Algeria

SIGNIFICANT ADVANCEMENT

In 2015, Algeria made a significant advancement in efforts to eliminate the worst forms of child labor. The Government released data on child labor; increased fines for those guilty of violating child labor laws; identified 97 children during labor inspections in the services industry and agriculture sector; and established a Children's Council to protect and prevent children from exploitation and violence, including child labor. Also, the Government's Inter-Ministerial Coordinating Committee on Trafficking drafted the National Action Plan to Combat Trafficking in Persons. However, children in Algeria are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including by being subjected to commercial sexual exploitation. Algerian law does not sufficiently prohibit the use of children in illicit activities. In addition, law enforcement personnel did not receive adequate training to build their capacity to effectively investigate trafficking cases or identify human trafficking victims.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Algeria are engaged in child labor, including in street work. Children are also engaged in the worst forms of child labor, including commercial sexual exploitation.(1-5) National statistics released by the Ministry of Labor, Employment, and Social Security (MOLESS) found that out of 15,093 organizations that employed 98,327 workers, 97 children under age 16 (0.09 percent) were recorded as being employed, compared to 0.04 percent in 2014.(6) Table 1 provides key indicators on children's work and education in Algeria. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		108.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(7)
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting olives* (1-3, 5, 9, 10)
Industry	Construction, activities unknown (2, 5, 6, 9, 11)
Services	Street work, including vending items including bread during Ramadan,* collecting plastics,* and begging (1, 2, 4, 6, 9, 12-15)
	Domestic work (1, 3, 5, 6)
	Working in small workshops and businesses, including mechanics shops* (2, 5, 10, 16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5, 6, 9, 15, 17)
	Forced begging, sometimes as a result of human trafficking* (15)
	Drawing water from wells, sometimes as a result of human trafficking* (15)

* Evidence of this activity is limited and/or the extent of the problem is unknown.
‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Evidence suggests that children, primarily unaccompanied sub-Saharan migrants, are subjected to commercial sexual exploitation, including by being trafficked into prostitution in bars and informal brothels.(6, 17, 18) Many unaccompanied migrant girls are engaged in forced domestic work, and traffickers loan some of these girls to Algerian families for extended periods of time. Some unaccompanied migrant boys are engaged in work in the construction industry.(6) Touareg and Maure human traffickers based in northern Mali and southern Algeria force some sub-Saharan refugee and asylum-seeking children to draw water from wells; those children are often beaten and robbed of their possessions, including their identification documents.(15)

During the reporting period, female migrants from Niger often carried children with them when they begged in Algeria, in order to attract greater sympathy. These women did not always carry their own the children, since they sometimes used the children of extended family members or rented children from other women; the biological mothers of those children remained in Niger.(15) Additionally, IOM found that some of the children repatriated to Niger by the Algerian Red Crescent had been forced to beg.(15) Syrian children can be observed begging in the streets in some parts of Algiers, the Algerian capital.(6)

In 2015, MOLESS reported that most children work part time, engaging in activities such as harvesting olives in the winter, selling bread during Ramadan, and providing assistance to small businesses.(10) Research could not find a current and comprehensive study on the activities and scope of the child labor situation in Algeria.(1, 6, 19)

Although the Government mandates compulsory education through age 16 and provides free educational opportunities, a high rate of dropout among girls occurs at the intermediate and secondary school levels.(20) Most children with disabilities do not have the opportunity to access mainstream education, partly because of social stigma, the relatively low number of teachers with specialized training in providing educational support to these children, the lack of a transportation system for children with disabilities, and limited accessibility of school buildings.(1) Children without birth registration documentation also cannot access school. Some school registration officers and family judges refuse to register children who are born out of wedlock, are refugees, or are stateless.(1) Barriers to education—including those placed on girls, children with disabilities, and unregistered children—should be eliminated, because being out of school increases these children's vulnerability to child labor.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Algeria has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 15 of the Labor Code (21)
Minimum Age for Hazardous Work	Yes	18	Article 15 of the Labor Code (21)
Prohibition of Hazardous Occupations or Activities for Children	No		
Prohibition of Forced Labor	Yes		Article 303 *bis* 4 of the Penal Code (22)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Articles 303 *bis* 4 and 319 of the Penal Code (22)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 319, 333, 343, and 344 of the Penal Code (22)
Prohibition of Using Children in Illicit Activities	No		Article 195 *bis* of the Penal Code (22)
Minimum Age for Compulsory Military Recruitment	Yes	19	Article 3 of Law No. 14-06 on National Service (23)
Minimum Age for Voluntary Military Service	Yes	17	Article 14 of Presidential Decree No. 08-134 on National People's Army (24, 25)
Compulsory Education Age	Yes	16	Article 12 of Law No. 08-04 on National Education (26)
Free Public Education	Yes		Article 13 of Law No. 08-04 on National Education (26)

In 2015, MOLESS, in consultation with the ILO and local social partners, continued to overhaul the Labor Code. For example, the Government began drafting a list to detail hazardous work that would be prohibited for children; it is expected to be finished by the end of 2016.(10) The Labor Code prohibits minor workers from being employed in work harmful to their health, safety, or morals; however, Algeria has not determined by national law or regulation the types of hazardous work prohibited for children under 18.(6, 21, 27)

