



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

Concluding observations on the second periodic report of Morocco*

1. The Committee considered the second periodic report of Morocco¹ at its 515th and 516th meetings,² held on 28 March 2023. At its 530th meeting, held on 6 April 2023, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second periodic report of the State party, which was prepared in response to the list of issues prior to reporting.³ It also welcomes the additional information provided during the dialogue by the high-level multisectoral delegation led by the Minister of Economic Inclusion, Small Business, Employment and Skills, Mr. Younes Sekkouri, and consisting of representatives of the Head of Government; the Ministry of the Interior; the Ministry of Foreign Affairs, African Cooperation and Moroccans Resident Abroad; the Ministry of Economic Inclusion, Small Business, Employment and Skills; the Ministry of Justice; the Ministry of National Education, Preschool Education and Sports; the Ministry of Health and Social Protection; the Office of the President of the Public Prosecution Service; the Interministerial Human Rights Unit; and the Directorate General of National Security, as well as the Permanent Representative of Morocco to the United Nations Office and other international organizations in Geneva, Mr. Omar Zniber, and staff of the Permanent Mission.

3. The Committee appreciates the dialogue held with the high-level delegation, the information provided by the State party's representatives and the constructive approach to the meetings, which allowed for joint analysis and reflection. The Committee is also grateful to the State party for its replies and the additional information it submitted within 24 hours of the dialogue.

4. The Committee is aware that Morocco, as a country of origin of migrant workers, has made progress in protecting the rights of its nationals abroad. However, it also notes that, as a country of origin, transit and destination for migrants from sub-Saharan Africa and other regions, the State party faces a number of challenges in protecting the rights of migrant workers and members of their families.

* Adopted by the Committee at its thirty-sixth session (27 March–6 April 2023).

¹ [CMW/C/MAR/2](#).

² See [CMW/C/SR.515](#) and [CMW/C/SR.516](#).

³ [CMW/C/MAR/QPR/2](#).



B. Positive aspects

5. The Committee notes with satisfaction that the State party has ratified the following international instruments:

(a) The International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97), in June 2019;

(b) The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102), in June 2019;

(c) The ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), in June 2019.

6. The Committee welcomes the adoption by the State party of the following legislative measures:

(a) Framework Act No. 09-21 on social protection, in 2021;

(b) Decree No. 2.18.686 on the conditions under which the social security system is applicable to domestic workers, in 2019;

(c) Act No. 19-12 on the conditions of work and employment of domestic workers, in 2016, and its implementing regulations;

(d) Act No. 27-14 on measures to combat human trafficking, in 2016;

(e) Framework Act No. 51-17 on the education, training and scientific research system, in 2019.

7. The Committee also welcomes the following institutional and policy measures:

(a) Adoption of the National Plan to Combat and Prevent Human Trafficking for the period 2023–2030 and a national referral mechanism for victims of human trafficking, in 2023;

(b) Adoption of the National Strategic Plan on Health and Immigration 2021–2025;

(c) Adoption of the National Strategy on Immigration and Asylum, in 2014;

(d) Establishment of the African Migration Observatory, which opened in Rabat in 2020;

(e) Implementation, in 2014 and 2017, of an exceptional initiative to regularize the status of irregular migrants residing in the State party, enabling almost 50,000 such persons to obtain a residence permit valid for a renewable three-year period.

8. The Committee acknowledges the State party's commitment to processes of regional cooperation and dialogue for addressing migration flows on the African continent, as shown by its role as "leader of the African Union on the issue of migration", as decided by the Heads of State and Government at the twenty-eighth Summit of the African Union, held in Addis Ababa on 30 and 31 January 2017.

