

**No. 27556**

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**FRANCE  
and  
MOROCCO**

**Convention on labour (with annex). Signed at Rabat on  
1 June 1963**

**Protocol to the above-mentioned Convention on adult voca-  
tional training. Signed at Rabat on 1 June 1963**

**Supplementary Agreement to the Protocol of 1 June 1963  
on adult vocational training annexed to the above-men-  
tioned Convention. Signed at Rabat on 12 February 1988**

*Authentic text: French.*

*Registered by France on 20 September 1990.*

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**FRANCE  
et  
MAROC**

**Convention de main-d'œuvre (avec annexe). Signée à Rabat le  
1<sup>er</sup> juin 1963**

**Protocole à la Convention susmentionnée, relatif à la forma-  
tion professionnelle des adultes. Signé à Rabat le 1<sup>er</sup> juin  
1963**

**Avenant au Protocole du 1<sup>er</sup> juin 1963 relatif à la formation  
professionnelle des adultes annexé à la Convention sus-  
mentionnée. Signé à Rabat le 12 février 1988**

*Texte authentique : français.*

*Enregistrés par la France le 20 septembre 1990.*

## [TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> ON LABOUR BETWEEN FRANCE AND MOROCCO

The French Government and the Moroccan Government, wishing to establish the working conditions for Moroccan nationals in France and to facilitate the recruitment of Moroccan workers under conditions which will provide them with the highest possible standard of living in France, have agreed on the following provisions:

*Article 1*

In order to take up paid employment in France, Moroccan nationals must be in possession of a contract of employment countersigned by the French Ministry responsible for employment and manpower questions.

*Article 2*

In order to facilitate the recruitment of Moroccans wishing to work in France, the French Government shall transmit to the Moroccan Government, periodically and at least once a year, the most detailed information possible concerning its needs for Moroccan manpower, together with information concerning living and working conditions in France.

The Moroccan authorities shall inform the French authorities of the availability of Moroccan workers who have applied to emigrate to France.

In order to make optimum use of this information, all relevant details may be provided, on request, to employers and workers by the competent Moroccan and French authorities.

*Article 3*

The recruitment of Moroccan workers wishing to take up paid employment or to obtain vocational training under the conditions laid down in the Protocol annexed to this Convention shall be organized by the Moroccan Ministry of Labour in agreement with the special French service placed under the authority of the French Embassy.

Workers may be recruited individually or by group.

Recruitment shall be carried out in accordance with the rules laid down in this Convention and its annex.

*Article 4*

The costs connected with the preliminary occupational screening and medical examination referred to in article 4 of the annex shall be borne by the Moroccan Government.

The costs connected with the medical check-up and occupational screening shall be borne by the French Government. However, the Moroccan Government shall provide, free of charge, the necessary X-ray facilities and laboratories, as well

<sup>1</sup> Came into force on 1 June 1963 by signature, in accordance with article 15.

as the facilities needed for the testing of the applicants' occupational skills. It shall also provide interpreters when necessary.

#### *Article 5*

The French National Immigration Bureau shall bear the costs of reception and transport from the point of disembarkation in France to the place of work.

The costs of transport from Morocco to the point of disembarkation in France may be borne in full or in part by the employer.

#### *Article 6*

The Governments of the two countries undertake to take all measures in favour of Moroccan nationals who emigrate under the terms of this Convention in order to simplify the administrative formalities and, in general, the procedures necessary for their departure from Morocco, their travel to and entry into France, and the issuing of residence and work permits. The Contracting Governments undertake to make all efforts necessary to reduce the costs of issuing the documents required by emigrants and the customs duties in respect of the export from Morocco and import into France of their personal effects and the tools of their trade.

#### *Article 7*

The facilities to be granted to Moroccan nationals by the French Government to enable them to gain admission to the adult vocational training centres administered under the authority of the French Ministry of Labour by the National Inter-professional Association for Manpower Training are described in the Protocol annexed to this Convention.

#### *Article 8*

Moroccan workers, shall, on French territory, enjoy the same treatment as French workers with regard to working conditions, health and safety conditions, housing, salaries, paid holidays and unemployment benefits.

The French Government shall take the measures necessary to ensure that these workers are given the best possible reception in France, particularly as regards transport facilities, the provision of canteens and medical assistance.

