upholds the supremacy over national law of the international treaties ratified by the Kingdom of Morocco – within the framework of the country's Constitution, laws and its immutable national identity – and enjoins efforts to bring national legislation into line with the requirements arising from such ratification. Thus, under the Constitution, human rights constitute an irreversible strategic choice and a fixed element grounded in the Constitution itself.

4. The Constitution includes the following specific safeguards:

- Protection for the legitimate rights and interests of Moroccan citizens resident abroad, care to ensure the maintenance of human bonds with them, particularly cultural bonds, and efforts to preserve their national identity (art. 16);
- Enjoyment of full citizenship rights for Moroccans living abroad, including the right to vote and stand for election and the right to present candidacies for elections in local, regional and national electoral lists and circumscriptions (art. 17);
- Guarantees to ensure the widest possible participation of Moroccans living abroad in the consultative institutions and good governance bodies established under the Constitution or the law (art 18);
- Prohibition of all incitement to racism, hatred or violence (art. 23);
- Enjoyment of civil and political rights for foreigners, including the right to participate in local elections, rights concerning the application of international treaties and the right to reciprocal treatment (art. 30).

¹ See annex 1.

5. The Constitution has served to improve the institutional framework for the protection of human rights in general, and the protection of the rights of migrant workers and members of their families in particular. Specifically, the Constitution envisages:

- The National Human Rights Council, which is a pluralistic and independent national institution that considers all matters related to the defence and protection of human rights and freedoms (art. 161);
- The Office of the Ombudsman, which is an independent and specialized national institution charged with the task of defending rights in the context of dealings between the public administration and its users, helping to consolidate the rule of law, disseminating principles of justice and fairness, and upholding the values of ethics and transparency (art. 162);
- The Council for the Moroccan Community Abroad, which gives its opinions on the public policies that enable Moroccans living abroad to maintain strong ties with their Moroccan identity, guarantee their rights and safeguard their interests (art. 163);
- The Parity and Anti-Discrimination Authority, which is charged with achieving the principle of parity and ensuring that men and women are able to exercise their economic, social, cultural and environmental rights on an equal footing (arts. 19 and 164);
- The Supreme Council for Audiovisual Communication, which is responsible for ensuring respect for the pluralistic expression of differing opinions and thoughts and for upholding the right to information in the audiovisual field (art. 165).

National legislation

- *Act No. 02.03 concerning the entry and residence of foreigners in Morocco and unlawful migration*: Under this Act, migrant workers and members of their families are granted a number of guarantees aimed at protecting them and their rights, in particular with regard to residency and travel, administrative decrees concerning deportation measures, and remedies and grievances;
- *Act No. 65.99 promulgating the Labour Code*: The Act regulates the right to work, the principles underpinning employment relations and the conditions governing employment contracts for migrant workers;
- *Act No. 70.03 promulgating the Family Code*: This Act regulates the rights and duties associated with family relationships, its provisions being applicable to all Moroccans and refugees, and to mixed marriages;
- *Act No. 37.99 concerning civil status*: The Act guarantees the right to identity for all children without discrimination, its provisions also being applicable to foreigners in respect of births and deaths that occur on national territory;
- *Act No. 19.12 concerning the conditions of work and employment of domestic workers*:² The Act includes provisions intended to protect the rights of domestic workers, including foreign workers, in particular by regulating employment relations and fundamental rights, and by monitoring and preventing rights violations;
- *Act No. 51.17 concerning the system of education, formation and scientific research*:³ The Act guarantees all children without discrimination the right to an inclusive education characterized by solidarity; it includes special provisions concerning children in specific situations, including the children of foreigners;
- *Act No. 09.21 concerning social protection*:⁴ This Act is rooted in the principles of solidarity and non-discrimination in access to social protection services;

² Official Gazette No. 6493 of 22 August 2016.

³ Official Gazette No. 6805 of 9 August 2019.

⁴ Official Gazette No. 6975 of 5 April 2021.

- *Act No. 27.14 to combat human trafficking*:⁵ The Act includes provisions intended to suppress the crime of human trafficking; protect victims; create coordination, care and support mechanisms; and provide special protection for foreign victims;
- *Act No. 23.98 on the organization and functioning of prison institutions*:⁶ The Act envisages equality and guarantees the right of foreign prisoners to receive visits from their countries' diplomatic or consular representatives;
- *Act No. 72.18 concerning the system regulating beneficiaries of social support programmes and envisaging the creation of a national records agency*:⁷ The Act includes provisions intended to identify the target groups who are to benefit from social support programmes, including migrants and refugees legally residing in Moroccan territory, and to register them in the national population register and the social registry.

Migration policies

National policy on migration and asylum

6. Morocco adopted a national policy on migration and asylum in 2013 as part of a dynamic national change that was fortified by the interactive dialogue with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families during the examination of the country's initial report. The policy has been characterized by its inclusiveness, humanitarianism, human rights-based approach and promotion of cooperation and partnership.

7. This national policy has focused on adapting the legal framework that governs migration, asylum and human trafficking, regularizing the legal status of migrants in irregular situations, processing asylum applications and formulating a national strategy for migration and asylum.

(b) Steps taken to harmonize national legislation with the Convention

8. Morocco has continued to implement its national policy on migration and asylum by adapting a legal and institutional framework for migration, asylum and human trafficking.

9. Morocco adopted Act No. 27.14 to combat human trafficking⁸ in 2016. The Act includes a definition of the crime of human trafficking and of all forms of exploitation associated therewith. It also envisages institutional provisions and protective measures aimed at safeguarding victims and holding perpetrators accountable, and it envisions protection mechanisms, health care and psychosocial support for victims, the provision of shelters and legal aid, and facilitations for reintegrating into community life.

10. Bill No. 72.17 on the entry and residence of foreigners in Morocco and on migration has been drafted with the intention that it should become the new legislative framework underpinning the fundamental procedural and substantive rights of migrants and members of their families, in line with the country's international human rights obligations, in particular the Convention and the recommendations of the Committee.

11. Bill No. 97.21 on asylum and the conditions under which it can be granted has been drafted. It constitutes a legal framework that includes a body of safeguards and rights for refugees and asylum-seekers and, specifically, the conditions under which a person is entitled to the status of refugee and under which that status can be terminated or lost, and the effects thereof. It also envisages different types of protection, a procedure for examining asylum applications, the right to appeal rejected asylum claims and the creation of a national administrative structure to receive and process asylum applications.

12. Morocco has also endeavoured to harmonize its labour legislation with relevant international conventions, such as the International Labour Organization (ILO)

⁵ Official Gazette No. 6501 of 25 August 2016.

⁶ Official Gazette No. 4726 of 16 September 1999.

⁷ Official Gazette No. 6908 of 13 August 2020.

⁸ Official Gazette No. 6501 of 25 August 2016.

Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which Morocco ratified in 1963. In that regard, the authorities have prohibited discrimination at every stage of the employment process and established equality, particularly vis-à-vis working hours, weekly rest periods, paid annual leave, rest days and holidays, and retirement.

(c) Bilateral and multilateral agreements concerning migrant workers and members of their families

13. Morocco has, for decades, been pursuing a policy that aims to protect its own citizens working abroad and the members of their families as well as migrant workers and their families who are on national territory. This is reflected in the large and varied number of bilateral and multilateral cooperation agreements on migration, including the following:

- Bilateral agreements to protect Moroccan migrant workers abroad: with Germany and France in 1963; with Belgium in 1964; with the Netherlands in 1969; with Iraq, the United Arab Emirates and Qatar in 1981 (plus an additional protocol to the agreement with Qatar in 2011); with Jordan and Libya in 1983; with Spain in 2001; with Italy in 2005; and with Portugal in 2022;
- A bilateral agreement with France in 1987 to regulate residency and employment;
- Bilateral agreements with Spain in 2007 regarding the movement of persons, transit and the prevention of the illegal migration of unaccompanied children and the protection and return of such children;
- A bilateral agreement with Senegal in 2006 concerning internal security and decentralization to combat human trafficking in human beings, illegal migration and related crimes;
- Nineteen bilateral agreements with several countries that receive Moroccan nationals, concerning their social security rights in the territory of the host countries, both during their stay and after their final return to their country of origin.

14. In the same context, certain bilateral agreements with France, Belgium and Tunisia have been updated with the aim of ensuring health coverage for Moroccan retirees upon their return to their homeland.

15. On 14 June 2019, Morocco deposited its instruments of ratification for the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) and the ILO Migration for Employment Convention (Revised), 1949 (No. 97), both of which were published in the country's Official Gazette.⁹ The ILO Migration for Employment Convention (No. 97) includes provisions concerning migration for employment, working conditions and the livelihood of migrants. It also envisages equality of treatment between national and non-national workers regarding wage protection, the right to join a union, social security and other labour rights.

Reply to the question raised in paragraph 2 of the list of issues

National policies relating to migration and asylum

16. In implementation of royal directives expressing the will of the State to fulfil its international human rights obligations, Morocco rolled out its national policy on migration and asylum in September 2013. This was part of a dynamic national change that was fortified by the interactive dialogue with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families during the examination of the country's initial report.

17. In this context, a comprehensive and integrated national strategy for migration and asylum was adopted in 2014 with the aim of ensuring better integration of migrants and refugees, and facilitating their access to public services on an equal footing with Moroccan citizens. The strategy includes programmes for seven different sectors: education and culture; youth and recreation; health; employment; vocational training; housing; and humanitarian

⁹ Bulletin of International Treaties, year 4, No. 8, 20 Shawwal A.H. 1442 (1 June A.D. 2021).

and social assistance. It also includes four horizontal programmes that aim to improve legal protection for migrants and refugees; manage borders and combat human trafficking and migrant smuggling; reinforce international cooperation and partnerships; and strengthen governance and communications structures. In addition to this, the strategy comprehends 27 special objectives and 81 projects all of which are intended to promote the economic, social, cultural and educational integration of migrants and refugees.

18. A governance system has been put in place to monitor the implementation of the strategy, including the creation of committees to follow up on the sectoral and horizontal programmes, a steering committee and a ministerial committee. Institutional and sectoral partnerships have been set up between stakeholders, international partner organizations and United Nations agencies, as well as partnerships with civil society groups, to foster the integration of migrants at all levels.

19. Within the framework of the strategy, a series of initiatives and actions have been undertaken to integrate migrants and refugees, particularly in the areas of education, health, housing, vocational training, employment and social and humanitarian assistance, as outlined below.

Access to education and training programmes

20. The purpose of this initiative is to integrate the children of migrants and refugees into formal and informal education, to promote the diversity of cultural expression and to familiarize them with Moroccan languages and culture. A body of measures has been rolled out in this connection including, by way of example, the following:

- Migrant and refugee children have been empowered to exercise their right to access public education; in fact, 3,636 children were enrolled at various levels of education in the school year 2018/19, 3,207 in the school year 2019/20 and 3,227 in the school year 2020/21;
- Three hundred and thirty-four children of migrants and refugees benefited from informal education in the school year 2019/20 and 407 in the school year 2020/21;
- Two hundred and forty-five children of migrants and refugees who were facing difficulties and shortfalls in certain subjects received assistance in the school year 2019/20 and 300 in the school year 2020/21;
- Children of migrants and refugees have benefited from programmes intended to provide social support, prevent school dropout and integrate them into the Massar system.¹⁰ Moreover, 438 children of migrants benefited from the Tayssir programme¹¹ in the school year 2018/19, 254 in the school year 2019/20 and 203 in the school year 2020/21. In addition, the “One million satchels” programme helped 505 children of migrants in the school year 2018/19, 617 in the school year 2019/20 and 609 in the school year 2020/21;
- Migrants and refugees have benefited from programmes to combat illiteracy and to teach Moroccan languages and culture: 1,615 in the school year 2017/18, 280 in the school year 2018/19 and 710 in the school year 2019/20;
- Six hundred and twenty-nine migrants and refugees benefited from vocational training programmes between 2018 and 2020;
- Children of foreign migrants in situations of difficulty have been included in the category of children in specific situations under Act No. 51.17 concerning the system of education, formation and scientific research. This guarantees their right to access education and training, as school education for all boys and girls of school age is compulsory;

¹⁰ An online system for tracking individual students’ academic progress and monitoring their level of achievement.

¹¹ A programme of conditional cash transfers to needy families to encourage them to enrol their offspring in school and thus reduce the phenomenon of school dropout.

- A directive has been sent out to directors of regional education and training academies¹² concerning the “Caravan for community mobilization and direct inclusion”, for the school year 2022/23, urging them to act to ensure that migrant and refugee children are able to enjoy their right to education;
- Sensitization and awareness-raising campaigns have been conducted among migrant and refugee communities, to encourage them to enrol in public education or in “second-chance schools”. In this way, 1,320 migrant students returned to the educational system during the school year 2021/22.

Access to employment and vocational training programmes

21. A raft of measures has been put in place to give regular migrants access to vocational training, facilitate their integration into socio-professional life, encourage them to set up their own businesses and meet their labour requirements, in particular by:

- Facilitating the access of migrants and refugees to the services of the National Agency for Promoting Employment and Skills. In all, 4,575 migrants and refugees have been registered, with 1,573 benefitting from jobseeker workshops and 1,560 from positioning workshops;
- Accompanying migrants and refugees as they seek to set up their own small businesses. In that connection, 474 migrants received support from National Agency for Promoting Employment and Skills, which led to the creation of 265 small businesses;
- Facilitating access to vocational training centres. In the year 2021/22, 21 migrants and refugees enrolled in training centres run by the Office for Professional Formation and Promoting Employment and, in the year 2020/21, 637 migrants enrolled in training centres affiliated with the Coopération Nationale;
- One hundred and twenty migrants were directed into vocational training centres in the year 2021/22 (106 registered in training centres teaching traditional handicrafts and 14 in training centres affiliated with the Coopération Nationale) by the Moroccan Association for the Support of Micro-Business Development. This took place as part of the “Amuddu” project which, with the support of the Belgian Development Agency, seeks to improve the employability of migrants in the regions of Rabat-Salé-Kénitra and Casablanca-Settat. Forty-six of the migrants who fulfilled the condition of being in a position of social vulnerability, received grants to finance the cost of their training.

Access to health programmes

22. This initiative aims to ensure that migrants, refugees and members of their families are able to access health-care services on an equal footing with Moroccan citizens, and to coordinate the efforts of international and national partners in this field. A number of steps have been taken to provide treatment, diagnosis and management of infectious diseases for migrants and refugees residing on national territory:

- Migrants, refugees and members of their families have benefited from national public health and primary and emergency health-care programmes, with 15,606 beneficiaries in 2017, 22,900 in 2018 and 23,758 in 2019;
- Medical convoys and campaigns for migrants, refugees and their children have been organized in different parts of the country, with 2,650 beneficiaries between 2017 and 2018;
- A national strategic plan for health and migration 2021–2025 has been rolled out. The plan – which was developed by the Ministry of Health with support from the International Organization for Migration (IOM) and in coordination with other partners and stakeholders – has begun to be implemented on the ground with the support of a group of partners;

¹² Ministerial Circular No. 064.22 of 15 September 2022.

- With support from the Global Fund, migration has been integrated as a factor into the computerized systems of the Ministry of Health (nursing services, medical consultations for children, vaccination programmes, nutrition, etc.);
- The welfare and integration of migrants and refugees is an ongoing part of the monitoring and response plan against coronavirus disease (COVID-19). Indeed, migrants and refugees have been included in the COVID-19 vaccination campaign on an equal footing with their Moroccan counterparts and, as of 12 May 2022, 59,120 foreigners had received the first dose of vaccine, 53,055 had received the second dose and 24,207 had received the third booster dose;
- Psychological support and accompaniment have been provided to 349 migrants, as part of a psychological support programme for migrants of both sexes which was carried out in partnership with IOM during the first half of 2022.