9. The Committee welcomes the major role played by the State party in supporting the adoption, in Marrakech, of the Global Compact for Safe, Orderly and Regular Migration, which was subsequently endorsed by the General Assembly in its resolution 73/195 of 19 December 2018. The Committee also welcomes the State party's active engagement in the Africa Regional Review of the implementation of the Compact, held on 31 August and 1 September 2021, including through the provision of voluntary contributions.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Current context

10. **The Committee recommends that the State party protect the rights of migrant workers and members of their families, in particular their right to health, and that it mitigate, within the framework of international cooperation, the adverse effects of the coronavirus disease (COVID-19) pandemic in the light of the joint guidance note on the impacts of the COVID-19 pandemic on the human rights of migrants, issued by the Committee and the Special Rapporteur on the human rights of migrants. In particular, the Committee recommends that the State party guarantee equitable access to vaccination against COVID-19 to all migrant workers and members of their families, irrespective of their nationality, migration status or other grounds for discrimination, in accordance with the recommendations issued by this Committee and other regional human rights protection mechanisms in the aforementioned joint guidance note.**

Legislation and application

11. The Committee welcomes the State party's commitment to harmonizing national legislation with the Convention and to developing a comprehensive migration policy, including for asylum-seekers and refugees. The Committee also notes with interest that two bills relating to migrants' rights have been drafted: Bill No. 72-17 on the entry and residence of foreigners in Morocco and on immigration, and Bill No. 97-21 on asylum and the conditions under which it is granted. It also notes the State party's indication that labour laws have been brought into line with the relevant international instruments. However, the Committee regrets that, despite the efforts made over several years to amend the relevant laws, these two bills have not been adopted and migrant workers in an irregular situation continue to be criminalized. The Committee is also concerned about reports that many irregular migrants are not protected by the authorities and are at risk of exploitation by employers and other intermediaries who force them to work in poor conditions.

12. **Reiterating the recommendations made in its previous concluding observations,⁴ the Committee recommends that the State party take steps to bring Act No. 02-03 of 11 November 2003 on the entry and residence of foreigners in Morocco and unlawful migration into line with the Convention in order to extend the protection of the rights recognized therein to all migrant workers and members of their families in the State party, including those in an irregular situation. The Committee also recommends that the State party ensure that its migration policy refers to the various international human rights instruments, in particular the Convention. It further recommends that the State party strengthen measures to monitor the implementation of legislation on migrant workers and of the Convention.**

Declarations and reservations

13. **The Committee recommends that the State party take the necessary measures to withdraw its reservation with respect to article 92 (1) of the Convention in order to enable migrant workers to fully enjoy their rights under the Convention.**

Articles 76 and 77

14. The Committee notes that the State party has not yet made the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive and consider communications from States parties or from individuals. It takes note of the information provided on the State party's policy concerning the ratification of international legal instruments, based on the principle of progressiveness.

⁴ [CMW/C/MAR/CO/I](#), para. 10.

15. **Reiterating the recommendations made in its previous concluding observations,⁵ the Committee recommends that the State party continue taking steps towards making the declarations provided for in articles 76 and 77 of the Convention.**

Ratification of relevant instruments

16. The Committee takes note of the indication that the State party has endeavoured to harmonize its labour laws with the relevant international conventions, in particular those of ILO. It notes with regret that, although the law to ratify the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) was adopted in 2016, the ratification process has still not been completed. It also notes that the State party has not yet acceded to the following ILO conventions: the Domestic Workers Convention, 2011 (No. 189), the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and the Violence and Harassment Convention, 2019 (No. 190).

17. **Reiterating the recommendations made in its previous concluding observations,⁶ the Committee recommends that the State party complete the process of ratifying the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). It also recommends that the State party consider ratifying the following ILO conventions: the Domestic Workers Convention, 2011 (No. 189), the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and the Violence and Harassment Convention, 2019 (No. 190).**

Comprehensive policy and strategy

18. The Committee notes with satisfaction that a new national policy on immigration and asylum was launched in 2013 and the national strategy on immigration and asylum was adopted in December 2014.

19. **The Committee recommends that the State party ensure that the national strategy on immigration and asylum places sufficient emphasis on the implementation of the Convention, including by taking into account gender issues, the rights of the child and human rights in general, and the rights of foreign migrant workers and members of their families in particular. It also recommends that the State party allocate sufficient human, technical and financial resources for the strategy's implementation.**

Coordination

20. The Committee notes that, in October 2021, the Ministry for Moroccans Resident Abroad and Migration, established in 2014 with a mandate to develop and implement government policy concerning both Moroccans living abroad and migrants in Morocco, became part of the Ministry of Foreign Affairs, African Cooperation and Moroccans Resident Abroad. It is concerned, however, that this institutional change could lower the priority attached to migration issues in government policy.