In 2015, the Government amended its Complementary Finance Law to include new fines for those guilty of violating child labor laws. Article 140, as amended, stipulates that, except in cases of apprenticeship contracts that are formed pursuant to existing law, the Government can impose a fine of between $100 to $200 upon employers found to have recruited minors as apprentices in violation of the law.(28)

A 2015 amendment to Article 65 *bis* 19 and 20 of the Criminal Procedural Code mandates that the Government ensure the physical safety of human trafficking victims and their family members who participate in criminal judicial procedures against their traffickers when those victims request such accommodations, by concealing the victims' identities; by using a special security point of contact and phone number; and by moving the victims or witnesses—along with their families—to a secure community.(29)

The laws related to illicit activities are not sufficient as the use, procurement, and offering of children for the production and trafficking of drugs are not criminally prohibited.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MOLESS) General Labor Inspectorate	Investigate labor violations, including those involving child labor. Authorized to distribute written notices and issue tickets.(2, 16, 30) Demand that safety and health problems be addressed if workers' health and safety are at risk.(30)
Ministry of the Interior General Directorate for National Security	Enforce criminal laws pertaining to child labor violations, including child trafficking, within cities. In 2015, comprised six active brigades of specialized police officers—in Adrar, Bechar, Illizi, Souk Ahras, Tamanrasset, and Tlemcen—focused on illegal immigration and human trafficking.(15)
Ministry of National Defense National *Gendarmerie*	Enforce criminal laws pertaining to child labor violations, including child trafficking, in rural and border regions.(15)
Ministry of Justice Office of Criminal Affairs and Amnesty Procedures	Prosecute child exploitation cases, including those pertaining to noncompliance with labor laws.(31)

Labor Law Enforcement

In 2015, law enforcement agencies in Algeria took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown (32)	Unknown (6)
Number of Labor Inspectors Number of Child Labor Dedicated Inspectors	600 (16) Unknown	Unknown* (10) Unknown
Inspectorate Authorized to Assess Penalties	Unknown (32)	Unknown (6)
Training for Labor Inspectors ■ Initial Training for New Employees ■ Training on New Laws Related to Child Labor ■ Refresher Courses Provided	 Unknown Unknown Yes (32)	 Yes (10) Unknown (6) Yes (10)
Number of Labor Inspections ■ Number Conducted at Worksite ■ Number Conducted by Desk Reviews	Unknown (32) Unknown (32) Unknown (32)	Unknown (6) Unknown (6) Unknown (6)
Number of Child Labor Violations Found	0 (32)	97 (10)
Number of Child Labor Violations for Which Penalties Were Imposed ■ Number of Penalties Imposed That Were Collected	0 (32) 0 (32)	Unknown (6) Unknown (6)
Routine Inspections Conducted ■ Routine Inspections Targeted	Unknown (32) Unknown (32)	Unknown (6) Unknown (6)
Unannounced Inspections Permitted	Unknown (32)	Unknown (6)
Unannounced Inspections Conducted	Unknown (32)	Unknown (6)
Complaint Mechanism Exists	Yes (12)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (12)

* The Government does not make this information publicly available.

In 2015, labor inspectors identified and removed 97 children from work during labor inspections in service industries and the agriculture sector, primarily in seasonal agricultural work. The Government enrolled children between ages 14 and 16 who were removed from worksites in vocational programs; it also returned children under age 13 to their parents.(10)

Based on information from 2014, the last year for which information is available, the MOLESS General Labor Inspectorate tends to employ more inspectors in urban than in rural areas, although past reports had indicated higher levels of child labor in rural areas.(16) MOLESS reported in 2015 that it based the number of inspectors in each branch office on the size and economic significance of a province. In 2015, the ILO and Algeria's National Labor Institute, a government body that administers training for all labor inspectors, trained all labor inspectors in basic child labor investigations.(10)

Labor inspectors share child labor reports with the Ministry of Solidarity to ensure follow-up with social services.(12) The National *Gendarmerie* and the Police both operate hotlines to receive reports on child exploitation or child rights violations, including complaints regarding child labor; however, research did not find out how many complaints related to child labor were received during the reporting period.(12) The NGO Algerian Network for the Defense of Children's Rights also administers a hotline.(30-33) Of the 18,322 phone calls received by the hotline between July 2014 and May 2015, the majority pertained to children, including reports of begging. A total of 750 calls pertained to children subjected to commercial sexual exploitation, including by gangs.(34)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Algeria took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown (32)	Unknown (6)
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown (32)	Unknown (6)
■ Refresher Courses Provided	Yes (32)	Yes (15)
Number of Investigations	Unknown (32, 35)	0 (15)
Number of Violations Found	Unknown (32)	0 (15)
Number of Prosecutions Initiated	Unknown (32, 35)	0 (15)
Number of Convictions	Unknown (32, 35)	0 (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (31)	Yes (15)