Access to housing programmes

- Migrants and refugees have been integrated into State-subsidized socioeconomic housing programmes thanks to an amendment to article 247 of the 2015 Finance Act, under which foreigners residing in Morocco can benefit from low-cost housing and social housing programmes;
- Migrants, refugees and members of their families can also benefit from the emergency housing programme, which is implemented with support from international partners. They work alongside civil society associations to provide temporary and emergency shelter for migrants and refugees in difficult situations. Between 2017 and 2019, 380 migrants and 78 refugees were given temporary housing while 99 refugees with special needs were provided with longer-term accommodation.

Access to justice

- Migrants and refugees have been given legal assistance and guidance in order to enable them to access justice more effectively, and measures have been put in place to facilitate their access to social workers and to welfare units for female and child victims of violence. Between 2020 and 2021, as part of a legal empowerment project being implemented within the framework of international cooperation, 1,484 migrants were accompanied and assisted in their access to justice, in partnership with civil society associations;
- Several legal guidance and support activities for migrants are being carried out as part of a migrants' legal empowerment programme that is being implemented thanks to partnership between the Belgian Development Agency and the Ministry of Justice. Capacity-building training has been extended to 71 representatives of civil society associations on the subject of the rights and obligations of migrants and refugees; this took place in Casablanca in February 2022, in Tangier in March 2022 and in Oujda in April 2022;
- Manuals and publications have been issued covering a number of subjects, including a guide to rights and freedoms, and training manuals for public associations and institutions working in the field of migration. Training on migration and asylum has also been developed for the Bar Association so that lawyers can participate in determining the nature of the legal guidance and assistance to be offered to migrants in the four areas targeted by the project. In addition, a network of lawyers has been created across a number of regions in order to guide and assist migrants and refugees in accessing justice services.

Social welfare and protection

- Migrant and refugee workers are able to benefit from social security, compensation for loss of employment and retirement pensions;
- Migrants, refugees and members of their families have access to social care, humanitarian assistance and legal support and guidance, and they are able to benefit from the services of national social institutions. A total of 796 migrants benefited from these initiatives between 2018 and 2019, and 2,140 in 2020, while, in 2021, 8,141 services were provided to 1,758 beneficiaries;

- In all, 59,716 humanitarian assistance interventions were provided to migrants, refugees and members of their families during the COVID-19 quarantine between 2019 and 2020;
- More than 12,000 minors and members of their families benefited from various forms of assistance and psychological support on 2020, within the framework of cooperation with the United Nations Children's Fund (UNICEF) in Morocco;
- In the course of 2022, 2,314 migrants received assistance in legal clinics that have been set up in a number of Moroccan universities as part of a legal empowerment programme for migrants in Morocco.

Reply to the question raised in paragraph 3 of the list of issues

23. The Ministry for Moroccans Resident Abroad and Migration was created in 2014¹³ with the task of drafting and implementing government policy concerning both Moroccans living abroad and migrants in Morocco. Specifically, it was entrusted with the following:

- Reinforcing solidarity and promoting social action for the benefit of Moroccans around the world;
- Preserving and consolidating Moroccan identity;
- Promoting and encouraging the improvement of public services for the benefit of Moroccans around the world;
- Facilitating integration in countries of residence;
- Mobilizing Moroccans around the world to contribute to development projects in Morocco;
- Formulating and overseeing the implementation of government policy vis-a-vis migration and the integration of migrants and refugees;
- Promoting good governance of the migration system;
- Representing the Government before non-governmental organizations (NGOs) and at international forums on migration;
- Supervising the drafting of policy and taking the measures necessary to facilitate the social, educational and cultural integration of migrants and refugees residing in Morocco;
- Coordinating and monitoring government policy on relations with institutions and NGOs that deal with migrants abroad and migration affairs, especially IOM.

24. During changes in the Government in April 2017 and October 2019, the Ministry maintained its brief to deal with Moroccans resident abroad and migration then, in October 2021, it became a department of the Ministry for Foreign Affairs, African Cooperation and Moroccans Resident Abroad.

25. The Ministerial Committee for Moroccans Resident Abroad and Migration¹⁴ was created and charged with the task of promoting Moroccans resident abroad and the rights of refugees, migrants and foreigners legally resident in Morocco. Specifically, it is entrusted with the following:

- Coordinating between the various stakeholders involved in promoting Moroccans resident abroad;
- Ensuring convergence between public policies affecting Moroccans resident abroad and the rights and duties of migrants, refugees and members of their families legally resident in Morocco;

¹³ The Ministry was established under Decree No. 2.14.192 of 4 April 2014, which regulates and defines the jurisdiction of the Ministry for Moroccans Resident Abroad and Migration.

¹⁴ The Committee was established under Decree No. 2.13.731 of 30 September 2013, subsequently amended and supplemented by Decree No. 2.14.963 of 30 March 2015.

- Discussing the implementation, oversight and development of government policies that affect Moroccans resident abroad and those that facilitate the social, educational, cultural and economic integration of migrants, refugees and members of their families legally resident in Morocco, and making proposals to improve the performance of public institutions in this area;
- Drafting comprehensive thematic reports regarding Moroccans resident abroad and refugees and migrants legally resident in Morocco, including proposals to improve the performance of public institutions in this area;
- Proposing measures for the provision of social protection and medical assistance to migrants, refugees and members of their families;
- Proposing measures to strengthen both bilateral and multilateral international cooperation mechanisms in areas related to migration;
- Following up on the outcomes of bilateral, regional and multilateral negotiations on migration-related issues.

26. The Directorate for Migration and Border Control of the Ministry of the Interior¹⁵ is responsible for coordinating operations to combat illegal cross-border activities, irregular migration and drug trafficking and smuggling, and it seeks to reinforce the country's border-control capacities.

Reply to the question raised in paragraph 4 of the list of issues

Data on labour migration flows to and from Morocco

27. According to current data on foreign residency in Morocco, as of July 2020 there were 133,274 foreigners legally resident in the country, distributed as follows:

<i>Nationality</i>	<i>Number</i>	<i>Proportion</i>
French	651 31	23.74%
Senegalese	093 11	8.32%
Algerian	249 7	5.66%
Ivorian	947 4	3.71%
Syrian	683 4	3.51%
Malian	641 3	2.73%
Ghanaian	457 3	2.59%
Mauritanian	416 3	2.56%
Spanish	235 3	2.42%
Tunisian	016 3	2.26%
Congolese	750 2	2.06%
American	408 2	1.80%
Chinese	201 2	1.65%
Egyptian	002 2	1.50%
Cameroonian	996 1	1.49%
Italian	959 1	1.46%
Gabonese	881 1	1.41%
Of the Democratic Republic of the Congo	659 1	1.24%
Libyan	658 1	1.24%
Belgian	614 1	1.21%

¹⁵ Decree No. 2.19.1086 of 30 January 2020, which regulates and defines the jurisdiction of the Ministry of the Interior.

28. As concerns regular labour-related migration, in 2021 the competent authorities in Morocco issued 5,467 licenses to employers wishing to employ foreign workers, as compared to 4,730 licenses in 2020. The largest number of work visas was granted to French workers, with 1,344, followed by India with 318, China with 314, Senegal with 33, the United States of America with 272, Côte d'Ivoire with 267, the Philippines with 248, the Congo with 215, Spain with 142, Tunisia with 137, Turkey with 127, Algeria with 121, Belgium with 110, Cameroon with 103, the United Kingdom of Great Britain and Northern Ireland with 90, Thailand with 89, Egypt with 88, Italy with 62, the Central African Republic with 60, Guinea with 56 and other nationalities with 991.

29. As of 2 September 2022, a total of 12,604 foreign workers were holding valid work permits and working for their employers under the provisions of the Labour Code, which guarantees them the same rights as their Moroccan counterparts. The greatest number of foreign workers are employed in the service sector, followed by industry, construction, public works and agriculture.

30. The number of foreign workers registered under the National Social Security Fund rose from 28,786 in 2018 to 31,933 in 2020. In 2020, the National Social Security Fund transferred around 18 million Moroccan dirhams (DH) for the benefit of retirees resident abroad.

31. With reference to the issue of Moroccan workers in employment abroad, 23,852 people were integrated in 2021 compared to 13,172 in 2020, an increase of 81.1 per cent. The process of integration took place in Spain (12,824), Qatar (141), France (10,827) and Canada (16) and, in 98.8 per cent of cases, involved agricultural workers.

Data on migrant workers in Morocco

32. The High Commission for Planning carried out a national survey on forced migration in 2021, with the aim of obtaining statistical data on migrants' behaviour, their demographic, social and economic characteristics and their intentions for the future. The survey covered migrants in irregular situations and migrants whose status has been administratively regularized, aged 15 years and over.

33. Of all migrants in Morocco, 36.6 per cent are in an irregular situation (37.7 per cent of women and 35.9 per cent of men), in particular young persons aged between 15 and 29 (42.9 per cent). The survey also showed that around a quarter of migrants in Morocco (25.9 per cent) have regular status, 24 per cent benefit from refugee status and 12.3 per cent are asylum-seekers.

34. About half of migrants (48 per cent) are in active employment, of whom 53.8 per cent are men and 39.7 per cent are women. Young persons aged between 15 and 29 represent 38.5 per cent, and adults aged between 30 and 59 account for 56.3 per cent. Migrants in active employment account for 73.9 per cent of the migrants from Senegal, 59.6 per cent from Côte d'Ivoire, 48.3 per cent from Syria, 45.5 per cent from Guinea, 45.2 per cent from the Democratic Republic of the Congo, 36.1 per cent from Cameroon, 29 per cent from Mali, 20.8 per cent from the Central African Republic and 12.9 per cent from Yemen.

35. More than a quarter of migrants (27.4 per cent) are unemployed. Of them, 30.7 per cent are young persons aged between 15 and 29, 25.9 per cent are adults aged between 30 and 44 and 23.2 per cent are adults aged between 45 and 59.

Data on Moroccan migrant workers abroad

36. Data from a national survey on international migration carried out by the High Commission for Planning between 2018 and 2019, indicates that more than two thirds of Moroccan workers abroad are male (68.3 per cent) and that 27 per cent of them are young persons aged between 15 and 29. Of these migrants, one third are between the ages of 30 and 39 (32.5 per cent) of whom 31.6 per cent are men and 34.4 per cent are women. In all, 3.9 per cent of Moroccan migrants abroad are aged 60 years and over and, of them, 71.9 per cent hold only Moroccan nationality.

37. Europe is the main destination for migration, attracting 86.4 per cent of Moroccan migrants. France comes in first place, with 31.1 per cent, followed by Spain with 23.4 per

cent and Italy with 18.7 per cent; then comes North America with 7.4 per cent (3.8 per cent for Canada and 3.6 per cent for the United States) and Arab countries with 4.2 per cent.

38. The search for employment and the quest for a better life are the main driving factors for 53.7 per cent of Moroccans abroad (69.2 per cent of men and 20.5 per cent of women). This is followed by education, which motivates 24.8 per cent of migrants (30.4 per cent of women and 22.3 per cent of men). Next comes family reunification or marriage which motivates 20.9 per cent of migrants (48.7 per cent of women and 8 per cent of men).

39. A total of around 188,000 migrants returned to Morocco between 2018 and 2020, the majority of them men (71.2 per cent as compared to 28.1 per cent of women). Recorded return migration shows that 52.5 per cent of returnees are young persons aged between 15 and 39, 16.4 per cent are aged between 40 and 49 years, 14.6 per cent are aged between 50 and 59 years and 16.5 per cent are over 60.

40. France, Italy and Spain are the countries from which Moroccan migrants principally return, with 32 per cent, 22.2 per cent and 19.1 per cent of returnees respectively. Of returning migrants, 44.5 per cent are in active employment, 42.3 per cent are inactive and 13.2 per cent are unemployed (14.7 per cent of men and 9.2 per cent of women).

African Observatory for Migration and Development

41. The African Observatory for Migration was created in 2018¹⁶ as an organ of the African Union and as part of the vision of His Majesty King Mohammed VI for the development of the “African Agenda for Migration”. The Observatory, which was inaugurated in Rabat on 18 December 2020, has the following fundamental tasks:

- Providing migration-related data to enable research into migration issues;
- Strengthening the knowledge base on migration and mobility on the African continent;
- Supporting evidence-based policies and programmes on migration in Africa;
- Supporting migration-related initiatives, in particular the African Centre for Studies and Research on Migration, the Continental Operation Centre for Combating Irregular Migration, the African Union Institute of Statistics, national statistical bureaux and migration data centres in Africa and beyond.

42. A first meeting to consider the division of labour between the African Observatory for Migration, the African Centre for Studies and Research on Migration in Bamako and the African Union Institute of Statistics was held from 29 September to 1 October 2021. The event – which was attended by the IOM, the Office of the United Nations High Commissioner for Refugees (UNHCR), ILO, the Economic Commission for Africa (ECA), the World Bank and the African Development Bank (AfDB) – led to a draft plan of action on the “development of statistics on migration and mobility in Africa” for the period 2022–2026.

43. In the context of this initiative, the African Observatory for Migration organized a workshop, which ran from 25 October to 4 November 2021, on standards and guidelines for administrative data on human trafficking. The Observatory also held a training workshop entitled “That no migrant may be left behind” from 2 to 4 November 2021, the purpose of which was to help member States of the African Union develop migration-related indicators and data on mobility, in line with the Sustainable Development Goals and the Agenda 2063 of the African Union.

44. Morocco continues to contribute to joint African reflections on monitoring, follow-up and evaluation mechanisms, most recently by participating in a workshop, held in Zimbabwe on 22 August 2022, on the operationalization of three African Union migration agencies, including the African Observatory for Migration.

¹⁶ Resolution No. 695 of the thirty-first Summit of Heads of State and Government of the African Union, held in Nouakchott on 1 and 2 July 2018.

Reply to the question raised in paragraph 5 of the list of issues

45. The issue of migration is a particular concern of the National Human Rights Council, which has been involved in the implementation of national migration policy. In particular, the Council heads the National Appeals Committee which is responsible for examining applications for regularization that have been rejected. Moreover, as one of its roles is to provide protection, the Council has been involved in addressing complaints related to the rights of migrants. Since 2013, in fact, it has received a total of 830 complaints and requests related to the exceptional regularization process, the right to health and the right to education. In that connection, the Council has taken a body of mediation, follow-up, counselling and guidance measures, as well as undertaking prison visits.

46. The Council has included analyses and assessments of the situation of migrant workers and members of their families in its annual reports, along with recommendations for the protection of their rights.

47. In line with its roles and functions, the Council receives the necessary financial allocations from the general State budget. These allocations come to constitute its own independent budget, which stood at around \$19 million for the year 2022. In addition, the Council maintains partnerships with international and national stakeholders, which not only brings in additional resources but also means it can benefit from technical support and expertise. It should be noted that the budget has increased notably since the reorganization of the Council in 2018.

48. As concerns human resources, they too have undergone continuous development thereby reinforcing the competencies and authority of the Council, which has, in fact, a staff of 180, who work both in the central headquarters and on the regional committees. As part of its administrative structures, the Council has a section responsible for the protection of migrants' rights, which handles complaints, provides guidance and monitoring, receives reports and visits places of deprivation of liberty. All twelve of the Council's regional committees have their own administrative frameworks for monitoring the rights of migrants. Moreover, the pluralistic and diverse composition of the Council – which includes experts in various areas of human rights, including migration – helps to reinforce its knowledge base and strengthen its interventions.

49. In order to make the Convention more widely known, the Council and its regional committees organize training courses and meetings to build Convention-related capacities and knowledge among persons who work in that field. In this regard, the Rabat-Driss Benzekri Institute for Human Rights, a training structure established in 2015, plays a vital role by training institutional and civil society stakeholders. In fact, more than 15 courses on migrants' rights have been held since 2018, benefiting more than 360 participants. The courses addressed a number of topics related to the protection of the rights of migrant workers and members of their families, such as the right to health, the right to education, the right to work and the registration of births.