21. **The Committee recommends that the State party ensure that the department of the Ministry of Foreign Affairs with responsibility for migration issues has a clear mandate and a specific body to coordinate all activities aimed at the effective implementation of the rights protected under the Convention, and that it provide this coordinating body with the human, technical and financial resources necessary for its effective and sustainable functioning.**

Independent monitoring

22. The Committee notes the State party's efforts to strengthen its national human rights institution, the National Human Rights Council. It also notes the recommendations contained in the accreditation report of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions.

⁵ Ibid., para. 12.

⁶ Ibid., para. 14.

23. **The Committee recommends that the State party implement the recommendations made in the above-mentioned accreditation report and that it continue to strengthen the independence and operations of the National Human Rights Council, including in budgetary terms, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), to better enable the Council to see to it that the human rights of all migrant workers and members of their families under the Convention are effectively protected.**

Training on and dissemination of information about the Convention

24. The Committee notes with satisfaction that the State party has organized training courses for its consular officials, especially before they assume their duties, on legal support and guidance for Moroccans living abroad and on social and judicial assistance mechanisms, remedies and the conditions required for accessing them. Nevertheless, the Committee is concerned at the lack of training materials and programmes dealing specifically with the Convention and the rights enshrined therein and at the failure to disseminate such information to stakeholders, including government bodies at the national, regional and local levels, national courts, officials offering free legal assistance on immigration procedures and civil society organizations, as well as migrant workers and members of their families.

25. **Reiterating the recommendations made in its previous concluding observations,⁷ the Committee recommends that the State party:**

- (a) **Develop training materials and programmes dealing specifically with the Convention and the rights enshrined therein;**
- (b) **Intensify training on the content of the Convention for all officials working in the area of labour migration, in particular police and border control officers, labour inspectors, judges and any other officials dealing with migrant workers at the local level, as well as diplomatic and consular agents;**
- (c) **Take practical measures to ensure migrant workers' access to information and to provide them with guidance on their rights under the Convention;**
- (d) **Strengthen its cooperation with civil society organizations and the media in promoting and disseminating the Convention.**

2. General principles (arts. 7 and 83)

Non-discrimination

26. The Committee is deeply concerned about reports that migrant workers of sub-Saharan origin have been subjected to discriminatory treatment, including arrest and expulsion to their countries, to other Moroccan cities or to the eastern border. The Committee is also concerned about allegations that, in 2023, the virtual and physical public space in the State party saw an increase in discriminatory speech against immigrants from sub-Saharan African countries.

27. **Reiterating the recommendations made in its previous concluding observations,⁸ the Committee recommends that the State party ensure that all migrant workers and members of their families within its territory or subject to its jurisdiction enjoy the rights provided for in the Convention without discrimination of any kind, in accordance with article 7. The Committee also recommends that the State party immediately take effective measures to combat the social and racial stigmatization of migrant workers, in particular sub-Saharan migrant workers. It urges the State party to carry out intensive awareness-raising and education campaigns in this regard.**

⁷ Ibid., para. 18.

⁸ Ibid., para. 20.

Right to an effective remedy

28. The Committee notes that progress has been made in giving migrant workers the same right of access to justice as nationals. However, it is concerned about reports that migrant workers have been arrested and have sometimes been tried without a lawyer, without translation of documents or without the assistance of an interpreter when they cannot understand or speak the language used. It notes with concern that there are no specific measures to inform migrant workers and members of their families about the remedies available to them in cases of violations of their rights under the Convention. The Committee is also concerned about reports that many migrant workers in Morocco lack financial resources and, as a result, often face difficulties in paying court costs.

29. **Reiterating the recommendations made in its previous concluding observations,⁹ the Committee recommends that the State party:**

(a) **Ensure that migrant workers and members of their families, including those in an irregular situation, have opportunities equal to those of nationals to file complaints and obtain effective redress in the courts in cases where their rights under the Convention are violated;**

(b) **Provide migrant workers with the assistance of counsel and, where necessary, appropriate translation and interpretation services, in accordance with articles 16 (8) and 18 (3) (d) of the Convention;**

(c) **Disseminate information to migrant workers and members of their families, including those in an irregular situation, to inform them about the judicial and other remedies available to them, and deal with their complaints as effectively as possible.**

3. **Human rights of all migrant workers and members of their families (arts. 8–35)**

Right to life and prevention of torture and inhuman or degrading treatment

30. The Committee is deeply concerned about reports that, in June 2022, actions against migrants by Moroccan security forces at the border crossing between Nador and Melilla resulted in at least 23 deaths and dozens of injuries and that emergency medical assistance was not provided to the victims. The Committee is also concerned about allegations that other acts of violence, including racial discrimination and the destruction of private property and food, were perpetrated against refugees and migrants living in informal settlements in and around Nador in the months preceding the events of 24 June 2022.