In addition, until such time as a specific convention on social security matters has been concluded between France and Morocco, Moroccan workers in France shall continue to enjoy the status they enjoyed in this regard on the date of the signing of this Convention.

#### *Article 9*

In order to facilitate the amicable settlement of disputes concerning the working and living conditions of Moroccan workers, any complaints, whether drawn up in the language of the host country or in the language of the worker, must be referred to the competent French authorities, either directly or through the Moroccan diplomatic or consular authorities.

#### *Article 10*

If a French employer fails to fulfil an employment contract concluded under this Convention or if an employment contract under which a Moroccan worker has

been admitted into France is broken before the expiry of its term and if such breach is recognized by a legal decision as attributable to the employer, the French manpower services shall take all measures to find employment for the worker in question under conditions as similar as possible to those stipulated in the initial labour contract, particularly with regard to the type of employment and their salary.

If a worker is dismissed because of staff cutbacks or factory closure, or, in general, if he loses his job other than by resignation or his own fault, the French manpower services shall endeavour to find him alternative employment.

The workers referred to in this article shall be entitled to unemployment benefits under the conditions laid down in article 8 above.

#### *Article 11*

The families of Moroccan workers may join them in France and, to that end, every facility shall be provided by the French Government in accordance with the laws and regulations in force.

#### *Article 12*

The French Government undertakes to recommend to employers that they should provide Moroccan workers with every facility to enable them to spend their paid holidays and public holidays in Morocco.

#### *Article 13*

Moroccan workers may transfer their savings to Morocco in accordance with the laws and regulations in force.

#### *Article 14*

A Joint Commission shall be established to:

- (a) Monitor the implementation of this Convention and its annexes, and take any measures necessary for that purpose;
- (b) Propose the revision of this Convention and its annexes, when necessary;
- (c) Settle any difficulties which may arise in connection with the implementation of this Convention and its annexes.

The Commission shall deliver its rulings within three months. Its members shall be appointed by each of the two Governments. It shall meet at the request of either party, either in Rabat or in Paris, under conditions and at a time to be determined by common agreement.

#### *Article 15*

This Convention shall enter into force on the date of signature. It shall remain in force for a period of five years and shall be extended automatically unless it is denounced by either Contracting Party six months prior to the date of expiry.

DONE at Rabat, in duplicate, on 1 June 1963.

For the French Government:

[PIERRE DE LEUSSE]

For the Moroccan Government:

[ALI SKALLI]

## ANNEX CONCERNING RECRUITMENT PROCEDURES

The recruitment, selection and transfer to France of Moroccan workers shall be effected in accordance with the following rules:

## A. GROUP RECRUITMENT

*Article 1*

In the context of the exchange of information referred to in article 2 of the Convention on Labour between France and Morocco, the competent special French service shall inform the Moroccan Ministry of Labour at the beginning of each quarter, of the approximate number of workers required, with a breakdown by occupational category. At the same time, it shall provide general information concerning salaries and working conditions and the probable dates by which the workers will be required to report to their place of work in France.

*Article 2*

Within 15 days the Moroccan Ministry of Labour shall inform the competent special French service, as accurately as possible, of the number of Moroccan workers willing to travel to France. It shall provide a breakdown of the manpower available by occupation and give all other relevant details.

*Article 3*

The following age limits shall apply:

- Agricultural workers: 45 years;
- Mine workers: 35 years;
- Workers in other categories: 40 years.

Derogations may be granted for workers with specific occupational skills or with large families.

*Article 4*

The competent Moroccan services shall be responsible for conducting the preliminary occupational screening and medical examination of applicants. The medical examination must include an X-ray and a blood test. The French Government shall notify the competent Moroccan authorities of the criteria to be used for medical examinations.

A medical card shall be issued to each worker certified fit following the examination.

*Article 5*

The competent special French service shall carry out an occupational screening of the applicants at premises made available to it locally.

Following this screening, the list of selected applicants shall be transmitted in duplicate to the authorized representative of the Moroccan Ministry of Labour, which shall proceed to take the necessary steps to issue passports. Photographs of the applicants shall be attached to the first copy of this list.