50. The Council has also organized other seminars, meetings and conferences on the topic of migration, which were attended by international and national stakeholders; notably the events surrounding the Global Forum on Migration and Development and those associated with the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, which was held in Marrakech in 2018. These included the organization of a public exhibition on migrant children and the launch of "Mig Radio" dedicated to migration issues, which both took place in the context of the Intergovernmental Conference. In addition to this, a series of seminars was held in 2022 as part of a monthly programme entitled *Les jeudis de protection*, which focuses on the topic of protecting human rights during migration.

Reply to the question raised in paragraph 6 of the list of issues

51. Morocco has organized a number of training courses for law enforcement officials with a view to increasing their knowledge of the Convention, in particular the following:

- A human rights training programme – with a major focus on migration – was offered to judges, officials of national institutions, officers of the General Directorate for National Security and the Royal Gendarmerie and officials of the General Delegation for Prison Administration and Reintegration. As of February 2022, a total of 719 trial judges and judges of the Office of the Public Prosecution had participated in the programme, alongside 123 officials from the Office of the Public Prosecution and the Supreme Council of the Judiciary and 108 officials from other institutions, including the National Human Rights Council, the General Directorate for National Security, the Royal Gendarmerie and the General Delegation for Prison Administration and Reintegration;
- Six workshops were organized by the Office of the Public Prosecution between June and December 2019 on “Financial investigations concerning the crime of human trafficking and migrant smuggling”;
- Training courses on migration held between 2013 and 2021 were attended by 2,425 security officials. The courses covered topics such as the legal and regulatory framework surrounding migration, residency, clandestine migration, migration-related research and interview techniques and the crime of human trafficking and migrant smuggling. Other training courses delved into the protection, monitoring and guarding of border points and techniques for checking travel documents;
- The basic training offered to members of the Royal Gendarmerie in schools and training centres covers migration and, specifically, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; 6,800 members of the Royal Gendarmerie took such training in 2021;
- Partnerships with national and international bodies and organizations have been leveraged with a view to building capacity of law enforcement officials in the field of human rights. This includes:
 - An agreement concluded between the National Human Rights Council and the General Directorate for National Security in September 2022 with the aim of strengthening the human rights capacities of staff;
 - A cooperation agreement between the Office of the Public Prosecution and the Regional Office for the Middle East and North Africa of the Office of the United Nations High Commissioner for Human Rights (OHCHR) concerning training courses for judges on torture prevention, fair trial guarantees and human rights standards in criminal investigations and pretrial detention;
 - An agreement between the Office of the Public Prosecution and Dignity — Danish Institute against Torture concerning partnership on torture prevention; in that connection, several training sessions have been organized with Dignity concerning the prevention of torture and controls on the use of force by law enforcement officials during arrests.
- Training courses were organized for labour inspectors during 2017 on international treaties and national legislation on human trafficking; in all, 91 labour inspectors benefited from the initiative, which was held in cooperation with IOM;
- In 2019 and 2021, courses were held for labour inspectors on combating human trafficking and migrant smuggling in Morocco, within the framework of the Global Initiative to Fight Human Trafficking (Global Action against Trafficking in Persons and the Smuggling of Migrants);
- In partnership with the International Training Centre of ILO, a workshop was organized in 2019 concerning negotiations for bilateral social security agreements; it served as an opportunity for the exchange of experiences between Morocco and its partners in the West African and Maghreb regions regarding the challenges and opportunities that such agreements present;
- In partnership with ILO, a regional workshop was held in 2019 on the theme of “Data on labour migration in the Maghreb: assessment, improvement and distribution”; the aim was to promote the role of non-State actors in the socioeconomic integration of migrants and in the defence of their rights;

- A train-the-trainer workshop on migration governance was held in 2019, in coordination with the African Union.
52. Morocco has sought to disseminate the provisions of the Convention, in particular through the following activities and programmes:
- A significant number of the radio and television programmes broadcast via the Société nationale de radiodiffusion et de télévision are dedicated to the condition of migrants in Morocco and the issues affecting them, notably the programme Ichaa Mamlaka, a documentary series dealing with the situation of migrants in Morocco, and Al-Maghreb huwa al-Amal, which concerns migrants in Morocco, their search for work, the protection of their children and their rights under the Convention;
 - Religious programmes and televised seminars and discussions with religious scholars also focus on the importance of respecting the fundamental rights of migrants and on cooperation to serve them and help them resolve the issues they face;
 - Sermons in mosques are partly devoted to raising awareness about the rights of migrants and urging that they be treated in accordance with the teachings of Islam, which call for tolerance, moderation, respect for others and non-discrimination;
 - Canal Atlas was launched in April 2014 as a television channel for Moroccans resident abroad; it helps to bring the services of the public administration closer to that community and to highlight the lives and activities of Moroccans in the diaspora;
 - Guides have been issued to illustrate the bilateral agreements that have been concluded with other countries and to explain how to exercise the rights enshrined therein;
 - Awareness-raising campaigns on social rights have been organized for working and retired Moroccans, and members of their families, resident in countries that have social security agreements with Morocco.

Reply to the question raised in paragraph 7 of the list of issues

53. Morocco has organized training courses for its consular officials, especially before they assume their duties. The training focuses on matters such as legal support and guidance for Moroccans abroad, access to social and judicial assistance and how to benefit from appeal procedures.

54. Consular offices enter into annual consultation contracts with bar associations abroad with a view to the provision of legal advice and guidance to Moroccans abroad who are in difficult social circumstances. Twenty-five such agreements in 11 host countries are currently in force. Consular offices also work to coordinate the system of free legal consultations provided by a network of Moroccan lawyers abroad and, in fact, 6,500 consultations have been provided by 56 lawyers in 14 countries around the world. In addition to this, a digital platform has been launched to provide remote legal advice and legal aid services.

55. Consular staff, including social and economic attachés, play an important role in addressing the problems faced by Moroccan workers in host countries, supporting and assisting them in various fields related to their socioeconomic integration and facilitating their return to their country of origin if they so desire.

56. Efforts have been made to develop a national strategy for Moroccans resident abroad, incorporating three main strategic objectives:

- Preserving the Moroccan identity of Moroccans resident abroad;
- Protecting the rights and interests of Moroccans resident abroad;
- Helping Moroccans resident abroad to contribute to development inside Morocco.

57. The strategy envisages eight programmes – six sectoral and two horizontal – as well as several structural projects that include 104 separate processes intended to protect the civil, political, economic, social and cultural rights of Moroccans resident abroad.

Reply to the question raised in paragraph 8 of the list of issues

58. In the light of the status and role attributed to civil society organizations under the Constitution, and their contribution to the drafting and implementation of public policy, Morocco has been careful to maintain ongoing consultations with such organizations and with civil society actors in general on matters relating to migration and asylum. To this end, over recent years, the State has organized meetings, seminars, forums and study days to promote consultation and communication, thanks to which civil society actors have been able to participate in a balanced way in the drafting and implementation of public migration policy. In this connection, civil society groups contributed to the exceptional regularization process for migrants that took place between 2014 and 2016. Moreover, local committees for settlement processes at the prefectural and provincial levels include representatives from civil society organizations among their members, and the same is true of the National Appeals Committee which is responsible for examining rejected applications for regularization submitted by migrants from all over the country.

59. Alongside Germany, Morocco acted as co-Chair of the Global Forum on Migration and Development in the period 2017–2018, at its first session in Berlin from 28 to 30 June 2017 and at its second in Marrakech from 5 to 7 December 2018. Eighty civil society actors took part in those events, contributing to discussions about migration- and development-related issues and concerns, and making proposals about how to overcome them.

60. Between 2014 and 2019, the government department responsible for migration provided support to civil society organizations regarding project applications, including programmes for the integration of migrants and refugees into Moroccan society. In all, support was provided for 426 projects throughout the country, in partnership with 218 national and local associations active in the field of migration, including 10 associations run by migrants and refugee themselves.

61. The valuable contributions made by civil society organizations to migration-related issues means that their activities have enjoyed international backing. In fact, the refugee association “Living Together” won the UNHCR innovation prize for the Middle East and North Africa region in 2020.

62. Civil society has contributed to national efforts to combat COVID-19 by helping to run humanitarian and social assistance programmes for migrants and refugees during periods of quarantine, in coordination with the competent public authorities and with the support of international partners, the purpose being to protect such persons from the pandemic and to mitigate its impact on them.

63. Civil society also contributed to the drafting of the present report thanks to consultative meetings held in three regions of Morocco. During the meetings – which took place in the cities of Oujda, Tangier and Agadir on 6 and 20 April and 8 June 2022 – civil society groups were able to make comments, recommendations and proposals regarding the preliminary draft and to explain the constraints and challenges associated with the protection of the rights of migrant workers and members of their families.

Reply to the question raised in paragraph 9 of the list of issues

64. The question of intermediation in matters of employment is regulated under Act No. 65.99 promulgating the Labour Code, which allows private employment agencies to practise such intermediation after they have first obtained a licence from the competent government department. Applicants for such a license must be legal persons and possess a capital of not less than DH 100,000, and their activity must be limited to acting as intermediary in the recruitment or employment of salaried workers. The Code further stipulates that the person directly responsible for the private employment agency must not have been the subject of a definitive sentence for an offence against honour or have been imprisoned for a period exceeding 3 months. Under the Code, moreover, the private employment agency must submit a certificate of financial guarantee for an amount equal to 50 times the annual total value of the minimum wage.

65. The Code states that private employment agencies are not to practise discrimination against jobseekers (art. 478); not to make workers' pay any fees or charges, directly, indirectly or partially, (art. 480); and to observe the requirements relating to the protection of individual freedom during the processing of applicants' personal data, which is to be limited to matters related to their professional qualifications and experience (art. 479).

66. Under articles 489 and 490 of the Code, private employment agencies are authorized to operate as intermediaries in respect of contracts to work abroad. The agencies are to bear the expenses for repatriating the worker as well as the costs arising from any failure to implement the contract for reasons that are beyond the control of the worker concerned. Any expenses that it might be the responsibility of the worker to defray are to be duly identified in a regulation handbook.¹⁷

67. As of the end of August 2022, 73 private employment agencies were licensed to operate.

68. According to article 512 of the Labour Code, Moroccan workers who have a post in a foreign country must be in possession of an employment contract authorized by the competent services in the host country and by the Moroccan Ministry of Labour. Moreover, such contracts must conform to the template contracts annexed to labour agreements with States or with employers' organizations, if such agreements exist.

69. It is the task of the Ministry of Labour to ensure that employment legislation and employment regulations are duly enforced. It performs this duty via its supervisory bodies, which visit private employment agencies in order to verify that they are complying with the legal requirements in force. In this context, and as a way of reinforcing oversight, a list of authorized agencies is published on the Ministry's website and regularly updated.

70. In 2019, inspectors visited 99 private employment agencies, as a result of which 10,006 observations were recorded and 48 alerts were issued.

71. In implementation of the provisions of bilateral social security agreements between Morocco and other States, the National Social Security Fund is running awareness-raising and educational campaigns to publicize the rights those agreements envisage for Moroccan workers resident abroad and their family members, both during their stay abroad and upon their return to their own country.

B. Information relating to the articles of the Convention

1. General principles

Reply to the question raised in paragraph 10 of the list of issues

(a) Judicial entities competent to examine and decide on complaints by migrant workers and members of their families

72. The judiciary is the entity with jurisdiction to examine and investigate complaints relating to offences against migrant workers and members of their families. Article 54 of the Moroccan Code of Criminal Procedure envisages the right to file complaints directly before an investigating judge while, under article 40 of the Code, migrants can also submit complaints before the competent department of the Office of the Public Prosecution. The Office then either initiates or orders the necessary procedures so as to investigate and verify the crimes alleged in the complaint and hold the perpetrators accountable. At the same time, it also acts to protect the rights of migrants. In this connection, the Office of the Public Prosecution has:

¹⁷ Decree No. 349.05 of the Minister of Employment and Vocational Training containing the template of the regulation handbook that private employment agencies are obliged to respect, which includes the conditions for determining any expenses that might have to be defrayed by a worker with a contract to work abroad, Official Gazette No. 5300 of 17 March 2005.

- Created a number of specialized structures for the protection of human rights and group rights as part of the new set-up of the Office of the Public Prosecution,¹⁸ including a pole specialized in human rights and international judicial cooperation and a division dealing with human rights issues. This is in addition to other specialized tracking units, such as a unit to track human trafficking cases; a unit to track migration, asylum and special groups; a unit that tracks issues affecting women and monitors the activity of local and regional coordination committees for female victims of violence; and a unit that tracks issues affecting children, oversees any measures taken against juveniles and monitors the condition of juveniles in places of detention, in youth wings inside prisons and in child protection and re-education centres;
- Established a network of judges from the Office of the Public Prosecution who specialize in dealing with cases of human trafficking, across all the courts of appeal in the country. In that connection, two Deputy Prosecutors-General of the King have been appointed and trained to enable them to specialize effectively in cases involving in human trafficking;
- Offices of the Public Prosecution in the courts have been directed to appoint one or more prosecutors to receive complaints from domestic workers and the relevant reports from labour inspectors.¹⁹

73. Under Act No. 41.90, the administrative courts have jurisdiction to hear and rule on claims against administrative decisions that contain legal defects or administrative errors, including cases related to the status of migrants and members of their families. In fact, the courts have the authority to examine applications for the annulment of defective administrative decisions and for compensation for damages resulting from errors in the operation of public services. For its part, Act No. 02.03 includes procedural guarantees that serve to protect migrants affected by administrative rulings – concerning the issuance or renewal of residency permits, accompaniment to the border, expulsion or detention – which they can appeal before the judge of summary affairs at the administrative courts (art. 20).

74. The Office of the Ombudsman also has the authority to consider – via a process of institutional mediation – complaints related to administrative decisions that contain legal defects or administrative errors which have not already been submitted to the administrative courts. The National Human Rights Council also plays a protective role vis-à-vis complaints concerning violations of migrants’ rights.

(b) Number and type of complaints

75. In addition to complaints submitted by foreigners directly to the competent prosecutors in the country’s various courts, the Office of the Public Prosecution also receives complaints and grievances from foreigners, to which it accords particular attention, examining them then referring them to the competent prosecutor for the appropriate legal steps to be taken.

76. A total of 1,554 complaints from foreigners were recorded during 2019, of which 42 per cent were submitted directly to prosecutors in the country’s various courts, while 900 complaints were referred to prosecutors by the Office of the Public Prosecution. This number stood at 58 complaints in 2018. Complaints from foreign nationals concern a wide variety of offences, notably fraud, theft and threats of violence.

<i>Subject of foreigners’ complaints</i>	<i>Number of complaints</i>	<i>Total</i>
Sexual assault	5	
Human trafficking	1	1 554
Violence against women	36	

¹⁸ Decree No. 2021/22 of 31 December 2021 of the Prosecutor-General of the King and Head of the Office of the Public Prosecution, to amend and complete Decree No. 17/1 of 2 October 2017 regulating the administrative structures and defining the jurisdiction of the Office of the Public Prosecution.

¹⁹ Circular of the Office of the Public Prosecution No. 49/S/RNA of 6 December 2018.

<i>Subject of foreigners' complaints</i>	<i>Number of complaints</i>	<i>Total</i>
Theft	83	
Fraud	204	
Threats	74	
Other offences	1 151	

77. As concerns complaints filed in the course of 2019, 275 complaints were archived, follow-up procedures were applied in the case of 336 complaints, 21 complaints were referred to the competent body and the rest are still under investigation. Of the 641 complaints recorded in 2020, 217 were reported to the Office of the Public Prosecution while 424 were reported directly to the courts (365 complaints before courts of appeal and 59 before courts of first instance).