In 2015, the Government reported that instead of criminally prosecuting perpetrators of child labor violations, it often restricted the ability of these individuals or entities to receive government subsidies, or it precluded them from submitting bids for MOLESS contracts for a minimum of 2 years.(10)

During the reporting period, 25 officers from the General Directorate for National Security and National *Gendarmerie* completed training—provided by UNODC, with support from USDOS—on investigating and prosecuting individuals who smuggle migrants, as well as on how to distinguish smuggling from crimes of trafficking in persons.(15) The Government acknowledged the need for additional training to build the capacity of law enforcement personnel to prevent trafficking of persons and identify human trafficking victims.(15) The Government has a practice in place for law enforcement personnel to refer potential victims of human trafficking to the prosecutor, who then notifies social services as needed.(15) Research did not find further information.

Although the Penal Code states that the Government will cover the cost of services for trafficking victims, which include a per diem, phone calls, medical care and HIV testing, and legal and interpretation services, the law does not stipulate which agency within the Government is responsible for providing these services. NGOs, not the Government, finance and provide the aforementioned services to victims, as well as temporary shelter and counseling services.(15) In 2015, the Government began discussions with an international organization, seeking assistance in improving its provision of such services. Research was not able to determine whether child trafficking victims were able to access specific services or shelters during the reporting period.(15)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor	Prevent and eliminate child labor by coordinating between government ministries and all other agencies that oversee labor activities.(2, 32) Led by MOLESS, with members from the National Labor Union and NGOs, as well as the Ministries of Agriculture; Rural Development; Health; Interior; Justice; Youth and Sports; National Solidarity; Communication and Culture; and National Education, Training, and Professional Teaching.(32, 36)
Inter-Ministerial Coordinating Committee on Trafficking	Manage government efforts to address human trafficking. Led by the Ministry of Foreign Affairs Director of Security and Disarmament Affairs.(15) Includes representatives from MOLESS and from the Ministries of Interior; Health, National Solidarity; Communication and Culture; Defense; Justice; and Religious Affairs. Also includes representatives of the Algerian Red Crescent and the Government's National Advisory Commission on the Protection and Promotion of Human Rights.(15) Met six times in 2015, which resulted in a four-page national action plan that identifies next steps for the Government to take to combat human trafficking.(15)

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Entity for the Protection and Promotion of Children*	Protect and prevent children from exploitation and violence, including child labor. Instituted on June 12, 2015, during the Minister of Labor's press conference for World Day Against Child Labor and the publication in the official gazette regarding its establishment; has undertaken no additional public activities since then.(6, 37)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Past reports indicate that the Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor has strengthened the labor inspection service and has organized hundreds of open-door seminars and education programs on child labor; however, research found no evidence that such activities were undertaken during 2015.(6, 38)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Algeria has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons	Drafted in 2015, aims to prevent and reduce human trafficking by raising awareness of the issue, strengthening legislation, prosecuting trafficking crimes, improving the provision of protective services to victims, and increasing collaboration with national and international NGOs.(15)
National Action Plan for Children (2008–2015)	Promoted universal access to education and child protection, including a section on child labor.(1, 27)

The Government did not meet its timetable for reporting on implementing the National Action Plan for Children. Research found that a lack of funding and technical capacity has hindered the policy's implementation.(1, 35) Additionally, research could not determine whether a new National Action Plan for Children was drafted or approved during the reporting period to replace the one that ended in 2015.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Algeria (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits the use of children in all illicit activities, including the use, procurement, and offering of children for the production and trafficking of drugs.	2013 – 2015
	Determine the types of hazardous work prohibited for children under 18, in consultation with employers' and workers' organizations.	2009 – 2015
Enforcement	Make information publicly available regarding the enforcement of child labor laws, including the General Labor Inspectorate's budget, the number of labor inspectors, the number of labor inspections, and whether unannounced inspections are permitted, and the training system for criminal investigators.	2009 – 2015
	Ensure that child labor laws are enforced effectively in all geographic areas.	2009 – 2015
	Initiate criminal prosecutions against employers suspected of criminally violating child labor laws.	2015
	Provide further training to labor inspectors and criminal law enforcement personnel to build enforcement capacity to address child labor violations.	2015
Coordination	Ensure that the Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor remains active to guarantee proper coordination.	2011 – 2015

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Report on the progress that the National Action Plan for Children's progress has made through the end of 2015, when it ended.	2011 – 2015
	Adopt a policy that includes all relevant worst forms of child labor, such as construction, street work, and commercial sexual exploitation.	2015
Social Programs	Conduct comprehensive research on children's activities to determine whether children are engaged, or are at risk of being involved, in child labor; if so, specify which activities these children are performing and how many children are doing so in order to publicly inform policies.	2014 – 2015
	Take measures to ensure children's safety in schools and remove barriers to access to education for children, particularly for girls, children with disabilities, and unregistered children.	2015
	Institute programs that include the goal of eliminating or preventing child labor, including its worst forms, particularly for children who are being subjected to commercial sexual exploitation; or working in construction, street work, and domestic work.	2009 – 2015

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