

In 2016, Algeria made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government established the National Committee for the Prevention of and Fight Against Trafficking in Persons. Furthermore, it established the National Authority of Child Protection and Promotion to advocate, in part, for children in danger of economic exploitation. It also provided advanced training for government personnel on investigating and prosecuting trafficking in persons and protecting victims, in coordination with the United Nations Office on Drugs and Crime. However, children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children in Algeria perform dangerous tasks in street work. The Government has not sufficiently prohibited the use of children in illicit activities or determined by national law or regulation the types of work that are hazardous.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children in Algeria perform dangerous tasks in street work.(1-5) Table 1 provides key indicators on children’s work and education in Algeria.

Table 1. Statistics on Children’s Work and Education

| Children | Age | Percent |
|-------------------------------|---------|---------------|
| Working (% and population) | 5 to 14 | 6.7 (413,729) |
| Attending School (%) | 5 to 14 | 92.3 |
| Combining Work and School (%) | 7 to 14 | 7.2 |
| Primary Completion Rate (%) | | 105.8 |

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2012–2013.(7)

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, 2, 8-12) |
| Industry | Construction, activities unknown (5, 8-10, 12, 13) |
| Services | Street work, including vending, collecting plastics, and begging (1, 3, 5, 8, 9, 14-18) |
| | Domestic work (1, 2, 5, 10, 19) |
| | Working in small workshops and businesses, including mechanics shops (4, 8, 10, 11, 19) |
| Categorical Worst Forms of Child Labor [‡] | Commercial sexual exploitation, sometimes as a result of human trafficking (4, 5, 9, 17, 19, 20) |
| | Use in illicit activities, including drug trafficking (12) |
| | Forced begging, sometimes as a result of human trafficking (14, 15, 17) |
| | Forced domestic work, including drawing water from wells, sometimes as a result of human trafficking (17) |

[‡] 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 and forced domestic work.(5, 20-22) 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.(17, 20) Increased instability in neighboring countries has depressed the tourism sector in the southern region of Algeria, created an influx of migrants, and exacerbated the problem of human trafficking.(23) Some migrants—those from Niger, in particular—keep young children, often not their own, at their side while begging in the street.(12, 20)

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In 2016, the Ministry of Labor, Employment, and Social Security (MTESS) reported that most underage workers are employed part-time in the informal service industry, in small family businesses (including restaurants, cafés, and workshops), or on family farms.(24) The Government reported child labor was most prevalent in the provinces of Algiers, Oran, Batna, and Constantine.(25) Research could not find a current and comprehensive study on the activities and scope of the child labor situation in Algeria.(1, 5, 26)

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, the lack of a transportation system for children with disabilities, and limited accessibility of school buildings.(1, 19) A study by the NGO Doctors of the World determined that a main reason for non-schooling among migrants is the lack of administrative documents.(27) However, NGOs have reported that the number of migrant children enrolled in schools has increased since the Ministry of Education instructed schools to allow migrant and refugee children to enroll.(19, 25) Barriers to education, including those placed on migrant children and children with disabilities, should be eliminated because absence from school increases vulnerability to child labor. Furthermore, because birth certificates are required to attend school, many unregistered children remain out of school and vulnerable to child labor.(25)

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). However, gaps exist in Algeria's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards: Yes/No | Age | Legislation |
|---|---------------------------------------|-----|---|
| Minimum Age for Work | Yes | 16 | Article 15 of the Labor Code; Article 7 of Executive Decree No. 96-98 on the List and Content of Special Books and Registers Mandatory for Employers (28, 29) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 15 of the Labor Code; Article 7 of Executive Decree No. 96-98 on the List and Content of Special Books and Registers Mandatory for Employers (28) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | No | | |
| Prohibition of Forced Labor | Yes | | Article 303 <i>bis</i> 4 of the Penal Code (30) |
| Prohibition of Child Trafficking | Yes | | Articles 303 <i>bis</i> 4 and 319 of the Penal Code (30) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 319, 333 <i>bis</i> 1, 343, and 344 of the Penal Code (30) |
| Prohibition of Using Children in Illicit Activities | No | | Article 195 <i>bis</i> of the Penal Code (30) |
| Minimum Age for Military Recruitment | | | |
| State Compulsory | Yes | 19 | Article 3 of Law No. 14-06 on National Service (31) |

Table 4. Laws and Regulations on Child Labor (cont)

| Standard | Meets International Standards: Yes/No | Age | Legislation |
|--------------------------|---------------------------------------|-----|---|
| State Voluntary | Yes | 17 | Article 14 of Presidential Decree No. 08-134 on the National People's Army (32) |
| Non-state Compulsory | No | | |
| Compulsory Education Age | Yes | 16 | Article 12 of Law No. 08-04 on National Education (33) |
| Free Public Education | Yes | | Article 13 of Law No. 08-04 on National Education (33) |