The passports shall be transmitted to the representative of the Moroccan Ministry of Labour at the assembly centre and kept at the disposal of the competent special French service for the medical check-up. The representative shall then hand over the passports to the workers finally selected at the time of their departure for France.

*Article 6*

The Moroccan Ministry of Labour shall be responsible for transporting applicants to the assembly centre, at the request of the competent special French service.

The Moroccan workers must be able to present themselves at the centre within 20 days of their occupational screening and inclusion in the list. As far as possible, they shall be summoned to the centre within 40 days following the expiry of the above-mentioned time-limit.

A medical check-up, including a blood test and X-ray, shall be carried out, when required, by the doctors of the competent special French service. Workers who are asked to undergo such tests should bring with them the medical card referred to in article 4.

The Moroccan authorities may, if they see fit, request that any Moroccan worker declared unfit should be examined by a doctor acting as an arbitrator, to be chosen by each Party in turn from a list drawn up in advance by agreement between the Moroccan and French authorities. The arbitrator's fees shall be defrayed jointly by the two parties.

All steps shall be taken, by both the Moroccan and the French services, to ensure that workers do not remain at the assembly centre for more than 72 hours.

*Article 7*

The Moroccan workers shall sign an employment contract, countersigned by the services of the French Ministry of Labour and corresponding to the standard contract provided for by French law, at the premises made available to the competent special French service.

The contract, which shall be drawn up in French, shall be accompanied by a certified translation into Arabic. It must also bear the photograph of the worker. The worker's occupation shall be indicated on the contract in accordance with the French standard classification of trades and occupations.

A model of the contract used shall be forwarded to the Moroccan Government, which shall also be notified of any changes made in the standard contract.

*Article 8*

The employment contracts and passports shall be issued to workers, prior to their departure, by the representative of the Moroccan Ministry of Labour at the premises made available to the competent special French service.

The two Governments undertake to take all measures necessary to provide Moroccan migrant workers with information concerning living and working conditions in France.

Each worker shall receive a note containing precise information concerning living and working conditions in France.

A model of this note shall be forwarded to the Moroccan Ministry of Labour, which shall be responsible for distributing it to Moroccan emigrant workers.

*Article 9*

Representatives of the competent special French service and of the Moroccan Ministry of Labour shall jointly organize convoys to transport the workers leaving for France.

*Article 10*

The French National Immigration Bureau shall be responsible for the reception of Moroccan workers on their arrival in France and shall defray the costs of accommodation (board and lodging) and transport to the place of work.

If, on the arrival of the worker, the employer fails to fulfil the contract, the French Immigration Bureau shall provide accommodation for the worker until alternative employment can be offered and shall defray the costs of transport to the new place of work.

*Article 11*

Within 15 days of their arrival in France, immigrant workers must apply to the competent administrative authorities in order to obtain the documents attesting to the legality of their situation on French territory.

The French authorities shall facilitate the procedures to be followed by Moroccan workers.

B. INDIVIDUAL RECRUITMENT

*Article 12*

The admission into France of workers recruited on an individual basis by French employers shall be governed by the same conditions as those laid down for group recruitment. Such workers shall, however, be exempt from the preliminary occupational screening and medical examination referred to in article 4 above.

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## PROTOCOL<sup>1</sup> ON ADULT VOCATIONAL TRAINING

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As part of the programme of technical cooperation between France and Morocco, the French Government and the Moroccan Government have concluded the following Protocol on adult vocational training.

### *Article 1*

Within the limits of a quota established annually by agreement between the Governments of the two countries and subject to the provisions laid down in article 2 of this Protocol, Moroccan nationals shall be admitted, under the same conditions as French nationals to the adult vocational training centres administered by the National Interprofessional Association for Manpower Training.

### *Article 2*

Applicants shall be recruited in accordance with the provisions of article 3 of the Convention on Labour<sup>2</sup> and the annex thereto.

### *Article 3*

The travel and subsistence expenses of candidates from their place of domicile in Morocco to the port of disembarkation in France, together with any medical expenses, shall be borne by the Moroccan Government.

From the port of disembarkation to the assignment centre in France, such expenses shall be borne by the French Government, under its technical cooperation programme.

### *Article 4*

During their attendance at the adult vocational training centres, Moroccan nationals shall enjoy the same conditions and benefits as French trainees at the same centres. All the costs of the training courses, including hourly allowances, accommodation, paid holidays and social security, shall be borne by the French Government.

