

*In 2012, the Government of Algeria made no advancement in efforts to eliminate the worst forms of child labor. While it is unclear to what degree child trafficking is a concern in Algeria, the Government initiated its first prosecutions for human trafficking and expanded legally guaranteed benefits to support victims, which did not include any children. 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 the worst forms of child labor.*

### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		94.4

#### Sources:

**Primary completion rate:** Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis, 2013.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Algeria are reportedly engaged in the worst forms of child labor. UNICEF's Childinfo Web site, most recently updated in January 2013, provides data on child labor in Algeria based on the results of a 2006 Multiple Indicator Cluster Survey (MICS).(3) These data were not analyzed in time for use in this report, so they were not included in the table above. According to UNICEF's data table, 5 percent of children ages 5 to 14 are economically active.(3)

Although recent evidence on the prevalence of child labor in particular sectors is limited, Algerian children reportedly work in the construction sector and in mechanic shops, in which they may face health and safety risks from work with heavy, motorized equipment and harmful materials. (4-10) Algerian children also work in dangerous activities in agriculture.(10, 11) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(4)

Children also work as domestic servants.(10, 12) They may be required to work long hours, performing strenuous tasks, without sufficient food or shelter. These children may be



isolated in private homes and are susceptible to physical and sexual abuse.(5) There have been reports of children being trafficked through or from Algeria to other countries; the extent of this problem is unknown.(13, 14)

There have been reports that children work on the streets, but information on hazards is unknown.(4-10)

### Laws and Regulations on the Worst Forms of Child Labor

Algeria's Labor Code sets the minimum age for employment at age 16, but permits apprenticeships at age 15 under the authorization of a legal guardian.(15, 16) Even without the authorization of a legal guardian, the Ministry of Labor and Social Welfare may also grant permission for children ages 15 to 18 to work in certain fixed-term temporary jobs in the context of an apprenticeship.(17) 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.(16) However, the Labor Code fails to define the terms "minor" or "child," or establish hazardous occupations prohibited to all children. The Labor Code also only covers contract-based employment, and would not apply to informal work arrangements, which are more likely to involve children.(4, 18)

In 2007, the Ministry of Justice announced that it had drafted a child protection law that included strict clauses regarding the employment of children under age 16 and contained a hazardous work list; however, as of this reporting period, the Parliament has not yet adopted the legislation.(7, 18)

The Algerian Constitution implicitly prohibits forced labor through a stipulation that the country's laws are subject to international treaty obligations. Algeria has ratified ILO

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Convention 29 (Abolition of Forced Labor).(19) The Penal Code explicitly forbids forced or bonded child labor. Under the January 2009 amendment to the Penal Code, all forms of trafficking in persons are outlawed and the trafficking of children is considered an aggravated offense.(20) During the reporting period, the Government strengthened victim protections under the law, to provide financial support and access to free telecommunications in addition to the previous guarantee of free legal assistance. Algeria's Penal Code bars the use or recruitment of minors under age 18 for prostitution, and child pornography is prohibited.(12, 20)

## International Conventions and Selected Laws on Child Labor and Education

	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

The minimum age for compulsory military recruitment is 19.(21) The minimum age for voluntary recruitment is 18; however, children age 17 with a *baccalauréat* (high school diploma) may be voluntarily recruited with parental consent.(22)

Education is compulsory to age 16.(12, 15)

## Institutional Mechanisms for Coordination and Enforcement

The Ministry of Labor and Social Welfare's Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor is designated to coordinate the Government's actions to prevent and eliminate child labor.(15, 23) According

to a speech made by the Minister of Labor and Social Security on June 12, 2011, the Commission has been active since 2003. Since then, the Commission has organized hundreds of open-door seminars on child labor and education programs affecting 400,000 children and apprentices, as well as strengthened the labor inspection services.(24)

The Ministry of Labor and Social Welfare leads the Government's efforts to investigate child labor cases and enforce minimum age laws.(25) Labor inspectors are empowered to conduct regular inspections or special visits to investigate general labor conditions or a specific issue.(25) Most inspectors are concentrated in urban areas, although more hazardous child labor is found in rural areas.(20) The Government has not made available the number of inspectors employed to enforce child labor laws. The ILO emphasized that it is difficult to quantify coverage, since the number of enterprises subject to inspection is not known.(4)