In 2016, Algeria added a provision to its Constitution, prohibiting the employment of children under the age of 16.(25, 34) Algeria continued to work on a bill to amend the Labor Code; it was noted that further discussions among the Government, trade unions, and businesses were ongoing.(12, 22, 25, 35-37) The Labor Code prohibits anyone under 19 from working at night and anyone under 18 from performing work that is harmful to their health, safety, or morals; however, Algeria has not determined by national law or regulation the types of work that are hazardous.(5, 18, 28, 38) In addition, Algerian law does not provide either increased penalties for or categorize as a separate crime the involvement of children in either the production or trafficking of drugs. Also, the law does not criminally prohibit the recruitment of children under 18 by non-state armed groups.

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). However, gaps in labor law remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|--|
| Ministry of Labor, Employment, and Social Security (MTESS) | Enforce labor laws, including laws related to child labor, through its General Labor Inspectorate, distribute written notices and issue tickets in response to violations, and refer violations to the Ministry of Justice.(8, 19) Supervise the application of laws and regulations related to labor relations, working conditions, and worker safety.(12) Share child labor reports with the Ministry of National Solidarity to ensure follow-up with social services.(12, 14) |
| Ministry of the Interior and Local Assemblies | Enforce criminal laws related to child trafficking through the Directorate General for National Security (DGSN), which comprises eight active brigades of 77 specialized police officers, focused on illegal immigration and human trafficking and 50 brigades of 300 police officers, specialized in the protection of children.(12, 17, 24, 25) |
| Ministry of National Defense | Enforce criminal laws pertaining to the worst forms of child labor, including child trafficking, in rural and border regions through the National Gendarmerie.(17) Work with DGSN and NGO Algerian Network for the Defense of Children's Rights to administer hotlines for the reporting of child abuse.(14, 24, 39, 40) |
| Ministry of Justice | Prosecute child exploitation cases, including those related to non-compliance with labor laws, through its Office of Criminal Affairs and Amnesty Procedures.(39) |
| National Authority of Child Protection and Promotion* | Protect and promote children's rights and provide advocacy for children in danger of economic exploitation. Act as a liaison between the Ministry of Justice and members of the public alleging violations of children's rights.(12, 24) In 2016, led by an appointed national delegate.(12) Announced plans in December to set up a toll-free phone number and a website to report physical or psychological violence against children.(12) |

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2016, labor 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 | 2015 | 2016 |
|---|---------------|-------------------|
| Labor Inspectorate Funding | Unknown (5) | \$21,000,000 (12) |
| Number of Labor Inspectors | Unknown* (11) | 563 (12, 24) |
| Inspectorate Authorized to Assess Penalties | Unknown (5) | No (18) |
| Training for Labor Inspectors | | |
| Initial Training for New Employees | Yes (11) | Yes (25) |

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

| Overview of Labor Law Enforcement | 2015 | 2016 |
|--|-------------|-----------------|
| Training on New Laws Related to Child Labor | Unknown (5) | N/A (12) |
| Refresher Courses Provided | Yes (11) | Yes (12) |
| Number of Labor Inspections | 15,093 (25) | 11,575 (41) |
| Number Conducted at Worksite | Unknown (5) | 11,575 (12, 18) |
| Number Conducted by Desk Reviews | Unknown (5) | N/A (18) |
| Number of Child Labor Violations Found | 97 (11) | 12 (41) |
| Number of Child Labor Violations for Which Penalties Were Imposed | Unknown (5) | Unknown (12) |
| Number of Penalties Imposed That Were Collected | Unknown (5) | Unknown (12) |
| Routine Inspections Conducted | Unknown (5) | Yes (24) |
| Routine Inspections Targeted | Unknown (5) | Yes (24) |
| Unannounced Inspections Permitted | Unknown (5) | Yes (12) |
| Unannounced Inspections Conducted | Unknown (5) | Yes (24) |
| Complaint Mechanism Exists | Yes (14) | Yes (14, 24) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (14) | Yes (24) |

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Algeria's workforce, which includes over 11 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Algeria should employ roughly 785 inspectors, notably in all geographic areas of the country, both urban and rural.(11, 42, 43) In 2016, the Government reported that it set aside 46 days to train 247 inspectors.(12)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Algeria took actions to combat the worst forms of child labor (Table 7).

