



SUBMISSION TO THE UN COMMITTEE ON THE RIGHTS OF THE CHILD

PRE-SESSIONAL WORKING GROUP, 22 - 26 SEPTEMBER 2025

MOROCCO: ISSUES RELATED TO THE IMMIGRATION DETENTION OF CHILDREN

SUBMITTED JULY 2025

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ABOUT THE GLOBAL DETENTION PROJECT (GDP)

The Global Detention Project (GDP) is committed to ending arbitrary and harmful migration-related detention practices around the world, and to ensuring respect for the fundamental human rights of all migrants, refugees, and asylum seekers. To achieve this, we seek to:

- Increase public knowledge and awareness of immigration detention policies.
- Expand coverage of immigration detention by human rights monitoring bodies and other international agencies.
- Expand partnerships with local and international civil society organisations working to end arbitrary and harmful immigration detention practices.
- Strategically target research and advocacy so that it effectively challenges arbitrary and harmful detention laws and policies.

Morocco

Global Detention Project Submission to the United Nations Committee on the Rights of the Child to Inform its List of Issues Prior to Reporting (LOIPR)

The Global Detention Project welcomes the opportunity to provide input to the Committee ahead of its adoption of its List of Issues Prior to Reporting concerning the Kingdom of Morocco. This submission focuses on Morocco's laws and practices concerning the treatment of children in the context of immigration enforcement measures, with a particular focus on the use of immigration detention.

This submission is made in light of the Committee's stated position that any detention of children for migration-related reasons is inherently harmful to children and thus violates the best interests principle, which the Committee affirmed in its authoritative General Comment No. 23 (2017) on "State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination, and return," which was issued jointly with the Committee on Migrant Workers (General Comment 4).

Paragraph 5 of General Comment No. 23 states:

"Every child, at all times, has a fundamental right to liberty and freedom from immigration detention. The Committee on the Rights of the Child has asserted that the detention of any child because of their or their parents' migration status constitutes a child rights violation and contravenes the principle of the best interests of the child. In this light, both Committees have repeatedly affirmed that children should never be detained for reasons related to their or their parents' migration status and States should expeditiously and completely cease or eradicate the immigration detention of children. Any kind of child immigration detention should be forbidden by law and such prohibition should be fully implemented in practice."

Context

Morocco has long served as a key destination for migrants and refugees and has become an important focal point for European efforts to externalise migration controls. Moroccan authorities face pressure from the EU and Member States to block northwards migration flows. The country has implemented various measures, including increasing border surveillance and infrastructure, including stepped up naval patrols, which has resulted in increasing numbers of migrants and asylum seekers remaining stranded in Morocco with irregular status.¹ Many reside in makeshift camps in cities like Casablanca, as well as in tents in mountain forests in the north. Others are arrested in migrant raids, detained in ad hoc detention sites, and deported to desert regions where they may face starvation and death.

Morocco's immigration enforcement legislation, Law 02-03 (of November 2003), criminalises irregular migration and provides for fines and detention as punishment. While the law prohibits the forced removal of children and other at-risk groups, it fails to prohibit the detention of children. Although the Committee welcomed news during its 2014 review that

¹ ACAPS, "Country Analysis: Morocco," accessed 29 July 2025, <https://www.acaps.org/en/countries/morocco/>

the country was developing new migration and asylum legislation, as of July 2025 Law 02-03 remains the principal piece of legislation governing the entry and stay of foreign nationals.

Raids, arrests, and detentions often target sub-Saharan migrants, and forced relocations and deportations have become increasingly common. In 2023, the government in Rabat stated that it had intercepted 75,184 irregular migrants—“about 18,000” of whom were intercepted at sea or at the border, with many others apprehended in raids.²

According to UNHCR, as of December 2024, there were approximately 20,000 asylum seekers and more than 10,000 certified refugees in Morocco. The refugee agency estimates that children represent 20 percent of these populations.

According to the IOM, in 2024 the organisation identified 639 foreign migrant and asylum-seeking children in Morocco (specifically, in the cities of Nador, Casablanca, and Marrakesh)—with the majority originating from Guinea (180 children), Senegal (100 children), and Cote d'Ivoire (82 children).³ The actual number of undocumented child migrants is likely to be significantly higher.