(c) Legal assistance

78. The Government of Morocco, together with international partners and civil society organizations, is implementing a number of programmes aimed at providing migrants in situations of vulnerability with legal aid and legal counselling so as to facilitate their access to the various programmes envisaged under the national strategy for migration and asylum.

79. In this context, work has been done with national and international partners to implement programmes and measures aimed at providing legal assistance to migrants and asylum-seekers. To this end, legal aid centres have been set up to deliver the following services:

- Providing legal assistance to migrants and asylum-seekers to facilitate their access to justice;
- Providing legal assistance to migrants and refugees who are victims of human trafficking; this takes the form of visits by social workers who guide and direct the migrants to the authorities best able to respond to their needs and provide them with information about how to file complaints and benefit from assistance programmes;
- Providing asylum applicants with the information they require and referring them to the UNHCR office in Rabat;
- Providing legal accompaniment and guidance for asylum-seekers and refugees to enable them to obtain or renew asylum cards and registration or residency cards;
- Providing legal assistance for asylum-seekers and refugees to help them obtain birth certificates and civil registration for their children;
- Making visits of inspection to prisons to assess the status of migrants, refugees and asylum-seekers, ameliorate their situation and ensure they are duly protected;
- Providing legal assistance and protection for unaccompanied migrant children in Morocco;
- Running training courses for social workers, administrative officials and reception staff in courts throughout the country with a view to promoting their legal knowledge of and ability to communicate with migrants and refugees, thereby facilitating the latter's access to justice; this takes place as part of a programme for the legal empowerment of migrants that is being implemented by the Belgian Development Agency, with funding from the European Union and in partnership with the relevant departments and institutions;
- Entering into partnership agreements with civil society organizations that offer legal guidance and support for migrants, so as to receive migrants and direct them to the relevant public services.

80. Migrant workers and members of their families in Morocco have access to independent grievance mechanisms and to legal services such as the legal aid system, as well as to court welfare units for women and children, which provide legal support and information. Other mechanisms are made available by the Office of the Public Prosecution,

which receives complaints from all parties, including migrant workers and members of their families. In that regard, article 1 of Royal Decree No. 514.65 promulgating the Legal Aid Act²⁰ states: “Legal aid may be granted by all courts in the country, under any circumstances, to persons, public institutions, institutions acting in the public interest or private associations engaged in assistance work if they hold legal personality and Moroccan nationality and if, due to a lack of resources, they are unable to exercise or defend their rights before the courts. This is in addition to cases in which foreigners are able to benefit from such assistance pursuant to treaties”.

81. In accordance with article 50 of Act No. 38.15 regarding the organization of the judiciary, efforts have been made to institutionalize the role of social workers in the provision of legal, social and psychological counselling to women inside the courts, including foreign women. The social workers also accompany the women in their dealings with the bodies responsible for providing them with care and protection, including accommodation in shelters when necessary. In addition, social workers in courts are vested with the authority to conduct field visits and to undertake appropriate judicial inquiries.

82. The Office of the Public Prosecution is particularly attentive to the issue of legal assistance for migrants and it directs prosecutors in different courts to pay heed to requests for legal assistance from foreigners, and especially from victims of human trafficking. Such victims must be exempted from all court fees arising from civil proceedings associated with a claim for compensation for damages resulting from an offence. Moreover, they and their dependants are, by force of law, to benefit from legal assistance in all cases, including appeals, and in all procedures related to the enforcement of sentences.²¹

83. Foreigners also benefit from the right to a defence and facilitated access thereto,²² as well as the right to be received and heard in appropriate surroundings where they can air their grievances, to have their complaints examined promptly and for the necessary legal steps to be taken and to be kept informed of the inquiries being conducted, so as to ensure genuine protection for rights and freedoms.²³

(d) Redress

84. Article 2 of the Code of Criminal Procedure envisages the right to bring a public case to seek the enforcement of a penalty as well as the right to bring a civil case to claim compensation for damages caused by a crime. The parties that have the right to take civil action are enumerated in article 7 of the Code, which stipulates that the right to seek compensation from damages resulting from a crime, misdemeanour or infraction rests with anyone who has personally suffered physical, material or moral damage directly caused by the offence in question. For its part, article 8 of the Code identifies the parties against whom a civil case may be directed. It states that such a case can be brought against the perpetrators, accomplices or participants in the offence, and against their heirs or the persons who hold civil liability for them.

85. According to article 82 (4) of the Code, victims who have been affected by an offence must be notified of their right to bring a civil action before the investigating judge or the court, and of their rights under the law. Reference to such notification is to be included in the report drawn up by the police or – should the victim appear before the Office of the Public Prosecution – by prosecutors. Article 82 (5) envisages a body of protective safeguards to ensure the physical and personal integrity of victims, with the possibility of additional protective measures under a decree to that end.

86. Articles 9, 10, 11, 12 and 14 of the Code of Criminal Procedure identify which authority is competent to hear a claim for compensation. According to article 9, a public case and a civil case may be brought simultaneously before the criminal court to which the public case has been referred. A civil case may also be brought separately before a civil court, which

²⁰ Official Gazette No. 2820 of 16 November 1966.

²¹ Circular of the Office of the Public Prosecution No. 32/S/RNA of 3 June 2018.

²² Circular of the Office of the Public Prosecution No. 1 of 7 October 2017.

²³ Circular of the Office of the Public Prosecution No. 4/S/RNA of 2 November 2017.

can issue its ruling once a definitive ruling on the public case – if such case has been brought – has been handed down.

87. The competent court is to rule on the compensation claim submitted by the victim, and its ruling must include a statement of the different types of damages for which compensation has been admitted, in accordance with article 365 of the Code. Moreover, the civil damages awarded must be such as to provide the victim with full compensation for the personal injury suffered as a direct consequence of the crime, in accordance with article 108 of the Criminal Code.

(e) Measures taken to inform migrant workers and members of their families about the remedies available to them for violations of their rights

88. The Ministry of Justice disseminates legal and judicial information via reception offices that are open to all persons, irrespective of their legal status. They provide advice and guidance, and distribute brochures in different languages with legal information and simplified explanations of judicial procedures.

- The Office of the Public Prosecution has launched a remote complaints service by setting up a website to receive complaints online. The website, which includes the public email addresses and telephone numbers of prosecutors' offices at the national level, allows foreign citizens resident in Morocco and Moroccans abroad to submit and track their complaints remotely. Another service enables complainants to be contacted and updated on the progress of their complaints via an SMS directing them to the website. The Office of the Public Prosecution has issued directives²⁴ regarding the enforcement of Act No. 31.13 on access to information, in particular with regard to the proactive dissemination of viable information regarding procedural matters, rights and duties of litigants, methods for filing and processing complaints, a list of available services, the documents required to obtain those services and contact details.

89. Brochures have been printed explaining the services offered by the Office of the Public Prosecution, as well as a guide to those services and to the services offered by prosecutors' offices at the national level. This material explains how to submit complaints, be it to the Office of the Public Prosecution or to prosecutors' offices in the courts.

Reply to the question raised in paragraph 11 of the list of issues

90. With the outbreak of the COVID-19 pandemic, in March 2020 Morocco declared a state of health emergency. In that context, it took a body of precautionary measures similar to those applied by other countries around the world, particularly health checks at international ports and airports.

91. Beginning on 6 September 2020, the competent authorities adopted a simplified procedure for the entry of businesspersons into Morocco, and authorized the entry of foreign citizens in possession of a confirmed hotel reservation. As of 15 June 2021, the Moroccan authorities began gradual steps towards easing restrictions on the movement of travellers wishing to enter national territory, while still respecting health protocols. In that regard, facilitations have been granted to foreigners wishing to enter for health, work, study or professional purposes.

92. In the course of 2020, thanks to coordination with the IOM office in Morocco, 796 voluntary returns of migrant workers and members of their families to their countries of origin were organized, despite the problems caused by the suspension of many direct flights.

93. Deadlines stipulated in current legislation and regulations were suspended during the quarantine period, also with regard to the expiry of registration cards. This step was taken in accordance with article 6 of Decree-Law No. 2.20.292 of 23 March 2020 regarding the state of health emergency.

²⁴ Circular of the Office of the Public Prosecution No. 9/S/RNA of 13 February 2019.

(a) Inclusion of migrants in national pandemic prevention plans

94. Morocco has been careful to include regular and irregular migrants in its national plan to address the COVID-19 pandemic. This includes the right to laboratory tests and health care services for persons found to be infected, and the right to vaccination on an equal footing with Moroccan citizens. To this end, awareness-raising leaflets in Arabic, French and English have been published on special websites to explain the health measures in place to prevent infection.

(d) Preventing infections in detention centres and workplaces

95. A body of preventive measures has been rolled out to prevent infection in police custody facilities and places of deprivation of liberty. These include placing masks at the disposal of persons in police custody, respecting physical distancing, checking body temperatures, providing sanitizers and disinfectants, and regularly sterilizing cells.

96. The following measures have been taken to prevent infection in workplaces:

- Campaigns have been organized by labour inspectors to raise awareness and to monitor firms' compliance with precautionary measures;
- Provincial committees have been established to ensure that companies are respecting the precautionary and preventive measures in place to combat the COVID-19 pandemic;
- Guidelines have been drafted to regulate working conditions in the context of the pandemic;
- An interactive platform – ALLO 2233 – has been launched to provide guidance to all parties involved in the working relationship, to address conflicts and to facilitate communication with social partners;
- The labour and industrial ministries have established a joint procedure to monitor the extent to which production units are complying with preventive measures;
- A workplace health protocol has been adopted to ensure the safety of workers;
- A poster has been published on the website of the Ministry of Labour, setting forth the protection measures to be followed by contractors.

(f) Protecting the rights of migrant workers and mitigating the adverse effects of the pandemic

97. The authorities have sought to ensure that migrant workers and members of their families are able to access information on the procedures to be observed during quarantine and are aware of the measures the State had taken in that regard. Moreover, in cooperation with civil society organizations and certain specialized international institutions, the State has sought to provide in-kind subsidies and social assistance in order to reduce the burden on migrant workers affected by the pandemic and members of their families. The State has also provided support to contractors to help them keep jobs open.

Part II of the Convention

Article 7

Reply to the question raised in paragraph 12 of the list of issues

98. According to the preamble of the Constitution, equality and equal opportunities are the bulwarks of Moroccan society and act as a foundation for the construction of a democratic State governed by the rule of law and modern institutions. The preamble also underscores the country's adherence to international human rights treaties and to universally recognized human rights norms, which it undertakes to protect, advance and develop. The preamble further stipulates the commitment of Morocco to ban and combat any and all forms of

discrimination based on sex, colour, belief, culture, social or regional origin, language, disability or personal circumstance. Article 6 (2) of the Constitutions states: “The public authorities are to strive to create conditions to enable effective liberty, equality for citizens of both sexes and their participation in political, economic, cultural and social life.” The equality of men and women in rights and freedoms of all kinds is enshrined in article 19, while article 22 stipulates: “The physical or moral integrity of persons may not be violated, under any circumstances or by any party, private or public.” Under article 30, foreigners are to enjoy the same fundamental freedoms as Moroccan citizens, under the law, and foreigners resident in Morocco can participate in local elections.

99. The Criminal Code includes provisions outlawing racial discrimination and hate speech, or incitement thereto. Article 431 (1) of the Code defines discrimination as “any distinction between natural persons on grounds of national origin, social origin, colour, sex, family status, state of health, disability, political opinion or trade union membership, or on account of the person’s actual or perceived membership or non-membership of a particular race, nation, ethnic group or religion.” Discrimination is also, “any distinction applied to a legal entity on account of the origin, sex, family status, state of health, disability, political opinion or trade union activities of its members or some of its members, or on account of their actual or perceived membership or non-membership of a particular race, nation, ethnic group or religion.”

100. Legislators introduced provisions penalizing discrimination into article 431 (2) of the Code, which envisages a term of imprisonment of between 1 month and 2 years and a fine of between DH 1,200 and DH 50,000 for acts of discrimination that involve withholding a benefit, failing to perform a service, hindering the normal exercise of an economic activity, refusing employment, or punishing or dismissing a person.

101. Article 431 (5) of the Criminal Code addresses incitement to racial discrimination or hate speech. Under those provisions, anyone who incites discrimination or hatred among others is liable to a term of imprisonment of between 1 month and 1 year and/or a fine of between DH 5,000 and DH 50,000. If the incitement to discrimination or hatred is perpetrated by means of speeches, calls or threats pronounced in public spaces or at public gatherings, by means of posters on public display or by any other public means including electronic, paper or audiovisual means, perpetrators are liable to a term of imprisonment of between 1 year and 2 years and/or a fine of between DH 5,000 and DH 50,000.

102. According to article 308 (5) of the Code, anyone who, during a sporting event or competition or the public broadcast thereof, through speeches, shouts, appeals, slogans, banners, images, statues, sculptures or by any other means, incites racial discrimination or hatred towards one or more persons on the grounds of their national origin, social origin, colour, sex, family status, state of health, disability, political opinion or trade union membership, or on account of their actual or perceived membership of a particular ethnic group, nation, race or religion, is liable to a term of imprisonment of between 1 month and 6 months and/or a fine of between DH 1,200 and DH 10,000.

103. The preamble to the Labour Code and its article 9 clearly and explicitly prohibit any discrimination between workers on grounds of race, colour, sex, disability, marital status, belief, political opinion, trade union membership or national or social origin, such as might violate or distort the principle of equality of opportunity or lead to lack of reciprocity in employment or the exercise of a profession, particularly vis-à-vis recruitment, the regulation and distribution of work, vocational training, wages, promotion, access to social benefits, disciplinary measures and dismissal. Article 12 of the Code envisages fines of between DH 15,000 and DH 30,000 for employers who violate those provisions, with the amounts to be redoubled in the case of repeat offences.

104. Article 36 of the Code stipulates that any discrimination based on race, colour, sex, marital status, family responsibilities, belief, political opinion or national or social origin cannot constitute acceptable grounds for disciplinary sanctions or dismissal. Art. 478 states that private employment agencies are to be prohibited from discriminating on grounds of race, colour, sex, religion, political opinion or national or social origin in a manner that violates the principle of equal opportunity and equal treatment in employment.

105. Articles 530 et seq. of the Labour Code assign to labour inspectors the duty of enforcing labour-related legislation and regulations. Inspectors operate on the principle of non-discrimination between workers, including foreign workers, and they are careful to monitor that issue inside all companies and firms that are subject to the Labour Code.

106. Non-discrimination is a standing part of the jurisprudence of courts of the highest level. For example, in its ruling No. 697 of 24 July 2018, the Court of Cassation stated: “It has been legally established that fixed-term employment contracts have limited scope, with no distinction between employment contracts for national workers and employment contracts for foreigner workers. Therefore an employment contract between a foreign worker and his or her employer is indefinite when it can be shown that it is renewed every year, as per article 9 of the Labour Code. This is consistent with the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which prohibits discrimination in employment on grounds of national origin and encourages reciprocity, a principle also enshrined in the Constitution of Morocco.

107. The legal provisions that surround the social security system²⁵ guarantee equal treatment of workers, so that all of them receive family allowances, daily allowances in case of illness or childbirth, death benefits, compensation for loss of employment, old-age pensions, disability pensions, surviving relatives’ pensions and mandatory basic health insurance against illness and workplace accidents. All this takes place within a framework of equality between foreigners and Moroccan citizens. Moreover, neither the system of mandatory basic health insurance nor the pensions system for independent professionals, self-employed workers and non-wage earners engaged in private activity discriminate in any way between Moroccan and foreign workers.