31. **The Committee urges the State party to:**

(a) **Ensure that these acts are independently, seriously and promptly investigated, taking into account all violations, including the issue of racial discrimination, and that the investigation report is made public and widely disseminated;**

(b) **Ensure that those responsible are held accountable and that the penalties imposed are commensurate with the gravity of the offences committed against migrants;**

(c) **Take appropriate steps to ensure that such violations are not repeated;**

(d) **Prosecute those responsible for such violations, including the public officials involved, and impose penalties commensurate with the gravity of the offence;**

(e) **Ensure that victims and their families have access to adequate redress and compensation.**

Labour exploitation and other forms of ill-treatment

32. The Committee expresses its concern at reports that forced labour has been imposed on migrants, in particular those in an irregular situation, but also some migrant workers in a

⁹ Ibid., para. 22.

regular situation whose identity papers have been confiscated by their employers or their employers' families. This has happened in particular to women recruited in their country of origin by ill-intentioned employers promising them an employment contract and a regular situation in Morocco.

33. The Committee recommends that the State party ensure that migrant workers, in particular women, are not subjected to forced labour, regardless of their migration status, and that steps are taken to prevent the confiscation of documents from migrants in possession of them.

Expulsion

34. The Committee notes that Act No. 02-03 on the entry and residence of foreigners in Morocco and unlawful migration regulates removal measures and that article 26 of this law lists the exceptional circumstances in which expulsion is not allowed, including if the person is a minor. However, the Committee is concerned about allegations that children and women, including asylum-seekers and refugees, have been deported and that migrant rights defenders, in particular Helena Maleno, have been expelled from the country.

35. The Committee recommends that the State party take the necessary measures to ensure that:

(a) **Administrative removal and expulsion procedures are in full compliance with articles 22 and 23 of the Convention;**

(b) **The expulsion of migrants is prohibited until each individual situation has been properly assessed, in order to respect, among other things, the principle of non-refoulement and the prohibition of collective and arbitrary expulsion;**

(c) **Human rights defenders are duly protected and information on the specific case of Helena Maleno is included in the State party's next periodic report.**

Social security

36. The Committee notes that under Moroccan law all migrant workers are entitled to social security and a retirement pension. It regrets, however, the lack of information on the practical implementation of this right, including the legal requirements that migrant workers in an irregular situation must meet in order to have access to social security on an equal footing with nationals. It also regrets that very little information was provided on the bilateral and multilateral social security agreements concluded by the State party.

37. The Committee recommends that the State party:

(a) **Ensure that all migrant workers and members of their families are informed of their right to social security and can join a social security scheme;**

(b) **Make every effort to conclude bilateral and multilateral social security agreements, ensuring that they are gender-sensitive and non-discriminatory, with migrant workers' countries of origin and destination to guarantee the social protection of all migrant workers.**

Medical care

38. The Committee notes with satisfaction that migrant workers and members of their families, regardless of their administrative status, have access to basic health services in primary health-care facilities free of charge and on an equal footing with Moroccan citizens. However, the Committee is concerned about reports of problems related to the payment of fees not included in these health-care packages, such as when migrants do not follow the "health-care pathway" and go first to teaching hospitals instead of primary care hospitals, where they do not have to pay fees. In addition, some health-care facilities and professionals are not aware of the 2008 Ministry of Health circular extending access to basic health care to everyone, and therefore deny access for migrant workers and members of their families. The Committee also expresses concern about reports that migrants in an irregular situation face difficulties in accessing vaccination against COVID-19.

