

Algeria

The Government of Algeria recently adopted new legislation criminalizing all forms of trafficking, with increased penalties for offenders who traffic minors. The Government has yet to adopt a child protection law, drafted in 2007, that includes a hazardous work list. Algeria lacks adequate statistics on the prevalence and nature of the worst forms of child labor. However, children in Algeria are known to engage in hazardous work in agriculture and on the streets.

Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Although detailed information is lacking, children in Algeria are exploited in the worst forms of child labor,¹⁰⁰ primarily in agriculture. Children working in agriculture may engage in dangerous activities such as the operation of heavy machinery and tools, the transportation of heavy loads, and the application of harmful pesticides. Algerian children work in the construction sector and mechanic shops, where they face health and safety risks from heavy, motorized equipment and harmful materials. Children work on the streets as vendors and messengers, exposing them to a variety of dangers including severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.¹⁰¹

Children also work as domestic servants, some of whom may be victims of trafficking.¹⁰² Child domestic labor commonly involves long hours and may expose children to physical and sexual exploitation by their employer.

Laws and Regulations on the Worst Forms of Child Labor

Algeria's Labor Code sets the minimum age for employment at 16, but permits apprenticeships at age 15 under the authorization of a legal guardian.¹⁰³ The Ministry of Labor and Social Welfare may also grant permission for children under age 16 to work in certain fixed-term temporary jobs.¹⁰⁴ Article 15 of Algeria's Labor Code prohibits minors from participating in dangerous, unhealthy, or harmful work, or in work that may jeopardize their morality.¹⁰⁵ However the Code fails to define a minor or establish hazardous occupations prohibited to minors.¹⁰⁶ In addition, the Code only covers contract-based employment, and thus would not apply to informal work arrangements more likely to involve children.¹⁰⁷

In 2007, the Ministry of Justice announced that it had drafted a child protection law that would include strict clauses regarding the employment of children under age 16 and a hazardous work list; however, the parliament has not yet adopted the legislation.¹⁰⁸ The Algerian Constitution prohibits forced labor.¹⁰⁹ Algeria's Penal Code bars the use or recruitment of minors under age 19 for prostitution.¹¹⁰

In 2009, new anti-trafficking legislation came into force, criminalizing all forms of trafficking in persons and stipulating that the same punishments apply to trafficking for labor exploitation as for sexual exploitation.¹¹¹ The law amends the Criminal Code, lengthening the potential sentence by five years (to 15 years) when the victim is a known minor, with fines ranging from \$7,000 to \$22,100. Other aggravating factors (such as coercion) may trigger harsher penalties, irrespective of the victim's age.¹¹² The new legislation does not explicitly define the age of a minor. However, Government officials have stated that the legislation was drafted to conform to the definitions contained in the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, which defines a child as a person up to age 18.¹¹³

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	No
	Compulsory Education Age	16
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Algeria has established a coordinating mechanism to combat the worst forms of child labor.

The Ministry of Labor and Social Welfare leads the Government's efforts to investigate child labor cases and enforce minimum age laws.¹¹⁴ The Ministry conducts some surprise inspections of public sector enterprises. Most inspectors concentrate on urban areas, although more hazardous child labor is found in rural areas.¹¹⁵

The Ministry of Interior's National and Border Police and the Ministry of Defense's *gendarmerie* police force have law enforcement responsibilities relating to trafficking.¹¹⁶ The Ministry of Justice is charged with bringing trafficking cases through the criminal justice system; however, the Government has yet to prosecute any trafficking cases.¹¹⁷

The Government of Algeria has not made enforcement statistics available, or indicated that such statistics are collected.

Government Policies on the Worst Forms of Child Labor

The Algerian Government has not established a policy framework for the elimination of the worst forms of child labor. Algeria has adopted a National Action Program (2008-2015) on education that recognizes child labor as a potential barrier to education access and enumerates Algeria's legal protections for young workers.¹¹⁸ According to Algeria's Ministry of Education, the Government of Algeria does not consider hazardous child labor currently to be a problem in the country.¹¹⁹ The Government of Algeria lacks systematic data collection and analysis regarding the prevalence and nature of hazardous forms of child labor.¹²⁰

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Since 2004, the Ministry of Labor has worked with the Ministry of National Education to implement awareness-raising campaigns on child labor laws through broadcast media and in schools. Research has not identified other social programs supported by the Government to address the worst forms of child labor.¹²¹

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Algeria:

IN THE AREA OF LAWS AND REGULATIONS:

- Adopt the “child” protection law drafted by the Ministry of Justice to establish a list of hazardous occupations forbidden to all children, making sure to include a definition for child.
- Establish 18 as the minimum age for hazardous work in the Labor Code.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordination mechanism to combat the worst forms of child labor.
- Ensure that child labor laws are effectively enforced in all geographic areas and sectors.
- Make publicly available enforcement statistics regarding the worst forms of child labor.

IN THE AREA OF POLICIES:

- Develop policies that address all the worst forms of child labor.
- Systematically collect, analyze, and make available data on the prevalence and nature of hazardous child labor in Algeria.