108. During the period of quarantine for the COVID-19 pandemic, insured workers received social benefits and allowances, again without discrimination between Moroccans and foreigners.

Part III of the Convention

Articles 8–15

Reply to the question raised in paragraph 13 of the list of issues

109. In 2016, as part of its efforts to bring its laws into line with its international obligations, Morocco adopted Act No. 19.12 concerning the conditions of work and employment of domestic workers. The Act envisages the following safeguards:

- It prohibits the employment of children under the age of 18 as domestic workers (taking due account of a five-year transitional period from 2 October 2018);
- It imposes an obligation for there to be written contract between the parties involved in the working relationship;
- It prohibits mediation by private individuals in the employment of domestic workers;
- It requires employers to pay a minimum wage and to grant weekly rest periods and annual leave, and it allows workers to benefit from the National Social Security Fund;
- It imposes administrative and judicial oversight and envisages prosecution for violations.

110. The implementing decrees envisaged in articles 3 and 6 of Act No. 19.12 have been issued. They are Decree No. 2.17.35, which includes a model template contract for domestic workers; Decree No. 17.3562, which supplements the list of jobs in which domestic workers between the ages of 16 and 18 may not be employed; and Decree No. 2.18.686, which

²⁵ Royal Decree promulgating Act No. 1.72.184 of 27 July 1972 relating to the social security system, as amended and supplemented.

stipulates the conditions under which the social security system is applicable to domestic workers.

111. As part of the implementation of Act No. 19.12, employment contracts of foreign workers employed by private citizens began to be registered as of the end of 2018. By 31 December 2021, 536 employment contracts had been registered, of which 15 were being renewed. Filipinos head the list of authorized workers, with 41 per cent, followed by Senegalese 21 per cent, Indians 8 per cent, Bangladeshis 5 per cent, Indonesians 4 per cent, Ivorians 4 per cent and Nepalis 3 per cent. Sixty-six per cent of all domestic workers are women.

112. It is mandatory for domestic workers to be subject to the social security system. Employers are required to declare their workers to the National Social Security Fund and to pay their contributions so that they can benefit from the social allowances envisaged under that system.

113. Partnership between the Ministry of Labour and the Office of the Public Prosecution has been reinforced in order to develop monitoring mechanisms and to integrate and ensure convergence between the role of prosecutors and that of labour inspectors. One outcome of this partnership has been a practical guide for key stakeholders in the enforcement of Act No. 19.12.

114. The Office of the Public Prosecution has directed prosecutors²⁶ to pay heed to the correct enforcement of Act No. 19.12 and, in particular, to raise awareness about its contents, to ensure that the gains made by domestic workers are preserved, to create special reception structures for such workers, to give due attention to violations referred to the judiciary by labour inspectors, to maintain communication with law enforcement officials and to keep a record of violations and misdemeanours committed against the Act.

(a) Labour inspections to monitor the working conditions of migrant domestic workers

115. Legislators in Morocco have given labour inspectors the duty of monitoring the implementation of Act No. 19.12 concerning the conditions of work and employment of domestic workers. The inspectors receive complaints regarding the implementation of an employment contract submitted by either of the parties to the contract (domestic workers or their employers). The Act requires that an employment contract be concluded between the employer and the domestic worker that a copy of that contract be submitted to the labour inspectorate.

(b) Penalties for exploitation and forced labour against migrant domestic workers

116. Act No. 19.12 concerning the conditions of work and employment of domestic workers prohibits the use of force or coercion against workers. Anyone violating those provisions is liable to a fine of between DH 25,000 and DH 30,000, while repeat offences attract a redoubled fine and/or a term of imprisonment of between 1 month and 3 months.

(c) Access to effective mechanisms to file complaints against employers and to prosecute those responsible for abusive practices

117. Domestic workers may file complaints with labour inspectors against their employers in all matters concerning the application of the contract of employment. In fact, under article 22 of Act No. 19.12, labour inspectors are to receive complaints submitted by domestic workers or their employers, and are to attempt to reconcile the two parties. If reconciliation is not possible, the labour inspector is to write a report on the matter, which is delivered into the hands of the worker concerned should the latter wish to refer the matter to the competent court for it to adjudicate the dispute.

118. If labour inspectors find that a violation of the Act has occurred, they may write a report on the matter and submit it to the competent prosecutor. In any case, domestic workers retain the right to seek judicial remedy by bringing a case before the court of first instance,

²⁶ Circular of the Office of the Public Prosecution No. 49/S/RNA of 6 December 2018.

which is the body competent to adjudicate individual disputes concerning contracts of employment.

Reply to the question raised in paragraph 14 of the list of issues

119. In line with the ILO Forced Labour Convention, 1930 (No. 29) and the ILO Abolition of Forced Labour Convention, 1957 (No. 105), the preamble to the Labour Code affirms that all persons are free to engage in any activity that is not a crime under the law. The preamble further stipulates that no one may prevent others from working or compel them to work against their will. For its part, article 10 of the Code expressly prohibits forced labour and the use of force or coercion against workers. Employers who violate those provisions are liable to a fine of between DH 25,000 and DH 30,000, while repeat offences attract a redoubled fine and/or a term of imprisonment of between 1 month and 3 months.

120. Act No. 27.14 to combat human trafficking includes forced or compulsory labour as a punishable offence that constitutes one form the crime of trafficking in human beings can take (art. 448 (1)), and it incorporates the concept of forced labour as enshrined in the ILO Forced Labour Convention, 1930 (No. 29). According to the Convention, forced or compulsory labour means all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.

Articles 16–22

Reply to the question raised in paragraph 15 of the list of issues

121. Migration-related offences come under the provisions of Act No. 02.03 concerning the entry and residence of foreigners in Morocco and unlawful migration, in particular articles 42 et seq.

122. The legal and procedural guarantees surrounding deportation orders issued against foreigners in Morocco who have violated the law are set forth in articles 21 to 33 of Act No. 02.03. They consist in

- Requesting the annulment of the order before the president of the administrative court in his capacity as judge of summary affairs;
- Examining the documents on the basis of which the order was issued and requesting the services of a translator;
- Hearings to consider the annulment of the order, which are to be held in public and in the presence of the party concerned;
- Appointing lawyers to assist foreigners who are facing an expulsion order or an order to be accompanied to the border;
- Providing comments on expulsion orders or orders to be accompanied to the border;
- Notifying the consulate of the parties concerned, or other persons of their choice.

123. Other criminal cases involving foreigners come under national criminal legislation. Foreigners facing prosecution in such cases enjoy the same fair trial and due process guarantees enshrined in the Constitution and the law as those enjoyed by Moroccan citizens, and in particular those set forth in articles 66 and 67 of the Code of Criminal Procedure. At the same time, other foreigners implicated in such cases – whether as victims, witnesses or informants – benefit from the legal protection described in article 2 bis of the Code of Criminal Procedure and other relevant laws.

124. The Code of Criminal Procedure regulates the measures surrounding placement in police custody, which are applicable to all persons without discrimination, and envisages due process guarantees, in particular the following:

- Notifying the person concerned of the reason for the arrest;
- Informing the person concerned of the right to remain silent during the investigation;

- Informing the person concerned of the right to appoint a lawyer or request legal assistance;
- Ensuring that searches are conducted by a person of the same sex as the party concerned;
- Informing the person concerned of the right to communicate with relatives.

Reply to the question raised in paragraph 16 of the list of issues

125. Under article 24 of Act No. 02.03 concerning the entry and residence of foreigners in Morocco and unlawful migration, as soon as foreigners are informed of an order that they are to be accompanied to the border, they have the right to notify a lawyer, the consulate of their country of origin or a person of their choosing. According to article 23 of the same Act, the party concerned may ask the president of the administrative court or his representative for the assistance of an interpreter and for the possibility to examine the file containing the documents on which the contested order is based. The hearing to consider the annulment of the order is to be held in public and in the presence of the party concerned unless, having been legally summoned, that party fails to appear. The party is to be assisted by a lawyer, if he has one, and may request the president or his representative to appoint one on his behalf.

126. Under article 85 of Act No. 23.98 on the organization and functioning of prison institutions, diplomatic or consular representatives may – having provided evidence of their capacity and with the authorization of the Director of the General Delegation for Prison Administration and Reintegration – visit their citizens who are in detention.

127. If a foreign national is arrested and placed in police custody, the police are to inform the embassy of that person's country so that the relatives may be informed and the necessary consular assistance provided.

128. Act No. 02.03 envisages legal safeguards for unaccompanied children who are facing migration-related administrative procedures. These include:

- “By law, a registration card is to be issued to foreigners aged between 16 and 18 who declare their desire to be engaged in paid professional activity, if one of the parents of the person concerned also holds such a card” (art. 6 (2));
- “With due regard to international treaties, minors aged under 18 and one of whose parents holds a residency permit, minors who meet the conditions set forth in article 17 (i.e., minors who are children of a foreigner holding a residency card) and minors entering Moroccan territory to pursue their studies on a residency visa with a validity in excess of three months, may, upon request, obtain a travel document” (art. 6 (4));
- “No expulsion order may be issued against a foreigner who is a minor” (art. 26 (8)).

129. Morocco uses a body of measures to combat the migration of unaccompanied minors:

- *Enforcement measures*: These focus on tightening controls at all crossing points and border posts on national frontiers and redoubling efforts to dismantle the criminal networks involved in migrant smuggling and human trafficking in general, and the smuggling and trafficking of minors in particular, in accordance with existing laws;
- *Preventive measures*: This involves intense and coordinated efforts by the relevant government departments and civil society groups on campaigns to raise awareness about the dangers of clandestine migration and the problems associated with the migration of minors. Another aspect of these measures is the establishment of specialized centres where minors can benefit from rehabilitation and training programmes;
- *International cooperation*: The authorities in Morocco are eager to promote joint action to protect and support unaccompanied minors, be they Moroccans or foreigners, without discrimination of any kind and embracing all aspects of education, social welfare and security. This takes place in the context of cooperation with African and international partners and with United Nations organizations, particularly IOM, the United Nations Office on Drugs and Crime (UNODC), UNHCR and UNICEF.

Reply to the question raised in paragraph 17 of the list of issues

130. Legislators in Morocco have expanded the scope of liability and punishment for acts of torture to include not just the immediate perpetrator but also accomplices. In fact, according to article 231 (3) of the Criminal Code, the offence of torture if committed by a group of perpetrators or participants entails a term of imprisonment of between 10 and 20 years and a fine of between DH 20,000 and DH 50,000.

131. In addition to the information given in the reply to paragraph 8 above, it should be pointed out that the Office of the Public Prosecution seeks to protect and promote rights and freedoms and to address any and all violations that affect the physical integrity of individuals, including migrant workers and members of their families. In this context, the Office has taken a number of measures, including the following:

- Pursuing any violations of rights and freedoms, and using the authority with which it is vested by law to order prompt inquiries and investigations, particularly in cases involving allegations of torture or arbitrary detention;²⁷
- Attending to and engaging positively with complaints by dedicating a special area in which to receive and interview complainants, then studying the complaints, taking the necessary legal steps and preparing and conducting inquiries as necessary, within a reasonable and pre-set time frame;²⁸
- Urging that complaints procedures become the foremost concern of judicial officials in prosecutors' offices and encouraging those officials to examine such complaints immediately, expedite investigations, take appropriate legal decisions in the shortest possible time and use all available means to inform the parties concerned of outcomes. This is because the first judicial steps in criminal cases consist in complaints to prosecutors or to the police;²⁹
- Encouraging positive interaction with the protection mechanisms that are part of the National Human Rights Council;³⁰
- Issuing a guide for judges of the Office of the Public Prosecution on how to combat torture and other cruel, inhuman or degrading treatment or punishment. The guide is intended to draw prosecutors' attention to the important role they play in preserving individual freedom and dignity and in ensuring the continued enjoyment of individual rights under the law, and it explains how they can intervene when they learn that a violation of persons' physical or mental integrity has occurred.

132. Statistics for the year 2020 show that fraud offences were the subject of 25 per cent of the complaints submitted by foreigners. Offences involving theft also had significant impact, at 16 per cent. These were followed by threats at 8 per cent, violence at 2 per cent and sexual assault at 1 per cent. In addition to this, a significant portion of recorded complaints from foreigners consisted in grievances concerning legal procedures taken by national courts in cases in which they were involved.

133. Welfare units for women and children in the courts provide legal, social and psychological assistance to female and child victims of crime, including migrant women and children, and migrants who are victims of human trafficking offences.

134. Migrants, regardless of their administrative status, benefit from the services provided by integrated units for the welfare of female and child victims of violence. There are currently 113 such units in State-run hospitals that provide their services in the framework of a national programme for the care of female and child victims of violence. The programme allows for beneficiaries to be received and heard in appropriate surroundings and it covers medical care, forensic medical services and sociomedical attention and guidance, in full coordination with stakeholders from welfare units in other institutions and civil society organizations. A total

²⁷ Circular of the Office of the Public Prosecution No. 1 of 7 October 2017.

²⁸ Circular of the Office of the Public Prosecution No. 4/S/RNA of 2 November 2017.

²⁹ Circular of the Office of the Public Prosecution No. 5/S/RNA of 12 January 2018.

³⁰ Circular of the Office of the Public Prosecution No. 40/S/RNA of 1 October 2019 and Circular of the Office of the Public Prosecution No. 44/S/RNA of 16 October 2019.

of 629 child and female migrant victims of violence were provided with care between 2018 and 2021.

135. The security and law enforcement services have rolled out a body of measures to combat and prevent ill-treatment and abuse. They include:

- Publishing a code of ethics and conduct for the Royal Gendarmerie with a view to ensuring respect for the human rights, dignity and physical integrity of persons and avoiding all forms of discrimination;
- Making audiovisual recordings of all interventions by security forces so as to avoid any infringement or violation of the rights of persons, irrespective of their nationality;
- Launching round-the-clock tollfree numbers that victims of violence can call to seek help;
- Reinforcing internal administrative controls within the security services, particularly in the form of monitoring by direct superiors, greater oversight by the Office of the Public Prosecution and the placement of surveillance cameras in cells and reception halls;
- Investigating complaints lodged by migrants with the security services, and taking the necessary legal steps.

Reply to the question raised in paragraph 18 of the list of issues

136. Deportation measures are regulated by Act No. 02.03 concerning the entry and residence of foreigners in Morocco and unlawful migration, according to which deportation can take place only under a reasoned administrative ruling issued by a local authority with the appropriate geographical jurisdiction. The Act allows foreigners to appeal to the courts against such rulings.

137. According to article 21 of the Act, an order to accompany a person to the border can be issued pursuant to a reasoned court ruling in the following circumstances:

- If a foreigner cannot provide justification that his entry into Moroccan territory was lawful, unless his status has subsequently been regularized;
- If a foreigner remains inside Moroccan territory beyond the date of validity of his visa or, if not subject to visa obligations, after three months have passed since the date of entry and he does not hold a regular registration card;
- If a foreigner who has been refused a residence permit or the renewal of a residence permit, or has had the permit withdrawn, remains on Moroccan territory for more than 15 days from the date of notification of the rejection or withdrawal;
- If a foreigner does not request the renewal of a residence permit and remains on Moroccan territory for more than 15 days from the date of the expiry of the original permit;
- If a definitive judgment has been handed down against a foreigner for forgery, residence under a name other than his real name or failure to possess a residence permit;
- If, a receipt of application for a registration card having been delivered to a foreigner, is subsequently withdrawn;
- If a foreigner has his residence permit or registration card withdrawn or if the issuance or renewal of one of those two documents is refused, and if – under current legislation and regulations – such withdrawal or refusal is occasioned by a threat to public order.