39. **The Committee recommends that the State party, in accordance with article 28 of the Convention, adopt concrete and effective measures to raise awareness among migrant workers and members of their families, as well as health-care professionals, of the right of all migrants and members of their families to basic health-care services free of charge, irrespective of their administrative status, on the basis of equality of treatment with nationals. The Committee also encourages the State party to take the necessary measures to ensure that all migrants, including those in an irregular situation, have full and equal access to vaccination against COVID-19.**

Birth registration and nationality

40. The Committee notes the State party's indication that the children of migrants have the right to civil registration in Morocco. However, it is concerned about allegations that when a migrant does not follow the health-care pathway, some maternity hospitals withhold the birth certificate for non-payment of hospital fees, making it impossible to register with the civil registry and consular authorities.

41. **In the light of joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child, and bearing in mind target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party take steps to raise migrant communities' awareness of the proper birth registration procedure and to ensure that maternity hospitals do not withhold birth certificates from migrants.**

Education

42. The Committee is concerned at reports that, despite a directive authorizing the inclusion of all migrant children in Moroccan schools irrespective of their parents' migration status, some school principals have refused to enrol children who do not have valid administrative documents. The Committee also notes with concern that some parents refrain from enrolling their children in school because of prohibitive additional fees and cultural and language barriers.

43. **Reiterating the recommendations made in its previous concluding observations,¹⁰ the Committee recommends that the State party take all necessary measures, including steps to ensure that administrators in the country's schools are aware of the Ministry of Education directive, to ensure that all children of migrant workers, irrespective of their status, have access to preschool, primary and secondary education on the basis of equality of treatment with citizens of the State party, in accordance with article 30 of the Convention.**

4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36–56)

Right to form trade unions

44. The Committee notes with satisfaction that migrant workers can join trade unions. However, it is concerned to note that migrant workers are not eligible for union leadership positions.

45. **The Committee recommends that the State party take all necessary measures, including legislative amendments, to ensure that migrant workers have the right to join the executive bodies of trade unions of which they are members for the promotion and protection of their economic, social, cultural and other interests, in accordance with article 40 of the Convention.**

¹⁰ Ibid., para. 40.

Right to vote and to be elected in the State of origin

46. The Committee notes the State party's indication that a proxy voting mechanism enables Moroccan migrant workers living abroad to participate in elections from their countries of residence and that embassies and consulates provide information on updates and changes to the electoral rolls. It regrets, however, the lack of figures on the number of Moroccan migrant workers living abroad who actually participate in elections at the national, local or regional level.

47. **The Committee encourages the State party to continue its efforts to facilitate the exercise of the right to vote by all Moroccan migrant workers living abroad and to provide, in its next report, precise data on the number of Moroccan migrant workers living abroad who have been able to participate in elections at the national, local and regional levels.**

5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)

International cooperation with countries of transit and destination

48. The Committee notes that the State party has signed or renewed a number of bilateral agreements on labour migration. The Committee regrets, however, that it does not have sufficient information to analyse the compatibility of these agreements with international human rights law, in particular the provisions of the Convention.

49. **The Committee recommends that the State party:**

(a) **Ensure that its bilateral and multilateral agreements on the freedom of movement of migrant workers and members of their families are in full compliance with the Convention, with the Committee's general comments No. 1 (2011) and No. 2 (2013) and with joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child, and that they deal in particular with human rights and contain specific provisions for workers in vulnerable situations, including by taking account of gender issues;**

(b) **Engage with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and ILO and seek technical assistance regarding the implementation of these agreements and the negotiation of future agreements to ensure that they are aligned with the Convention.**

Migrant domestic workers

50. The Committee is concerned to note that a number of migrant workers employed as domestic workers in the State party do not have an employment contract with their employer, which places them at risk of exploitation and prevents them from accessing the full range of social protections available in the country. In addition, the Committee notes the State party's indication that, under article 516 of the Labour Code, a contract with an employee of foreign nationality may not be concluded without the consent of a government authority and may be terminated at any time. While noting that, according to the State party, the provisions of this article have never been enforced, the Committee remains concerned that their existence may create a lack of stability for foreign domestic workers, most of whom are women.