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

| Overview of Criminal Law Enforcement | 2015 | 2016 |
|---|-------------|--------------|
| Training for Investigators | | |
| Initial Training for New Employees | Unknown (5) | Yes (25) |
| Training on New Laws Related to the Worst Forms of Child Labor | Unknown (5) | N/A (12) |
| Refresher Courses Provided | Yes (17) | Yes (24) |
| Number of Investigations | 0 (17) | Unknown (12) |
| Number of Violations Found | 0 (17) | Unknown (12) |
| Number of Prosecutions Initiated | 0 (17) | 117 (25) |
| Number of Convictions | 0 (17) | 89 (25) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (17) | Yes (12) |

In 2016, the National Gendarmerie arrested six individuals in connection with an alleged human trafficking scheme that included 17 children; prosecutions of the individuals are ongoing.(22) The Ministry of Justice prosecuted 117 cases involving illegal employment of children, human trafficking, economic exploitation of a child, or buying and selling of children under the age of 18, with 76 percent of the cases ending in conviction.(24)

UNODC also provided advanced training on investigating and prosecuting human trafficking, and protecting victims to build on the basic training workshop held in 2015. Participants included 12 representatives from various entities and departments that make up the National Committee for the Prevention of and Fight Against Trafficking in Persons and 23 law enforcement officers of the National Gendarmerie, and the Directorate General of National Security.(22, 44) One hundred police officers from the DGSN's child protection brigades received training on the protection of children who are victims of crime. The Ministry of Justice organized six training sessions for 136 judges on the legal framework for the protection of children, and 60 training sessions on

the mistreatment of minors.(25) The Government acknowledged the need for additional training to build the capacity of law enforcement personnel to prevent trafficking in persons, and identify human trafficking victims.(17) The Government has an informal practice in place for law enforcement personnel to refer potential victims of human trafficking to the prosecutor, who then notifies social services as needed.(12, 17, 24)

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. Key Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|--|--|
| National Commission for 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.(8, 40) Led by MTESS, with members from the National Labor Union and NGOs, as well as nine other governmental agencies.(40, 45) In 2016, the commission met once as part of an annual meeting to review policies.(24) |
| National Committee for the Prevention of and Fight Against Trafficking in Persons* | Monitor implementation of the National Action Plan for the Prevention of and Fight Against Trafficking in Persons, established by Decree 16-249. Comprises representatives from the President's Office; the Prime Minister's Office; 12 ministries, including MTESS; and other government entities.(12, 22, 46) In 2016, the committee was formalized by decree and included a budget; 20 people were named to serve on the committee.(12, 24, 46) |
| National Entity for the Protection and Promotion of Children | Protect children from exploitation and violence, including child labor.(5) |

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

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|---|---|
| National Action Plan for the Prevention of and Fight Against Trafficking in Persons | 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.(12, 17) During the reporting period, the Government did not implement measures of the plan; however, efforts were undertaken to name individuals to the nascent National Committee for the Prevention of and Fight Against Trafficking in Persons.(24) |

Although the Government of Algeria has adopted the National Action Plan for the Prevention of and Fight Against Trafficking in Persons, research found no evidence of a policy regarding other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|---------------------------------|--|
| Child Labor Awareness Raising*† | The National Commission for the Prevention of and Fight Against Child Labor distributed brochures to raise awareness among employers, workers, parents, and children of the negative consequences of child labor on children's health and education and also organized seminars and cultural events and ran an awareness campaign in cooperation with local mosques.(25) |

* Program was launched during the reporting period.

† Program is funded by the Government of Algeria.

Although Algeria has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

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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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework | Ensure that laws prohibit the use of children in all illicit activities, including using, procuring, and offering of children for the production and trafficking of drugs. | 2013 – 2016 |
| | Determine the types of hazardous work prohibited for children under the age of 18, in consultation with employers' and workers' organizations. | 2009 – 2016 |
| | Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups. | 2016 |
| Enforcement | Publish information on the enforcement of child labor laws, including the number of penalties imposed and collected; and the number of criminal investigations, violations, and convictions. | 2009 – 2016 |
| | Increase the number of labor inspectors in accordance with the ILO recommendation and ensure that child labor laws are enforced effectively in all geographic areas. | 2009 – 2016 |
| | Provide additional training to labor inspectors and criminal law enforcement personnel to build enforcement capacity to address child labor violations, prevent trafficking of persons, and identify human trafficking victims. | 2015 – 2016 |
| Government Policies | Ensure implementation of the National Action Plan for the Prevention of and Fight Against Trafficking in Persons. | 2016 |
| | Adopt a policy that includes all relevant worst forms of child labor, such as forced begging and commercial sexual exploitation. | 2015 – 2016 |
| Social Programs | Research and publish information on children involved in child labor, or are at risk of being involved in it; specify these activities and publish information to inform policies. | 2014 – 2016 |
| | Take measures to register children at birth and remove barriers to accessing education, particularly for migrant children and children with disabilities. | 2015 – 2016 |
| | Provide sufficient resources to expand existing programs to address the scope of the child labor problem. | 2016 |

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