138. According to article 26 of the Act, expulsion rulings do not apply to foreigners who can show that they have been residing regularly on Moroccan territory since the age of 6 or that they have been residing regularly on Moroccan territory for more than 15 years. Nor do they apply to foreigners who have been residing legally for 10 years, unless they were students during that period.

139. According to article 25 of the same Act, an expulsion order may be issued by the State if the presence of a foreigner on Moroccan territory poses a serious threat to public order, while article 26 lists the exceptions in which expulsion is not admitted:

- A foreigner who, using any means, is able to show that he has been regularly residing on Moroccan territory since the age of 6;
- A foreigner who, using any means, is able to show that he has been regularly residing on Moroccan territory for more than 15 years;
- A foreigner who has been legally resident on Moroccan territory for 10 years, unless he was a student during that period;
- A foreigner married to a Moroccan national for at least one year;
- A foreigner who is the father or mother of a child who resides on Moroccan territory and acquires Moroccan nationality by law;
- A foreigner who resides legally on Moroccan territory under a residence permit or permits envisaged under the present Act or under international treaties and who has not been the subject of a definitive sentence of imprisonment of at least 1 year;
- A foreign pregnant woman;
- A foreign child.

140. In accordance with the aforementioned legal provisions, rulings of expulsion or accompaniment to the border are individual rulings and, therefore, their enforcement depends upon each person's individual circumstances. There is nothing in law or in practice that justifies or admits cases of collective or arbitrary expulsion, especially since rulings are subject to judicial oversight and are implemented using precise procedures that respect the fundamental rights of migrants and the safeguards they enjoy under national law.

141. In 2005, Morocco set up a national programme for voluntary repatriation, which aims to facilitate the voluntary return and reintegration for migrants with health problems, victims of human trafficking, pregnant women, single-parent families, elderly persons (aged 50 and over) and unaccompanied foreign minors. From its launch until the end of June 2022, a total of 17,139 migrants have benefited from the programme.

142. The process of extraordinary regularization of migrants that took place in Morocco in 2014 and in 2017 is evidence of the country's eagerness to make the issue of migration and migrants' rights a priority of national policy. Thanks to that process, in fact, around 50,000 migrants were regularized, a figure that clearly demonstrates the State's will to integrate migrants and to avoid any practices that fail to respect their human rights and dignity.

143. A procedural frame of reference for a system to guide and support migrants, which was adopted in December 2020, has made it possible to develop humanitarian border management mechanisms. The focus of the mechanisms is on receiving vulnerable migrants entering Morocco, especially unaccompanied children, who receive guidance, care and support thanks to full coordination between all ministries involved with the security, social welfare and education of children.

144. Morocco and Spain – the latter being a country affected by the problem of the migration of minors – have signed an agreement to cooperate to prevent the irregular migration of unaccompanied children, protect them and promote their voluntary return.

145. Child protection units have also been set up in several Moroccan cities thanks to partnership between Entraide Nationale and the Spanish Agency for International Development Cooperation.

Reply to the question raised in paragraph 19 of the list of issues

146. The authorities in Morocco have established a procedural frame of reference for a system to guide and support migrants. The system takes a rights-based approach to receive, guide, support and monitor migrant workers and asylum-seekers entering national territory, in particular victims of migrant smuggling and human trafficking networks, and foreigners

rescued at sea. The frame of reference envisages greater coordination between ministries, institutions, civil society groups and United Nations organizations accredited in Morocco.

147. Humanitarian assistance and support procedures involve the following actions:

- Receiving and identifying foreigners as they arrive on Moroccan territory following rescue at sea or thwarted attempts to enter or exit the country unlawfully. The competent local authority supervises reception process together with the relevant government departments;
- Guiding and supporting the four main categories: economic migrants, asylum-seekers, unaccompanied minors and other vulnerable groups, each category being dealt with separately by the competent authorities.

148. As part of efforts to protect the rights of migrants crossing international borders, the authorities are taking a series of measures with a view to managing migration flows, combating human trafficking and smuggling networks and reinforcing the system of humanitarian aid for trafficking victims, in particular by:

- Developing monitoring mechanisms at border crossing points and promoting integrated border management, thanks to the use of modern technology, so as to curb the activities of human trafficking and migrant smuggling networks that operate across land and sea borders;
- Rescuing migrants in the country's territorial waters and on the high seas with a view to preventing the human tragedies criminal networks cause by attempting to cross the sea. In that connection, 19,554 irregular migrants (men, women and children) were rescued in 2019, 10,316 in 2020, 14,236 in 2021 and 6,854 by the end of July 2022;
- Developing a national security strategy to combat human trafficking and migrant smuggling networks. A total of 73,973 attempts at irregular migration were thwarted in 2019, 40,288 in 2020, 63,121 in 2021 and 40,589 by the end of July 2022. In the same context, 208 criminal networks involved in migrant smuggling were broken up in 2019, 394 in 2020, 256 in 2021 and 124 by the end of July 2022;
- Empowering security agencies through continuous training in the areas of migration, asylum, human trafficking and border management, the purpose being to help such agencies conduct operations to prevent this phenomenon, investigate cases involving victims of human trafficking and migrant smuggling and bring those responsible to justice;
- Strengthening the system of humanitarian assistance at borders for migrants in an urgent health situation;
- Strengthening the system of voluntary return for migrants in irregular situations;
- Strengthening the mechanism of partnership and cooperation with international and national stakeholders and civil society organizations.

Reply to the question raised in paragraph 20 of the list of issues

149. In addition to the information given above, it should be noted that articles 21 et seq. of Act No. 02.03 contain procedural safeguards relating to administrative expulsion rulings, particularly vis-à-vis the conditions under which they can be issued and the possibility of overturning them. The provisions in question also envisage other safeguards such as public hearings in the presence of the party concerned, support for the defence, the services of an interpreter, access to the casefile, notification to consulates and recourse to a judge of summary affairs at the administrative courts in order to appeal against the ruling.

150. National law does not admit the possibility of collective deportation rulings, be it rulings of expulsion or of accompaniment to the border. In fact, the aforementioned article 21 states that an order to accompany a person to the border is to be issued pursuant to a reasoned individual ruling while, under article 25 of the same Act, the same thing applies to an expulsion order.

151. Article 29 of the Act prohibits the deportation of a foreigner against whom an order of expulsion or of accompaniment to the border has been issued, if that person is recognized as having refugee status or has made an application for asylum upon which no decision has yet been made. It is prohibited, moreover, to deport a foreign pregnant woman or a foreign child, just as it is forbidden to deport any foreigner to a country where his life or freedom would be threatened or where he would be subjected to inhuman, cruel or degrading treatment.

Article 23

Reply to the question raised in paragraph 21 of the list of issues

152. Moroccans working abroad have a series of assistance and protection mechanisms at their disposal. These mechanisms facilitate the issuance of identity and travel documents; prison assistance; social counselling by Moroccan embassies and consulates; interventions, as necessary, with the local authorities to guarantee residency rights and monitor professional status; guarantees for the costs of definitive return to the homeland, defrayal of expenses for burying the deceased in the country of residence, for those who so wish; evacuation in case of security disturbances; and extending the validity of administrative documents during the pandemic.

153. Morocco has an extensive consular network (56 consulates in all) throughout the world, via which it strives to improve the protection and support it offers at the various stages of the migration process.

Reply to the question raised in paragraph 22 of the list of issues

154. Under article 36 of Act No. 02.03, foreigners in detention have the right to seek the assistance of an interpreter, a lawyer and a doctor and, if they so wish, they may contact the consulate of their country or a person of their choice. They are to be notified of these rights when they are informed of the arrest warrant. Under article 85 of Act No. 23.98 on the organization and functioning of prison institutions, imprisoned foreigners are entitled to receive visits from diplomatic or consular representatives.

155. In implementation of article 36 of the Vienna Convention on Consular Relations of 24 April 1963, and in accordance with bilateral agreements between Morocco and a number of other States, consular offices are to be notified of all proceedings brought against their citizens. In this regard, the Office of the Public Prosecution has urged prosecutors³¹ to notify the Office of all proceedings against foreigners, the measures taken in such cases and their outcome, and to do so with all due haste so as to facilitate notification to the consular offices of the country of the foreigner concerned. This takes place in coordination with the Ministry for Foreign Affairs, African Cooperation and Moroccans Resident Abroad, which notifies the diplomatic or consular offices of the foreign State in question. Furthermore, prosecutors' offices are to keep track of any developments in such cases and to give instructions to the police so that the consular authorities can be notified if a national of their country is arrested or taken into police custody. In 2018, foreign consular authorities were informed of proceedings against 1,046 persons of 69 nationalities and, in 2019, of proceedings against 6,302 persons of various nationalities.

Articles 25–30

Reply to the question raised in paragraph 23 of the list of issues

156. The Labour Code includes provisions that are compatible with the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the ILO Equal

³¹ Circular of the Office of the Public Prosecution No. 16 of 26 September 2021 and Circular of the Office of the Public Prosecution No. 39 of 18 May 2021.

Remuneration Convention, 1951 (No. 100), to both of which Morocco is a party. In fact, migrant and Moroccan workers enjoy equal employment-related rights, particularly vis-à-vis working hours, which are set at 2,288 hours in the non-agricultural sector and 2,496 in the agricultural sector, overtime, weekly rest, paid leave, occupational health and safety, and the minimum wage which is determined after consulting employers' organizations and the most representative trade unions.

Reply to the question raised in paragraph 24 of the list of issues

157. Regardless of their administrative status, migrant workers and members of their families benefit from basic health services in primary health-care institutions, free of charge and on an equal footing with Moroccan citizens. This includes preventive health-care services, treatment, health promotion activities, epidemiological monitoring, general medical consultations, nursing care, medical emergencies, maternal and child health-care monitoring, chronic disease management, youth and adolescent health including school health and health-related awareness-raising and education.

158. Migrants benefit from various national health programmes and health services, including the following:

- The strategic plan on health and migration 2021–2025, which aims to improve access to preventive and medical treatment services for migrants in vulnerable situations, without discrimination. The plan has five components:
 - Reinforcing oversight, evaluation and research;
 - Promoting preventive health care;
 - Providing appropriate care;
 - Promoting good governance
 - Building capacity of caregivers.
- Reproductive health services for migrant women and their children, which include family planning and pregnancy monitoring. The services, which are provided free of charge by primary health-care institutions, also cover care during high-risk pregnancies, immunization against tetanus for migrant women of childbearing age, natural childbirth and caesarean section free of charge in maternity homes and public hospitals, action to address obstetric complications, transfer of emergency cases involving pregnant women or newborn infants to specialized hospitals, as necessary, and monitoring of possible post-natal complications;
- Services for children and mothers, whereby primary health-care institutions and public hospitals provide health services to migrants in an effort to combat acute bronchiolitis in newborn children and infants under the age of 2; this is in addition to vaccines provided under the national immunization programme;
- The national nutrition programme, which includes nutritional education and seeks to promote breastfeeding. The programme also envisages the provision of dietary supplements to mothers and zinc, vitamin A and vitamin D to children under 5, and it seeks to promote the early detection of nutritional disorders in children and adolescents, particularly malnutrition, overweightness and obesity and to test for neural tube defects resulting from deficiencies in folic acid etc.;
- The school and university health programme, under which students who are children of migrants receive medical examinations at the beginning of each school year, free of charge; they also benefit from oral and dental treatment, examination and correction of visual and hearing defects, special health areas for young people, university health centres, centres specializing in school and university health, awareness-raising activities and the events associated with the annual National School Health Week;
- Health coverage, whereby migrants with regular status and refugees benefit from a health-care coverage system, which is a kind of medical assistance system, under a framework agreement signed between the relevant ministries on 26 October 2015.

159. As concerns measures taken during the COVID-19 pandemic, including those intended to address the transmission of the novel coronavirus within places of detention, the Office of the Public Prosecution issued a number of circulars to prosecutors with the aim of rationalizing the use of deprivation of liberty, through the following procedures:

- Postponing the appearance of persons who had been summoned by prosecutors' offices when there was no urgency for them to appear, and limiting such appearances to persons already in police custody, while also making efforts to rationalize the use of police custody by limiting it to necessary or serious cases. Another measure was that of not assigning new cases to hearings in the short term, with the exception of urgent or serious cases or those linked to time limits specified by law;³²
- Reducing the number of inmates in child protection centres during the spread of the coronavirus; this was done by examining the situation of juveniles in such centres and considering the possibility of submitting requests to alter the measures taken against them, in accordance with articles 501 and 516 of the Code of Criminal Procedure; it also involved cancelling temporary measures under article 171 of the Code and handing the juveniles over to their families whenever possible, in accordance with their legal status and best interests. During the entire period of the coronavirus pandemic, efforts were made to avoid placing persons in such centres except in cases of the utmost necessity;³³
- Not detaining juveniles for violations of the state of health emergency and limiting any action taken, at the current stage, to handing them over to their legal guardian, the intention being to preserve the juveniles' health and safety. Prosecutors were explicitly requested to seek alternatives to detention, thus avoiding any separation of children from their family and parents, as well as alternatives to detention during trials and after sentencing, in order to reduce overcrowding in child reception facilities and to forestall the negative effect such overcrowding had during those exceptional circumstances.³⁴

160. The national vaccination campaign, which was launched in Morocco in January 2021, benefited inmates in prison institutions on an equal footing with the rest of the population and under the same programmes and the same standards, which were determined by the competent authorities. Since the emergence of the first case of COVID-19 in prisons, a body of preventive measures was rolled out to address the risk of the epidemic spreading, and an integrated proactive plan was put in place that covered all human, material, logistical, health and security issues. The plan included the following:

- Intensifying medical oversight and awareness-raising campaigns;
- Promoting hygiene and sanitization;
- Caring for vulnerable groups;
- Implementing a national COVID-19 detection strategy;
- Implementing a national COVID-19 vaccination strategy.

161. As of 31 December 2021, a total of 83,537 (94.10 per cent) of prison inmates had received the second dose of the COVID-19 vaccine; 86,062 (96.95 per cent) had received the first dose and 2,931 (59.80 per cent) had received the third dose. A total of 2,710 prisoners were still waiting to receive the first dose.

162. According to statistical data, there were a total of 1,097 foreign prison inmates of both sexes as of 31 March 2022.

163. On 4 April 2020, 5,654 prisoners benefited from a royal pardon, which was issued as part of measures to prevent and combat the spread of the coronavirus pandemic. In the same year, 201 prisoners from African countries also benefited from a royal pardon.

³² Circular of the Office of the Public Prosecution No. 10/S/RNA of 15 March 2020.

³³ Circular of the Office of the Public Prosecution No. 12/S/RNA of 18 March 2020.

³⁴ Circular of the Office of the Public Prosecution No. 21/S/RNA of 18 May 2020.

Reply to the question raised in paragraph 25 of the list of issues

164. Morocco has adopted its Strategic Vision for Reform 2015–2030 wherewith it hopes to create schools that promote equity, quality and advancement. The Vision stipulates that education is the right of all persons, including the children of foreign migrants in the country, and focuses particularly on equal access to education and training. It consolidates the strategic dimension so as to guarantee the universal right to education as part of a comprehensive reform based on equity, quality and advancement.

165. In 2019, Morocco adopted Act No. 51.17 concerning the system of education, formation and scientific research. Chapter I of that Act refers to “children in special situations” who, it states, must be allowed to exercise their right to education and training without discrimination, including the children of foreigners entering Morocco. Article 19 of the Act stipulates that all children between the ages of 4 and 16 have the right to school education, irrespective of their origin, nationality or residency status.