The Ministry of Interior's National and Border Police and the Ministry of Defense's *Gendarmerie* police force have law enforcement responsibilities relating to criminal child labor violations, including trafficking.(10) The Ministry of Justice is charged with bringing trafficking cases through the criminal justice system. In November 2012, the Government brought its first prosecutions for trafficking, but no children were among the reported victims.(14)

Previously, the Government has indicated that enforcement statistics on child labor are kept, but has declined to make this information available.(4, 26) No independent information was found to confirm whether such statistics were publicly available during the reporting period.

## Government Policies on the Worst Forms of Child Labor

Algeria's education policy guarantees free schooling through the secondary level and has articulated steps to achieve universal education access through a National Action Plan (2008-2015). This plan, which addresses child development in general, calls for the implementation of specific activities to combat child labor, including some of its worst forms.(10, 27, 28) As of June 2012, the Government had not met its timetable for reporting on the implementation of this plan, and the CRC has raised concerns about insufficient funding and technical capacity to carry it out.(26) The Agency for Family and Women's Affairs had a child protection strategy for 2009-2012. (10) No information was found as to whether a subsequent strategy has been developed or adopted. The question of whether these policies impact child labor does not appear to have been analyzed.

The Government has a national strategy on trafficking for 2011-2013, which is implemented by a National Coordinator working with regional offices; reportedly, this mechanism has not operated effectively.(13) Research found no evidence that the Government of Algeria undertakes systematic data collection and analysis regarding the prevalence and nature of the worst forms of child labor.(7, 10) The Minister of Labor and Social Security has stated that “the Government has collected data showing the incidence of child labor in Algeria is very low.”(24) Although the Government may have a system for collecting and analyzing data on child labor, it has not published its findings or information on how it compiles its data.

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

Research has not identified any social programs supported by the Government to address specific worst forms of child labor or provide services to children engaged in informal work not governed by the Labor Code. Many of Algeria’s previous programmatic efforts were undertaken with the assistance of UNICEF, but available information indicates that these programs ended in 2011.(29) The question of whether these programs had an impact on child labor does not appear to have been explored. In 2012, the Committee on the Rights of the Child called upon the Government to implement programs to assist street children.(7)

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Adopt the child protection law drafted by the Ministry of Justice which would establish a list of hazardous occupations forbidden to all children, and ensure this law has an official definition of the term, “child.”	2009, 2010, 2011, 2012
	Establish the minimum age for hazardous work as 18 in the Labor Code.	2009, 2010, 2011, 2012
Coordination and Enforcement	Evaluate the Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor to ensure proper coordination among relevant ministries.	2011, 2012
	Ensure that child labor laws are effectively enforced in all geographic areas and sectors.	2009, 2010, 2011, 2012
	Make publicly available enforcement statistics regarding the worst forms of child labor, including the number of labor inspectors responsible for investigating child labor violations.	2009, 2010, 2011, 2012
Policies	Systematically collect, analyze, and make available data on the prevalence and nature of the worst forms of child labor.	2009, 2010, 2011, 2012
	Actively monitor the progress of the National Action Plan and provide adequate funding to ensure objectives are being met according to the plan’s timetable for action.	2011, 2012
	Assess the impact of the 2009-2012 child protection strategy on child labor.	2012
	Develop child labor-focused policies that address all relevant worst forms of child labor.	2009, 2010, 2011, 2012
Social Programs	Assess the impact of recently ended programs on child labor and consider reviving those found to be effective.	2010, 2011, 2012
	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.	2009, 2010, 2011, 2012