51. **In the light of its general comment No. 1 (2011), the Committee recommends that the State party:**

(a) **Cooperate with States of origin and employment on frameworks and agreements to protect the rights of its nationals who are migrant workers;**

(b) **Take measures to encourage the use of standard, unified and binding employment contracts, with fair, full and clear conditions and labour standards that are legally enforceable in the States both of origin and employment, as well as access to remedies and other services for Moroccan migrant workers whose rights have been violated;**

(c) **Amend article 516 of the Labour Code to ensure that the consent of a government authority is not a prerequisite for the conclusion of an employment contract between an employer and a migrant worker and to provide that such contracts may not be wrongfully terminated.**

Return and reintegration

52. The Committee is concerned about persistent reports that a number of Moroccan migrant workers who were expelled from Algeria decades ago have returned to the State party but have still not been fully compensated or reintegrated socially and culturally in the State party.

53. **Recalling the recommendations made in its previous concluding observations,¹¹ the Committee encourages the State party to take the necessary measures without delay to create the social, economic, legal or other conditions required to make reparation for the harm suffered by Moroccan migrant workers as a result of their expulsion from Algeria and to facilitate the durable social and cultural reintegration of all Moroccans concerned in the State party, including Moroccan migrant workers expelled from Algeria, in accordance with article 67 of the Convention.**

Trafficking in persons

54. The Committee notes with concern allegations that the fight against migrant smuggling and human trafficking has also been used to justify certain extralegal practices in the name of protecting alleged victims of trafficking networks. The Committee fears that victims of trafficking in persons could be treated as migrants in an irregular situation and might not be given adequate care and protection.

55. **Recalling the recommendations made in its previous concluding observations,¹² and in accordance with the OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking,¹³ in line with target 5.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Establish effective mechanisms to identify victims of trafficking in persons and provide them with protection and the necessary assistance to help them rebuild their lives;**

(b) **Train police and other law enforcement officials, judges and prosecutors, labour inspectors, teachers, health-care personnel and staff of the State party's embassies and consulates on the proper identification and treatment of trafficking victims;**

(c) **Provide support for the return and reintegration of migrant workers and members of their families, taking gender considerations into account in order to address the specific physical and mental health needs of those who have experienced violence, abuse or sexual exploitation, in particular women who have been victims of trafficking.**

Measures to address migrant workers in an irregular situation

56. The Committee welcomes the exceptional initiatives carried out in 2014 and 2017 to regularize the status of irregular migrants residing in the State party. However, it regrets that the State party has not yet amended Act No. 02-03, chapters VII and VIII, under which irregular migration is criminalized and Moroccan and foreign migrant workers in an irregular situation are liable to penalties of imprisonment and fines. The Committee is also concerned about reports of regularized migrant workers who have again found themselves in an irregular situation owing to the strict conditions of access to the labour market.

57. **In accordance with the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders, the Committee recommends that the State**

¹¹ Ibid., para. 44.

¹² Ibid., para. 48.

¹³ E/2002/68/Add.1.

party amend Act No. 02-03 to ensure that migrant workers in an irregular situation are not treated as offenders and that measures to combat irregular migration and migrant smuggling do not undermine the fundamental rights of migrant workers and members of their families, in particular with regard to non-refoulement and the prohibition of arbitrary detention and collective expulsion, and that they are provided with the necessary assistance and due process guarantees.

6. Dissemination and follow-up

Dissemination

58. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions, including to government ministries, the legislature, the judiciary and relevant local authorities, as well as to non-governmental organizations and other members of civil society.

Technical assistance

59. The Committee recommends that the State party further avail itself of international and intergovernmental assistance for the implementation of the recommendations contained in the present concluding observations in line with the 2030 Agenda for Sustainable Development. It also recommends that the State party continue its cooperation with specialized agencies and programmes of the United Nations.

Follow-up to concluding observations

60. The Committee requests the State party to provide, within two years (that is, by 1 May 2025), written information on the implementation of the recommendations contained in paragraphs 25 (Training on and dissemination of information about the Convention), 31 (Right to life and prevention of torture and inhuman or degrading treatment), 35 (Expulsion) and 57 (Measures to address migrant workers in an irregular situation) above.

Next periodic report

61. The Committee requests the State party to submit its third periodic report by 1 May 2028. The Committee will adopt a list of issues prior to reporting under the simplified reporting procedure at one of its sessions preceding this date, unless the State party explicitly opts for the traditional reporting procedure concerning its third periodic report. The Committee draws the State party's attention to its harmonized treaty-specific guidelines.¹⁴

¹⁴ [HRI/GEN.2/Rev.6](#).