166. The Ministry of National Education is seeking to adopt a comprehensive approach that will ensure that the children of migrants are able to exercise their right to education. A number of measures have been taken in this regard:

- The question of migration has been integrated into all programmed operations and activities of educational institutions so that due account may be taken of the specificities and needs of migrants;³⁵
- Action has been taken to ensure that Moroccan and foreign students of both sexes have access to boarding facilities and school canteens;³⁶
- At all stages of the educational process, schools and school staff have received guidance on how to accommodate the issue of migration and the situation of migrant children; to welcome, counsel and enrol such children at appropriate levels, also by adapting the teaching, evaluation and examination regime; and to provide them with social support on an equal footing with other students;³⁷
- The subjects covered in examinations for the school certificate have been adapted for Moroccan students of both sexes who have returned from unstable countries and for children of migrants resident in Morocco.³⁸

167. In addition to the above, children of migrants benefit from school activities aimed at promoting tolerance and openness towards other civilizations and cultures, and this facilitates the integration of this category of children into society.

168. The schooling of the children of migrant workers has seen a tangible growth since the adoption of the national strategy on migration and asylum, which includes a special programme on the right to education. Migrant students in the Moroccan educational system are distributed as follows:

<i>Academic year</i>	<i>2013/14</i>	<i>2014/15</i>	<i>2015/16</i>	<i>2016/17</i>	<i>2017/18</i>	<i>2018/19</i>	<i>2019/20</i>	<i>2020/21</i>
Formal education	7 122	7 418	7 122	6 905	5 676	3 636	3 207	3 959
Informal education	110	270	422	460	382	372	379	407

169. Traditional education,³⁹ which is taught in 289 schools attended by 36,531 students of both sexes, half of them in rural areas, also benefits the children of migrants. They number 694 (637 boys and 57 girls), 644 from African countries, 41 from Asian countries, 7 from European countries and 2 from American countries.

³⁵ Annual ministerial degree regulating the school year.

³⁶ Ministerial Decree No. 161.15 of 19 January 2015 on school boarding facilities and canteens.

³⁷ Ministerial Framework Memorandum of 5 October 2018, concerning the integration of foreign students of both sexes into regular school education.

³⁸ Memorandum No. 29.15 of 17 March 2015.

³⁹ Traditional education is regulated by Act No. 13.01 concerning traditional education, Official Gazette No. 4977 of 11 February 2002.

170. In the context of their cooperation with the government departments responsible for migration, civil society organizations helped to implement a series of basic training programmes in the 2019/20 academic year. In all, 400 children received educational support, 125 participated in an informal education programme and 144 were enrolled in primary education.

171. A body of measures have been rolled out in the context of human rights education:

- Education on equality, tolerance, diversity and non-discrimination has been introduced into teacher training programmes and an accompanying reference manual on migration issues for student teachers has been produced;⁴⁰
- A module on civic education has been introduced into primary, secondary and preparatory schools in order to introduce students to various rights and to promote values of coexistence, tolerance, peace, equality, freedom, dignity, solidarity, democracy and environmental protection;
- The contents of school textbooks have been brought into line with human rights principles and values;
- Clubs have been opened in schools to educate students on human rights, citizenship, tolerance and equality;
- A reference manual has been drafted for associations that work in the area of the educational integration of migrants; the manual, which is directed at educators and supervisors, draws on the experiences of associations as part of the value chain in the educational integration of migrants;
- An educational programme on global citizenship aimed at secondary school students has been rolled out with support from the United Nations Educational, Scientific and Cultural Organization (UNESCO);
- A framework agreement has been concluded with UNHCR aimed at leveraging cooperation to improve the education of refugee children by ensuring that they receive appropriate educational support in the form of grants and backing from associations.

172. As part of efforts to enable migrants and their children to benefit from artistic education, a 10 per cent quota is reserved for them at conservatories as well as a 10 per cent quota at the Institut Supérieur d'Art Dramatique et d'Animation Culturelle and the Institut National des Sciences de l'Archéologie et du Patrimoine. In addition to this archaeological excavation workshops have been made accessible to trained migrant and foreign students, as a way of exchanging experiences.

Reply to the question raised in paragraph 26 of the list of issues

173. Morocco is eager to ensure that all children, without discrimination, have the right to an identity. In that connection, article 54 of the Family Code states that children have, under the responsibility of their parents, the right to establish and maintain their identity, in particular by being recorded in the civil status register. Act No. 37.99 concerning civil status includes provisions to safeguard the right to civil registration for the children of Moroccan migrant workers resident abroad, at the moment of birth. Such births are recorded in the civil status register maintained at the relevant offices in the country's diplomatic and consular missions.

174. Article 4 of the Act states : "Civil status registers are to be kept in two copies at each civil status office inside Morocco, and in three copies at each office outside the country. They cannot be used without authorization from the crown prosecutor at the competent court of first instance. Civil status events are to be recorded in the relevant register and, once the registers are full, the copies are to be sent to the crown prosecutor within a month following the end of the calendar year."

⁴⁰ Ministerial Memorandum No. 583/16 of 22 November 2016.

175. Foreigners also have the right to use the system of civil registration. In fact, article 3 of the Act stipulates: “The system of civil registration is compulsory for all Moroccans, and it is applicable to foreigners in respect of births and deaths that occur on national territory.”

176. The only circumstances in which foreigners use the system of civil registration is if a birth or death occurs on national territory. Legislators have established that the declaration of a birth is to be regulated by legal procedures that have to be fulfilled before a birth certificate can be issued, and such a declaration has to be supported by official administrative documents that must be produced by one of the child’s relatives. If the child in question has been abandoned, it is the Office of the Public Prosecution that must declare the birth before the civil registry officer, and the child is given a name and a family name, in accordance with article 16 of the Act concerning civil status.

177. Act No. 37.99 grants foreigners privileges that are not accorded to Moroccan citizen. These include the absence of any obligation to produce a marriage contract when declaring the birth of a child, if the parents have no such contract. This matter, thus, is left to the parents’ discretion.

178. According to article 18 of the Act, a foreigner who was born in Morocco and has acquired Moroccan nationality can be registered in the civil status register. Persons who have obtained Moroccan nationality but were born outside Morocco can be registered on the basis of a ruling declaring their birth issued by the court of first instance in Rabat.

179. The Office of the Public Prosecution⁴¹ has instructed prosecutors in the country’s courts to join a national campaign for the registration of children in civil status registers; to show flexibility, coordination and promptness in processing the applications they receive and to take pains to establish the identity of children in street situations, including migrants.⁴²

180. The courts in Morocco issue rulings that guarantee the right to identity, including rulings that uphold the right of migrant children to be recorded in Moroccan civil status registers. One such ruling, for example, was ruling No. 40 handed down on 16 January 2018 by the court of first instance in Nador in civil status case No. 70/1602/18, which concerns birth registration for irregular migrants in civil status registers.

181. Statistical data on the outcome of the national campaign to register children, including foreign children, in civil status registers, which was launched by the Government in 2017, shows that 1,574 foreigners (1,192 males and 382 females) were registered in 2018 and 28 children (19 males and 9 females) in 2019.

Part IV of the Convention

Reply to the question raised in paragraph 27 of the list of issues

182. The right to form associations is enshrined in the Constitution of Morocco and surrounded by a body of legal and institutional safeguards. Article 12 of the Constitution states: “Civil society associations and NGOs may be set up and carry out their activities freely, within the framework of the Constitution and the law.” In this regard, the Constitution does not distinguish between associations formed by Moroccan citizens and those formed by foreigners in Morocco.

183. According to article 21 of Decree No. 1.58.376 regulating freedom of association, foreign associations are those bodies that possess the characteristics of an association but have their headquarters abroad, that are run by foreign managers, half of whose members are foreign or that are based in Morocco but are effectively administered by foreigners. Article 28 of the Decree states that the same provisions apply to foreign associations as are applicable to associations established by Moroccans.

⁴¹ Circular No. 15/RNA of 23 April 2019.

⁴² Circular No. 8/S/RNA of 11 February 2019.

184. As part of the dynamic development of national migration policy, migrants and refugees who have regularized their administrative and legal status can establish associations to defend their rights and to help implement integration programmes.

185. A total of 474 associations have been formed by foreigners in Morocco.

Reply to the question raised in paragraph 28 of the list of issues

186. The right of all Moroccan migrant workers resident abroad to vote is enshrined in article 17 of the Constitution of Morocco, which explicitly stipulates that Moroccans resident abroad are to enjoy full citizenship rights, including the right to vote and to stand for election. Acting under this constitutional ruling, legislators have endeavoured to ensure that electoral laws include provisions enabling Moroccan migrant workers abroad to participate in ballots from their countries of residence, by means of a proxy voting mechanism.

187. At an organizational level, when local or regional elections or direct legislative elections are to take place, steps are taken to ensure that “forms for delegating a proxy” are made available to the persons concerned at the countries’ embassies and consulates. In this way, people can participate in the ballot and exercise their constitutional rights. Embassies and consulates also run campaigns to raise-awareness about updates and changes to electoral lists.

Part VI of the Convention

Article 67

Reply to the question raised in paragraph 29 of the list of issues

188. Morocco has always been careful to engage with requests for cooperation for the return of those Moroccan migrants whom both legality and responsibility dictate should return to their homeland, and it has never hesitated to pursue a policy of outstretched hand towards neighbouring countries and to work seriously and to cooperate with any other States in order to resolve cases of that sort.

189. At the same time, by virtue of its location, Morocco is bearing a heavy burden of problems and challenges related to the regional and international dimensions of migration management. In fact, the country is facing increasing risks due to limited, weak or non-existent cooperation from certain countries in managing irregular migration flows.

190. Morocco continues to pursue its programme of social support and daily monitoring for Moroccans in situations of vulnerability or distress abroad, and it meets the repatriation costs of persons wishing to return to their homeland, in coordination with the Moroccan diplomatic and consular missions, especially in cases of great urgency or distress. Morocco is eager to cooperate with countries that so wish in order to facilitate the return of Moroccan citizens abroad, and any problems that might arise with any lawful return are certainly not due to the Moroccan side.

191. The Ministry for Moroccans Resident Abroad and the Ministry of Education and Vocational Training work together to reintegrate urgent humanitarian cases into vocational training institutions, particularly Moroccan students who have been forced to return from Tunisia, Libya, Syria, Yemen, Saudi Arabia, Iraq, Qatar, Spain and Italy.

192. Programmes run by the National Agency for Promoting Employment and Skills help to reintegrate Moroccans returning to their homeland, in particular by supporting them as they search for employment or seek to set up their own businesses. Returning Moroccans are also able to benefit from State-run measures to promote employment, including the *Ta'heel*

programme,⁴³ the *Idmaj* programme⁴⁴ and the *Tahfeez* programme,⁴⁵ as well as a self-employment programme designed to support persons wishing to launch their own businesses.

Reply to the question raised in paragraph 30 of the list of issues

193. In 2005, Morocco set up a national programme for voluntary repatriation, which aims to facilitate the voluntary return and reintegration for migrants with health problems, victims of human trafficking, pregnant women, single-parent families, elderly persons (aged 50 and over) and unaccompanied foreign minors. From its launch until the end of June 2022, a total of 17,139 migrants have benefited from the programme.

Article 68

Reply to the question raised in paragraph 31 of the list of issues

194. In its management of migration, Morocco is keen to maintain solidarity and to pursue cooperation with its bilateral and multilateral partners at the regional and international levels.

International cooperation to promote the rights of migrants

195. Morocco hosted the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, which was held in Marrakech in December 2018 under the auspices of the United Nations General Assembly. The Conference led to the adoption, by consensus of the participating States, of the aforementioned Global Compact for Migration, also known as the Marrakech Compact on Migration. In September 2020, the United Nations Network on Migration designated Morocco as a “pilot country” for the implementation, follow-up and review of the Marrakech Compact.

196. During the eighth Ministerial Conference of the 5 plus 5 Dialogue on Migration and Development, held in Marrakech in March 2020, Morocco supported the adoption of a regional road map to reinforce the principles enshrined in the Marrakech Compact on Migration in the western Mediterranean. Morocco also contributed to the first International Migration Review Forum, held in New York in May 2022, and it co-chaired one of the Forum’s four committees to review the implementation of the Global Compact for Safe, Orderly and Regular Migration in 2022 during a meeting dedicated to objectives 1, 3, 7, 17 and 23 of the Compact.

Regional cooperation

197. In Marrakech on 2 May 2018, Morocco hosted the fifth Ministerial Conference of the Rabat Process, which led to the Marrakesh Political Declaration and Action Plan defining a multi-annual cooperation programme for the period 2018–2020. The objectives and actions set out in the Marrakesh Political Declaration and Action Plan are consistent with the five domains identified in the Valletta Action Plan, adopted in 2015: development benefits of migration and addressing root causes of irregular migration and forced displacement; legal migration and mobility; protection and asylum; prevention of and fight against irregular migration, migrant smuggling and trafficking in human beings; and return, readmission and reintegration.

⁴³ The *Ta’heel* programme aims to improve prospects for jobseekers by giving them the opportunity to acquire professional skills that will qualify them to occupy positions of responsibility within companies.

⁴⁴ The *Idmaj* programme aims to find employment for jobseekers who have acquired new professional skills and to give them initial experience in the world of business.

⁴⁵ This programme is aimed at newly established companies, associations and cooperatives.

Cooperation with the African Union and African States

198. In recognition of the migration-related efforts made by Morocco at the African level, His Majesty King Mohammed VI was designated as “Pioneer of the African Union on Migration” by the Heads of State and Government meeting at the twenty-eighth African Union summit held on 31 January 2017.

199. At the initiative of His Majesty King Mohammed VI and under a resolution adopted by the African Union at its thirtieth summit, the African Observatory for Migration was inaugurated in Rabat in December 2020. Its task is to monitor, analyse and exchange migration-related information among African countries and to keep abreast of the relevant national policies. In the same context, the post of Special Envoy of the African Union for Migration has been created.

Bilateral cooperation

200. Morocco has reinforced its partnership with several countries in the area of migration. This includes cooperation to combat cross-border migrant smuggling networks, cooperation in training, exchange of experiences and information, and cooperation to assist voluntary returns.

201. Attention should be drawn to a bilateral agreement with Senegal on cooperation regarding internal security and decentralization, and to three bilateral agreements currently being prepared with Equatorial Guinea on combating illegal migration and human trafficking, with the Comoros on security and with Guinea-Bissau on security and local governance.

Cooperation with the European Union and its member States

202. Morocco has continued to cooperate with European States on the creation of permanent mixed migration teams, which are cooperative bodies that take an integrated approach to migration issues. Such teams were created with France in 2018 and with the Netherlands in 2022. Cooperation mechanisms are also being developed with other member States of the European Union, particularly with regard to capacity-building, readmission, voluntary return, care for unaccompanied minors and protection for victims of migrant trafficking and human trafficking networks.

203. Within the framework of a migration and mobility partnership with the European Union and eight of its member States, Morocco and the European Union have identified several areas for cooperation. These include the provision of technical and financial support to implement migration policy, the fight against irregular migration, protection for victims of migrant smuggling and human trafficking and implementing the cooperation measures recommended in the migration and asylum action plan.

(a) Act No. 27.14 to combat human trafficking

204. As indicated earlier, Act No. 27.14 to combat human trafficking,⁴⁶ which was adopted in 2016, includes provisions intended to respect the rights of trafficking victims, in accordance with the Trafficking in Persons Protocol supplementing the United Nations Convention against Transnational Organized Crime. In fact, the actions defined in the Protocol are designated as offences under the Act, which also envisages aggravating circumstances when the victim is a minor under the age of 18; a person in a difficult situation due to advanced age, illness or disability; or a pregnant woman; or when the offender is a spouse, relative, antecedent, guardian or person entrusted with the protection of the victim. The Act envisages terms of imprisonment of between 20 and 30 years and fines of between DH 200,000 and DH 2 million, and it includes provision for protecting and assisting victims and for creating an institutional mechanism to coordinate action against human trafficking.

⁴⁶ The Act was promulgated by Decree No. 1.16.127 of 15 August 2016, Official Gazette No. 6501.