### *Article 5*

On their departure from Morocco, Moroccan trainees must undertake to engage in the occupation for which they are to be trained for a period of at least one year in France. Trainees who fail to comply with this undertaking shall, if the French Government so requests, be repatriated at the expense of the Moroccan Government.

### *Article 6*

By agreement between the two Parties, a list shall be drawn up for each year's trainees and for each speciality indicating the number of Moroccan nationals who may return immediately to Morocco on leaving the adult vocational training centres.

The return travel expenses of these candidates shall be borne by the French Government under its technical cooperation programme.

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<sup>1</sup> Came into force on 1 June 1963 by signature, in accordance with article 12.

<sup>2</sup> See p. 398 of this volume.



*Article 7*

Moroccan nationals who meet the requisite conditions for undergoing training as vocational training instructors may, with possible exemptions, be admitted to courses at the National Vocational Training Institute, subject to a quota established annually by agreement between the Ministries of Labour of the two countries.

Candidates shall be selected in accordance with the conditions laid down in article 3 of the Convention on Labour and the annex thereto.

*Article 8*

Special training sessions for Moroccan managerial personnel may also be held in France under special arrangements agreed between the competent services of the French and Moroccan Ministries of Labour.

*Article 9*

The competent French services shall endeavour to find employment, in keeping with their occupational skills, for Moroccan nationals who have been admitted under this Protocol to courses at vocational training centres in France and who are either deemed unsuited for the training course, in accordance with the conditions laid down by the rules applicable to the centre, or who fail the examination at the end of the course.

If the French Government so requests, the Moroccan Government shall repatriate those Moroccan nationals for whom employment cannot be found.

*Article 10*

The French Government shall advise employers that Moroccan workers may be admitted under the same conditions as other workers to vocational training centres and, in general, to training courses organized by firms which lead to social advancement.

The French Government shall also recommend to employers that as far as possible they should engage Moroccan nationals as trainees on the completion of their studies at higher or technical educational establishments.

*Article 11*

At the request of the Moroccan Government, the French Government shall, as a matter of priority, where necessary, provide the assistance of technical advisers, for the network of vocational training centres already in existence or being developed in Morocco.

The French Government may defray part of the costs involved.

*Article 12*

This Protocol shall enter into force on the date of its signature. It shall remain in force for a period of five years and shall be extended automatically from year to year unless it is denounced by one of the Contracting Parties six months before the date of expiry.

DONE at Rabat, in duplicate, on 1 June 1963.

For the French Government:

[PIERRE DE LEUSSE]

For the Moroccan Government:

[ALI SKALLI]

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SUPPLEMENTARY AGREEMENT<sup>1</sup> TO THE PROTOCOL ON ADULT VOCATIONAL TRAINING<sup>2</sup> ANNEXED TO THE CONVENTION ON LABOUR BETWEEN THE FRENCH REPUBLIC AND THE KINGDOM OF MOROCCO OF 1 JUNE 1963<sup>3</sup>

The Government of the French Republic and the Government of the Kingdom of Morocco, welcoming the satisfactory progress made in the activities introduced since 1 June 1963 in implementation of the Protocol concerning adult vocational training between their two countries,<sup>2</sup>

Considering that this Protocol has been found entirely satisfactory,

Wishing to extend the scope of cooperation to include employment and the relationship between training and employment, and

Reaffirming the rights of Moroccan nationals legally resident in France with regard to employment and vocational training, have agreed on the following provisions:

*Article 1*

The provisions of this Supplementary Agreement shall supplement those of the Protocol on adult vocational training annexed to the Convention on Labour between France and Morocco of 1 June 1963,<sup>3</sup> as follows:

PART I. ASSISTANCE TO THE MOROCCAN VOCATIONAL TRAINING SYSTEM

*Article 13*

The French Ministry responsible for employment and vocational training shall, through the bodies under its authority, in particular the Adult Vocational Training Association (AFPA) and the National Employment Agency (ANPE), cooperate with the Moroccan Ministry responsible for vocational training with regard to the development and implementation of technical or educational training or refresher programmes and projects for use in the basic or advanced vocational training system, and of measures for the continuing education of workers organized by the Worker's Vocational Training Bureau (OFPPT).