IN THE AREA OF PROGRAMS:

- Include activities that specifically address the worst forms of child labor into agendas of relevant Ministries, such as the Ministry of Labor and Social Welfare, Ministry of National Education, and the Ministry of Vocational Training.
- Institute programs to address the worst forms of child labor in the informal sector, to ensure services are provided to children not covered by the protections of the Labor Code, particularly in agriculture and domestic service.

¹⁰⁰ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

¹⁰¹ Lotfi Mérad, “Selon une enquête de la FOREM: En Algérie, entre 250,000 et 300,000 enfants travaillent,” *Le Soir d’Algérie*, June 13, 2006, 2f; available from <http://www.lesoirdalgerie.com/articles/2006/06/13/article.php?sid=39659&cid=2>. See also U.S. Embassy-Algiers, *reporting*, December 12, 2007, 2e. See also U.S. Department of State, “Algeria,” in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/nea/119112.htm>. See also U.S. Embassy-Algiers, *reporting*, April 26, 2010, 1. See also

ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001)*, [online] 2008 [cited March 12, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&documnt=21859&chapter=9&query=%28C182%29+%40ref+%2B+%28Algeria%29+%40ref&highlight=&querytype=bool&context=0>.

¹⁰² UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention. Concluding observations: Algeria*, CRC/C/15/Add.269, Geneva, October 12, 2005, para 78; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d2316598f6190c4fc12570200049bd8d/\\$FILE/G0544259.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d2316598f6190c4fc12570200049bd8d/$FILE/G0544259.pdf). See also U.S. Department of State, “Algeria (Tier 3),” in *Trafficking in Persons Report- 2008*, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>. See also U.S. Embassy-Algiers, *reporting*, February 23, 2009, 23d.

¹⁰³ Government of Algeria, *Droit du travail*, article 15; available from <http://lexalgeria.free.fr/travail.htm>. See also Government of Algeria, *Loi no. 81-07 du 27 juin 1981*

relative a l'apprentissage, (1981); available from <http://www.fnac-dz.org/juridique/Document3.pdf>.

¹⁰⁴ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention. Second periodic reports of States parties due in 2000: Algeria*, March 3, 2005, para 94; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/fef289cbac5d9292c12570180052d60d/\\$FILE/G0540613.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/fef289cbac5d9292c12570180052d60d/$FILE/G0540613.pdf).

¹⁰⁵ Government of Algeria, *Droit du travail*, article 15.

¹⁰⁶ ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001)*, [online] 2009 [cited August 3, 2009]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=23505&chapter=9&query=%28C182%29+%40ref+%2B+%28Algeria%29+%40ref+%2B+%23YEAR%3E2008&highlight=&querytype=bool&context=0>. See also UN Committee on the Rights of the Child, *Concluding observations: Algeria*.

¹⁰⁷ ILO Committee of Experts, *Individual Observation, Minimum Age Convention, 1973 (No. 138) Algeria (ratification: 1984)*, [online] 2007 [cited March 12, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=9483&chapter=6&query=%28C138%29+%40ref+%2B+%28Algeria%29+%40ref&highlight=&querytype=bool&context=0>.

¹⁰⁸ U.S. Embassy- Algiers, *reporting, April 26, 2010*, 2b.

¹⁰⁹ U.S. Department of State, “Algeria,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, 2009; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136065.htm>. See also U.S. Embassy- Algiers, *reporting, February 23, 2009*.

¹¹⁰ U.S. Embassy- Algiers, *reporting, April 9, 2009*.

¹¹¹ U.S. Department of State, “Algeria (Tier 2 Watch List),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 2010; available from <http://www.state.gov/documents/organization/142981.pdf>. See also U.S. Embassy- Algiers, *reporting, February 23, 2009*, 25c.

¹¹² U.S. Embassy- Algiers, *reporting, February 23, 2009*, 25b.

¹¹³ *Ibid.*, 25a.

¹¹⁴ U.S. Department of State, “Country Reports- 2008: Algeria,” section 6d.

¹¹⁵ U.S. Embassy- Algiers, *reporting, December 12, 2007*, 2b.

¹¹⁶ U.S. Embassy- Algiers, *reporting, February 23, 2009*, 24b.

¹¹⁷ U.S. Department of State, “Trafficking in Persons Report- 2010: Algeria.”

¹¹⁸ ILO Committee of Experts, *Individual Direct Request C182: Algeria (2009)*.

¹¹⁹ Algeria Ministry of Education, *Rapport national. L'éducation pour l'inclusion: La voie de l'avenir*; pursuant to 48th Session of the International Conference of Education, CIE, November, 2008; available from http://www.ibe.unesco.org/National_Reports/ICE_2008/algeria_NR08_fr.pdf.

¹²⁰ U.S. Embassy- Algiers, *reporting, April 26, 2010*, 1.

¹²¹ Algeria Ministry of Education, *Rapport national. L'éducation pour l'inclusion: La voie de l'avenir*. See also U.S. Embassy- Algiers, *reporting, April 26, 2010*, 2f.