(b) Disaggregated data regarding human trafficking and numbers of reported trafficking cases

205. Exertions on the part of the competent public authorities have made it possible to tackle the criminal networks involved in irregular migration and migrant smuggling. The data in the following table shows the evolution in the number of criminal networks broken up between 2013 and 2022.

<i>Year</i>	<i>No. of migrant smuggling networks broken up</i>
2013	98
2014	105
2015	95
2016	61
2017	120
2018	229
2019	208
2020	394
2021	256
2022	124

206. In cooperation with the competent departments, all human, material and technical resources are being harnessed to combat and break up networks involved in human trafficking and in the smuggling and exploitation of irregular migrants.

207. The Office of the Public Prosecution has instructed prosecutors⁴⁷ in the country's various courts to strive for the optimal implementation of measures to protect human trafficking victims; to ensure the welfare of women and children; to coordinate care services among the competent regional and local committees; to engage effectively with cases of trafficking in human beings; and to treat victims' grievances with the utmost seriousness, providing them with protection from the earliest stages of the investigation. To that end, the following measures can be taken:

- Ensuring that human trafficking victims are not held criminally liable if they commit offences under threat;
- Acting immediately to establish the identity, nationality and age of victims;
- Changing victims' place of residence, not disclosing information about their identities and ensuring that they are examined by a specialist doctor;
- Preventing suspects or accused persons from approaching or communicating with victims and authorizing foreign victims to remain in the national territory until the end of the trial;
- Exempting trafficking victims from the legal costs associated with any civil action they bring to claim compensation for damages caused by the offence;
- Ensuring that human trafficking victims and their dependants benefit from legal assistance in all cases, including appeals, and in all procedures related to the enforcement of sentences;
- Providing support and protection for victims, delivered via welfare units for women and children in prosecutors' offices, particularly vis-à-vis shelter and hospitalization.

(c) Effective and impartial investigations into all acts of trafficking in persons and prosecution and punishment of perpetrators

208. The following data concerns human trafficking cases recorded between 2018 and 2020.

⁴⁷ Circular of the Office of the Public Prosecution No. 32/S/RNA of 3 June 2018.

<i>Year</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Number of cases	80	151	79
Number of Prosecutions	231	307	138
Number of victims	280	423	131

209. In accordance with Act No. 27.14 to combat human trafficking, a number of protective measures for trafficking victims were adopted in 2018, the most significant of which are listed in the following table.

<i>Protective measure</i>	<i>Number of beneficiaries</i>	<i>Total</i>
Forbidding suspects from contacting victims	5	
Interview in the unit	18	
Guidance	8	136
Guidance and shelter	3	
Legal assistance	85	
Other assistance	17	

210. The protective measures taken on behalf of human trafficking victims during the course of 2019 are summarized in the table below.

<i>Protective measure</i>	<i>Number of beneficiaries</i>	<i>Total</i>
Forbidding suspects from approaching victims	8	
Reception and interview in the unit	116	
Guidance and shelter	15	
Guidance and medical assistance	35	240
Legal assistance	28	
Handed over to family (children)	15	
Exemption from legal costs	23	

211. The protective measures taken during the course of 2019 are summarized in the table below.

<i>Protective measure</i>	<i>Number of beneficiaries</i>	<i>Total</i>
Reception and interview in the unit	18	
Guidance and medical assistance	12	44
Guidance and shelter	8	
Legal assistance	6	

Reply to the question raised in paragraph 32 of the list of issues

212. Morocco has taken continuous action to combat human trafficking through the implementation of Act No. 27.14 to combat human trafficking and the establishment of the National Commission for the Coordination of Measures to Combat and Prevent Trafficking in Persons in 2018.⁴⁸ A number of additional measures have been taken, including the following:

⁴⁸ The National Commission for the Coordination of Measures to Combat and Prevent Trafficking in Persons was established pursuant to Decree No. 2.17.740 published in Official Gazette No. 6692 of 19 July 2018.

- The adoption of legal measures to protect victims of trafficking in persons, in particular to ensure that victims are not required to confront the accused, that they are informed of their right to institute civil proceedings or to be heard as witnesses, that hearings are held in camera, and that they have access to legal aid. A liaison officer has been appointed in courts of appeal to monitor cases of trafficking in persons. In addition, a database concerning such cases and the decisions handed down has been established;
- Establishment of a unit in the Office of the Public Prosecution that specializes in monitoring cases of trafficking in persons, asylum-seekers and persons with special needs;
- Establishment of a network of deputy crown prosecutors in Appeal courts to specialize in cases of trafficking in persons;
- Establishment of a specialized team of social assistants in the courts to identify alleged victims and to provide them with care, support and counselling;
- Provision of health care for victims of trafficking in persons in public health institutions;
- Establishment of integrated territorial mechanisms to protect children at risk;
- Launching of a national campaign to protect children from exploitation through begging;
- Ongoing implementation of the programme aimed at combating the phenomenon of child labour;
- Ongoing implementation of the programme aimed at protecting women's employment rights;
- Organization of training courses for persons involved in action to combat trafficking in persons;
- Organization of awareness-raising meetings on the gravity of the crime, the aspects it has and the forms it can take, and on procedures for reporting it;
- Support for action by national media outlets to combat and prevent such crimes;
- Promotion of international cooperation in combating transnational trafficking in persons.

213. With regard to the number of cases registered in the context of combating and preventing trafficking in persons, 17 cases were registered in 2017, 80 cases in 2018, 151 cases in 2019 and 79 cases in 2020. During the same period, 723 persons were prosecuted, including 200 women and 97 foreign nationals, and the number of victims of trafficking totalled 719, of whom 367 were subjected to sexual exploitation, 44 were subjected to forced labour and 63 were exploited for begging.

214. With a view to building the capacity of law enforcement personnel in the areas of migration, asylum and protection of victims of migrant smuggling and human trafficking networks, annual training courses are organized on behalf of the security forces, the Royal Gendarmerie and the Royal Armed Forces in order to guarantee the proper implementation of the provisions of Act No. 27.14 to combat human trafficking.

215. The Office of the Public Prosecution has organized a number of training courses for judges with a view to building their capacity to address the issue of migration. It has also established a network of public prosecutors through the appointment of two deputy crown prosecutors in each judicial district who are mandated to monitor cases of trafficking in persons. The network benefits from capacity-building and training programmes at the national and international levels, within the framework of international technical cooperation partnerships established between the Office of the Public Prosecution and competent international bodies.

216. The Office of the Public Prosecution launched a communication campaign on trafficking in persons in Morocco on 22 April 2019, in cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), with a view to

drawing attention to the crime and means of reporting it, providing specific examples of trafficking in persons, especially women and children, and highlighting the services provided by judicial units for the welfare of women and children.

217. The Ministry of Health has taken steps to enhance the capacity of medical personnel to provide effective health care for migrants, especially in the areas of sexual and reproductive health and infectious diseases.

218. A guidebook on combating exploitation and forced labour has been prepared for labour inspectors in partnership with the IOM. Steps have also been taken to build the capacity of all actors and stakeholders to raise awareness about the seriousness of the phenomenon and to take all necessary measures for the protection, assistance and guidance of victims.

219. The Ministry of Justice, which also acts as the secretariat of the National Commission for the Coordination of Measures to Combat and Prevent Trafficking in Persons, has developed appropriate administrative structures for the Commission. It has also secured the material and logistical means that the Commission requires to perform its duties and to organize its activities.

Article 69

Reply to the question raised in paragraph 33 of the list of issues

220. As already mentioned, a two-stage exceptional process was launched to regularize the status of irregular migrants in Morocco. The first stage was conducted from 2 January to 31 December 2014, and the second from 15 December 2016 to 31 December 2017. As a result, the status of 50,000 irregular migrants in Morocco was regularized. Migrant workers were able to obtain legal status and residency documents for a period of three years, subject to certain conditions, after submitting the necessary documentation in accordance with the legislation in force.

221. The National Appeals Committee has adopted flexible criteria to enable the largest number of migrants to benefit from the regularization process, especially the following categories:

- Women and their children;
- Unaccompanied minors;
- Foreigners who can prove that they are engaged in occupational activities but do not possess an employment contract;
- Foreign women or foreign men who are married to Moroccans or to foreigners with legal administrative status, regardless of the duration of the marriage;
- Foreigners who are unable to prove that they have been resident in Morocco for a period of five years, but whose level of education is equivalent to that of secondary school.

222. The Moroccan Office for Refugees and Stateless Persons, which is part of the Ministry for Foreign Affairs, has been reopened, and a special commission has been established to organize regular interviews with asylum-seekers registered with the OHCHR office in Rabat. Refugee status had been granted to 1,060 asylum-seekers of different nationalities by the end of July 2022, and 1,363 asylum-seekers of Syrian nationality had been interviewed. The special commission continues to interview asylum-seekers in close cooperation with the OHCHR office in Rabat.

Reply to the question raised in paragraph 34 of the list of issues

223. Reference has been made to national legislation on migrant workers, provisions relating to their protection, institutions and policies relating to migration issues, and recent

studies on migration in paragraphs 3, 4, 5, 6, 7, 16, 17, 18, 19, 20, 21, 22, 23, 32, 33, 34, 35, 36, 37, 38, 39 and 40 of the present report.

224. A number of initiatives, including those set out below, have been undertaken with a view to promoting the rights of migrants, combating all forms of discrimination and spreading a culture of coexistence:

- The 2017 programme entitled “Living together without discrimination: a human rights and gender-based approach”, which is implemented by the National Human Rights Council and governmental sectors responsible for migration issues, and which is supported by the European Union, is designed to bolster mechanisms and policies aimed at preventing racism and xenophobia in Morocco, to protect the fundamental rights of migrants and to promote coexistence;
- Integration of migrants into many State-supported cultural creativity programmes in response to requests for proposed cultural projects;
- Enabling migrants who are permanently resident in Morocco to obtain a professional artist’s identity card, subject to the conditions and procedures that are stipulated in Act No. 68-16 on artists and artistic professions;
- Involvement of migrants in cultural programmes and enabling them to benefit from the services of cultural institutions through the participation of migrant artists residing in Morocco in diverse artistic activities and in national, regional and local cultural events organized by artistic and heritage training institutes.

225. With regard to recent ratifications of human rights and other relevant instruments, Morocco completed the procedure on 24 February 2022 for ratifying the first Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Covenant on the Elimination of All Forms of Discrimination against Women. Morocco ratified the following three ILO Conventions on 14 June 2019:

- The ILO Migration for Employment Convention (Revised), 1949 (No. 97);
- The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102);
- The ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).

Reply to the question raised in paragraph 35 of the list of issues

(a) Volume and nature of migration flows

226. There was a marked increase in irregular migration flows to and from Morocco between 2013 and 2022, as shown by the following data:

<i>Year</i>	<i>Moroccan candidates for irregular migration</i>	<i>Foreign candidates for irregular migration</i>
2013	7 359	24 880
2014	11 586	26 230
2015	7 273	28 211
2016	7 064	29 286
2017	13 261	50 961
2018	18 190	70 571
2019	17 134	56 839
2020	20 243	20 045
2021	30 612	32 509
2022	11 908	22 369

227. Irregular migration increased by 56.67 per cent between 2020 and 2021 owing to the gradual reopening of the borders and the resumption of travel following the relative mitigation of the health crisis associated with the COVID-19 pandemic.

(b) Migrant workers in detention in the State party

228. The number of foreigners in detention in penitentiary facilities was specified in the reply to paragraph 24 of the list of issues.

(d) Unaccompanied migrant children

229. High priority is accorded to the protection of the rights of migrant and refugee children in many government programmes, in particular the integrated public policy for child protection, which focuses on five strategic objectives⁴⁹ and is designed to combat and prevent all forms of neglect, abuse, exploitation and violence against children, to provide them with support and to arrange for their integration.

230. The national strategy for migration and asylum also provides for many measures on behalf of these children, including the following:

- Programmes for the integration of children into education through access to public and private schools, informal education, school support programmes and action to prevent school dropout (free distribution of schoolbags, school supplies, etc.);
- Cultural integration programmes for children including Arabic language courses and courses on Moroccan culture, and organization of school competitions for students on the subject of migration;
- Enabling migrant and refugee children and juveniles to participate in summer camp programmes organized by the youth sector and partner associations of the governmental sector responsible for migration, and the provision of programmes and services by youth and sports institutions (youth centres, local sports centres, etc.);
- The children benefit from all health-care services provided to Moroccan children (the vaccination programme, the mother and child programme, the tuberculosis control programme, medical consultations, etc.);
- Access to emergency shelter programmes supervised by civil society organizations in partnership with the governmental sector responsible for migration and international organizations;
- Vocational training programmes and qualification programmes for young migrants of at least 16 years of age.

(e) Migrant workers and members of their families infected by the SARS-CoV-2 virus

231. As already stated, Morocco has developed a national monitoring and response plan to address the SARS-CoV-2 pandemic. Under the plan, migrants have access free of charge, regardless of their administrative status and on a par with Moroccan citizens, to all preventive measures and treatment services provided under the national protocols governing COVID-19. In addition, a number of guides have been produced in Arabic, French and English with a view to raising awareness about the symptoms of COVID-19, means of protection, and methods of detection and treatment.

232. Migrants have also benefited, free of charge, from a national vaccination campaign against COVID-19. As of 12 May 2022, 59,120 migrants had received their first dose of COVID-19 vaccine, 53,055 had received their second dose and 24,207 had received their third booster dose.

⁴⁹ The strategic objectives are:

Strategic objective 1: Consolidation of the legal framework for child protection and rendering it more effective;

Strategic objective 2: Establishment of integrated territorial bodies for the protection of children;

Strategic objective 3: Development of standard structures and practices for child protection;

Strategic objective 4: Promotion of protective social norms;

Strategic objective 5: Development of information, tracking, assessment and monitoring systems.

(f) Remittances sent by Moroccans working abroad

233. Remittances from Moroccans living abroad play an important economic and social role and contribute to the external financial equilibrium of Morocco. The remittances remained virtually stable at DH 64.8 billion in 2019 after having declined by 1.5 per cent in 2018, and they increased by 4.9 per cent to DH 68.2 billion in 2020.

(g) Reported cases of trafficking in migrants, and investigations, prosecutions and sentences imposed on perpetrators

234. With regard to this matter, see paragraphs 203, 204, 207, 206, 207, 208, 209, 210, 211 and 212 of the present report.

(h) Legal assistance services provided to migrant workers and members of their families in Morocco and to Moroccans working abroad or in transit through third States

235. With regard to this matter, see paragraphs 78, 79, 151 and 152 of the present report.

Reply to the question raised in paragraph 36 of the list of issues

236. Morocco submitted its updated core document on 20 November 2020, which has been published on the official OHCHR website under the symbol [HRI/CORE/MAR/2020](#).

Annexes to the second periodic report**1. Summary of regional consultations on the preparation of the second periodic report****2. Legislation**

- Act No. 02.03 concerning the entry and residence of foreigners in Morocco and unlawful migration;
- Act No. 27.14 to combat human trafficking;
- Act No. 19.12 concerning the conditions of work and employment of domestic workers;
- Act No. 51.17 concerning the system of education, formation and scientific research;
- Act No. 09.21 concerning social protection;
- Act No. 72.18 concerning the system regulating beneficiaries of social support programmes and envisaging the creation of a national records agency.

3. Strategies and programmes

- National strategy for migration and asylum.

4. Studies and research on migration

- National research by the High Commission for Planning on the phenomenon of international migration and the characteristics and conduct of current migrants, returning migrants and non-migrants (2018–2019);
- National research by the High Commission for Planning on forced migrants aged 15 years and over, migrants in an irregular situation, migrants whose legal status has been regularized, and refugees and asylum-seekers in Morocco (2021).