Immigration Detention of Children

Migrant, refugee, and asylum-seeking children in Morocco are extremely vulnerable to detention and other harmful immigration enforcement measures despite years of efforts by civil society organisations and human rights monitoring bodies to advocate for reforms.⁴

During its previous review of Morocco in 2014, the CRC expressed concerns about:

- the “arrest and detention of refugee and asylum-seeking children”;
- the deportation of unaccompanied children in desert regions;
- the “deteriorating health conditions of children” confined in the Migrant Reception Centre;
- and the “obstacles that migrant, refugee and asylum-seeking children face to accessing health services.”

Since 2014, these circumstances facing migrant and asylum-seeking children in Morocco have changed little.

An urgent public appeal by civil society groups in February 2015, shortly after the CRC issued its Concluding Observations, reported that thousands of non-nationals, including asylum seekers and children, had been arrested in northern Morocco and forcibly relocated

² El Pais, Banished to the Desert,” 1 June 2024, <https://english.elpais.com/international/2024-06-01/mass-arrests-and-forced-transfers-how-migrants-are-exiled-in-north-africa-with-european-money.html>

³ International Organisation for Migration (IOM), “IOM Morocco Annual Report – Key Results 2024,” https://morocco.iom.int/sites/g/files/tmzbd1936/files/documents/2025-07/en_bilan_oim_20250708.pdf

⁴ Global Detention Project, “Immigration Detention in Morocco: Still Waiting For Reforms As Europe Increases Pressure To Block Migrants And Asylum Seekers,” July 2021, <https://www.globaldetentionproject.org/immigration-detention-in-morocco-still-waiting-for-reforms-as-europe-increases-pressure-to-block-migrants-and-asylum-seekers>

to areas of the country further south to prevent them from accessing EU territory. Hundreds of others were arbitrarily detained in facilities across the country.⁵

In 2017, human rights groups accused the country of flouting its international obligations by refusing to permit entry to a group of 25 Syrian asylum seekers—including 10 children—who were stranded in the desert area between Algeria and Morocco, denying them access to asylum procedures and humanitarian assistance.⁶

Since 2018, migrants raids and arrests have become increasingly common, spurred in part by successive events, including efforts by large groups of migrants to storm the fences surrounding the Spanish enclave of Ceuta and the onset of the COVID-19 pandemic. Pregnant women, accompanied and unaccompanied children, UN-recognised refugees and asylum seekers, and migrants in possession of valid residency cards, have all been included in these raids, leading to mass arrests, detentions, and removals.⁷

In 2019, the UN Special Rapporteur on Racism reported after her visit to Morocco that increasing pressure by Europe to halt transmigration was leading to the “forced relocation of black sub-Saharan irregular migrants” including “incidents in which even pregnant women, children, sick persons, United Nations-recognized asylum seekers and refugees, and registered migrants holding a residency card, had been forcefully relocated.”⁸

The impact of the pandemic was particularly concerning, as well as long lasting. According to one NGO, during March and mid-May 2020, Morocco deported more than 100 people, including children, to the Algerian desert—despite the closure of the country’s borders. Some migrants recounted being deported in the middle of the night, forced to walk many kilometres without food or water, and alleged that officers had confiscated and destroyed their mobile phones.⁹

More recently, there have been reports of migrant children being detained in ad hoc centres. In one case, the Moroccan Association for Human Rights (AMDH) reported on the month-

⁵ GADEM and CCSM, “*Note d’information conjointe CCSM – GADEM: sur les déplacements et les détentions arbitraires de migrants au Maroc à la suite des rafles du 10 février 2015*,” February 2015, https://www.gadem-asso.org/wp-content/uploads/2015/02/20150219-NoteCCSM_GADEMdetection-migrants-VF.pdf

⁶ Amnesty International, “Syrian Refugees Trapped in Desert on Moroccan Border with Algeria in Dire Need of Assistance,” 7 June 2017, <https://www.amnesty.org/en/latest/news/2017/06/syrian-refugees-trapped-in-desert-on-moroccan-border-with-algeria-in-dire-need-of-assistance/>; Euromed Rights, “Journée internationale des réfugiés – Algérie/Maroc: la convention de Genève piétinée,” 19 June 2017, <https://euromedrights.org/fr/publication/journee-internationale-des-refugies-convention-de-geneve-pietinee/>