This cooperation shall also be aimed at:

The development of new structures for the vocational training system,

An improvement in the relationship between training and employment through the participation of the French bodies referred to above in preliminary studies and in the monitoring of activities undertaken.

<sup>1</sup> Came into force on 12 February 1988 by signature, in accordance with article 2 of the said Supplementary Agreement.

<sup>2</sup> See p. 404 of this volume.

<sup>3</sup> See p. 398 of this volume.

*Article 14*

Within the framework of the annual agreement referred to in article 20 below, and on the basis of projects submitted by the Moroccan Party, the co-operation provided for in article 13 shall focus mainly on the following activities:

The training of instructors in France, particularly in those sectors which involve the use of advanced technologies,

The use of experts and instructors in Morocco to help in providing training or refresher courses for Moroccan instructors, the preparation and execution of technical studies, particularly in the field of the relationship between training and employment, and career guidance,

The provision of training and refresher courses for the senior staff of Moroccan training services and establishments,

The exchange of technical and administrative staff,

The provision of assistance either in the preparation of teaching aids and materials or by making such aids and materials available.

PART II. ADMISSION OF MOROCCAN TRAINEES TO THE FRENCH  
ADULT VOCATIONAL TRAINING SYSTEM

*Article 15*

Recruitment of trainees shall be based on the results of a selection examination organized in Morocco under the auspices of the competent Moroccan authorities and in accordance with the standards applied by the French establishments to which the trainees will be admitted. Candidates must first undergo a medical examination organized by the International Organization for Migration (IOM).

*Article 16*

At the end of the course, the travel expenses of the trainees from the centre at which the course was given to the point of embarkation in France shall be borne by the French Government.

The travel expenses to be borne by the Moroccan Government in accordance with article 3 of the Protocol shall also include those incurred from the point of embarkation in France to the point of disembarkation in Morocco at the end of the course.

*Article 17*

The social security coverage referred to in article 4 of the Protocol shall cover sickness, maternity, industrial accidents and occupational diseases.

*Article 18*

On completion of their training, trainees shall be entitled to sit the examination for the diploma issued by the French Ministry responsible for employment and vocational training. If no such diploma exists or if the trainee fails the examination, a certificate shall be issued stating that he has attended the course and indicating the speciality learned and the place and duration of the training.

PART III. ASSISTANCE IN THE DEVELOPMENT OF THE MOROCCAN  
EMPLOYMENT SYSTEM

*Article 19*

A programme shall be drawn up for cooperation between the French and Moroccan employment services.

The National Employment Agency (ANPE) shall provide assistance for the development of employment structures in Morocco, *inter alia*, through the exchange of technical and senior staff of the services concerned, and through technical assistance activities in the employment sector.

The National Employment Agency shall assist in the design and carrying out of studies aimed at improving the understanding of the labour market in Morocco and in developing ways and means governing the intervention of the Moroccan employment services in the labour market.

PART IV. GENERAL PROVISIONS AND CONDITIONS  
OF IMPLEMENTATION

*Article 20*

An annual agreement shall be drawn up giving details of the programme of cooperation in the field of vocational training and employment, within the limits of the resources available to the French bodies concerned. This agreement shall be concluded, on behalf of the French Government, by the French Minister responsible for employment and vocational training and, on behalf of the Moroccan Government, by the Ministers responsible for vocational training and employment.

*Article 21*

A technical committee shall be established to monitor the implementation of this Protocol. The committee shall report on its work to the Joint Commission referred to in the Convention of 1 June 1963.

The members of the committee shall be appointed by each of the two Governments.

The committee shall meet once a year, alternately in France and Morocco.

*Article 2*

This Supplementary Agreement shall enter into force on the date of its signature. It shall remain in force for the same duration and under the same conditions as the Protocol which it supplements.

DONE at Rabat, on 12 February 1988, in duplicate.

For the Government  
of the French Republic:

*[Signed]*

PHILIPPE SEGUIN  
Minister of Social Affairs  
and Employment

For the Government  
of the Kingdom of Morocco:

*[Signed]*

MOHAMED KABBAJ  
Minister of Equipment, Vocational  
Training and Executive Training

*[Signed]*

Hassan ABBADI  
Minister of Employment

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