⁷ UN Human Rights Council, “Report of the Special Rapporteur on Trafficking in Persons, Especially Women and Children, Joy Ngozi Ezeilo, Addendum, Visit to Morocco,” A/HRC/26/37/Add.3, 1 April 2014, <https://undocs.org/A/HRC/26/37/Add.3>; BBC, “Ceuta: Spain Sends Troops as 8,000 Migrants Enter Enclave,” 18 May 2021, <https://www.bbc.com/news/world-europe-57156320>; K. Ahmed, “Moroccan Police Accused of Burning Migrant Shelters Near Spanish Enclave,” The Guardian, 12 March 2021, <https://bit.ly/3i6JwVW>

⁸ UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, “Visit to Morocco: Report of the Special Rapporteur on Contemporary Forms of Racism (24 June–12 July 2019),” *UN Human Rights Council*, 28 May 2019, <https://undocs.org/A/HRC/41/54/ADD.1>

⁹ J. Vargas and R. Soto, “*Marruecos Abandona en el Desierto a Migrantes Detenidos Durante la Covid: ‘Anduvimos 6 Días sin Agua ni Comida’*,” *Público*, 14 May 2020, <https://bit.ly/3iMRH9l>

long “illegal” detention of 26 migrants—including five children—in a children’s home in Guelmim, southern Morocco.¹⁰

The Moroccan Coast Guard’s role in interdicting migrant vessels seeking passage to Europe is also leading to increased detention of migrants and migrant families. In one incident from August 2024, after a group of Gambian migrants were intercepted by the Coast Guard they were detained at a prison in Brigandose, Morocco. Detainees reported suffering mistreatment and paltry conditions. One said, “There are many of us in one room. There are no beds, no mattresses and no water; we only make do with the bare concrete floor. We can’t wash ourselves and we have to relieve ourselves in the courtyard. ... We hardly eat to our fill and we have been eating only bread every day. We cannot continue staying like this.”¹¹

Recommendations

In light of the consistent and enduring use of detention and other harmful enforcement measures for managing cases of child migrants, refugees, and asylum seekers, the Global Detention Project urges the Committee on the Rights of the Child, in line with its repeated confirmation that child immigration detention is a child rights violation, to remind Morocco that in adhering with its commitments under the Convention, and in line with the Committee’s affirmation in General Comment No. 23, it **must immediately cease all migrant child detention situations** and find suitable accommodation and care for children and their families in the community and with the assistance of certified social welfare institution.

In light of this, we encourage the committee to request the following information:

- 1) An update on progress towards approving and enacting the long-awaited revised asylum and migration law, and confirmation whether it will prohibit all forms of child immigration detention—including in cases where children are held with their families.
- 2) A comprehensive account of all on-going cases of the detention of child migrants, refugees, and asylum seekers so that appropriate action can be taken to remedy these situations and find suitable solutions for them and their family members that do not involve detention, forced removal, or other coercive immigration enforcement measure.
- 3) Data disaggregated by age, gender, and nationality of all children subjected to removal operations—both internal and to the border—and ask what steps the country plans to take to prevent further arbitrary expulsions and to ensure full access to procedural guarantees. Further, the State Party should be reminded that it must cease all forced removals of children and their families, in line with Morocco’s own laws as well as its international agreements.
- 4) Information explaining actions it has taken since its previous review by the Committee in 2014 to remove obstacles that migrant, refugee and asylum-seeking children face in accessing health services.
- 5) Information regarding any independent mechanisms in place to monitor facilities while migrant, refugee, and asylum-seeking children may be detained, both

¹⁰ Moroccan Association for Human Rights (AMDH), “Facebook Update,” 17 February 2021, <https://www.facebook.com/AmdhNador/videos/476629980382587>

¹¹ B. Gaye, “14 Gambian Migrants Languishing in Morocco Detention Centre,” *Foroyaa.net*, 22 August 2024, <https://foroyaa.net/14-gambian-migrants-languishing-in-morocco-detention-centre/>

accompanied and unaccompanied, and whether children can confidentially report abuse, ill-treatment, or due process violations.

- 6) Details on training provided to immigration officers, police, and border officials on the rights of child non-nationals—as well as information regarding screening processes for appropriate identification of protection needs.