## REFERENCES

1. UNESCO Institute for Statistics. *Gross Intake Ratio to the Last Grade of Primary Total*; accessed February 4, 2013; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
2. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 5, 2013. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, 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 of this report.
3. UNICEF MICS. *Percentage of children aged 5–14 engaged in child labour*, [online] January 2013 [cited 2013]; [http://www.childinfo.org/labour\\_countrydata.php](http://www.childinfo.org/labour_countrydata.php).
4. ILO Committee of Experts. Direct Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001) Adopted: 2010 March 25, 2013; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2336876](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2336876).
5. International Labour Office. *Children in hazardous work: What we know, what we need to do*. Geneva, International Labour Organization; 2011. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_155428.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_155428.pdf). While country-specific information on the dangers children face in street work is not available, research studies and other reports have documented the dangerous nature of tasks in street work and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
6. Fondation Nationale Pour La Promotion De La Sante Et Le Developpement de La Recherche (FOREM). *Le travail des enfants*, Centre Culturel d’Hussein Dey, [online] [cited March 1, 2013]; <http://forem.dz/images/stories/enfance/travail-enfants.pdf>.
7. UN Committee on the Rights of the Child. *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention Concluding Observations: Algeria*. Geneva; July 18, 2012. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/442/66/PDF/G1244266.pdf?OpenElement>.
8. UN Committee on the Rights of the Child. *Sommaire: Examen des rapports soumis par les Etats parties (suite)*. Geneva; June 18, 2012.
9. Hamatou R. “Exploitation des enfants a Batna.” *Liberte*, El Achour, Dec. 13, 2012 Algérie. <http://www.liberte-algerie.com/algerie-profonde/les-nouveaux-miserables-exploitation-des-enfants-a-batna-190632>.
10. U.S. Embassy- Algiers. *reporting, April 26, 2010*.
11. U.S. Department of State. Algeria. In: *Country Reports on Human Rights Practices-2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dld=204354>.
12. U.S. Department of State. Algeria. In: *Country Reports on Human Rights Practices-2010*. Washington, DC; 2011; <http://www.state.gov/j/drl/rls/hrrpt/2010/nea/154458.htm>.
13. U.S. Department of State. Algeria. In: *Trafficking in Persons Report-2011*. Washington, DC; June 27, 2011; <http://www.state.gov/j/tip/rls/tiprpt/2011/164231.htm>.
14. U.S. Embassy- Algiers. *reporting, March 17, 2013*.
15. Ministry of Education of Algeria. *Rapport national. L’éducation pour l’inclusion: La voie de l’avenir*. Algiers; November 2008. [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/algeria\\_NR08\\_fr.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/algeria_NR08_fr.pdf).
16. ILO NATLEX National Labor Law Database. Loi no 90-11 du 21 avril 1990 Relative aux Relations de Travail, Modifiée et Complétée au 11 janvier 1997; March 1, 2013; <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/9557/64805/F97DZA01.htm>.
17. Government of Algeria. *Loi no. 81-07 du 27 juin 1981 relative a l’apprentissage*, (1981); <http://www.fnac-dz.org/juridique/Document3.pdf>.
18. ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Algeria (ratification: 1984); Adopted: 2011; March 25, 2013; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2699942:NO](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699942:NO).
19. Law Library of Congress. *Algeria- Prohibition of Forced Labor*; April 2011.
20. U.S. Embassy- Algiers. *reporting, December 12, 2007*.
21. U.S. Central Intelligence Agency. The World Factbook: Algeria; February 28, 2013; <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>.
22. UNHCHR. *CRC Protocol Child Soldiers*. [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&lang=en#EndDec](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en#EndDec).
23. Algeria. *Decision no 006 du 16 mars 2003 portant creation, composition et fonctionnement de la commission intersectorielle relative a la prevention et a la lutte contre le travail des enfants*, (March 16, 2003);
24. U.S. Department of State official. E-mail communication to. USDOL official. June 6, 2012.
25. ILO Labor Administration and Inspection Program. *Structure et organisation du système d’inspection du travail* April 4, 2013. [http://www.ilo.org/labadmin/info/WCMS\\_159112/lang-en/index.htm](http://www.ilo.org/labadmin/info/WCMS_159112/lang-en/index.htm).
26. U.S. Embassy- Algiers. *reporting, February 6, 2011*.
27. ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001) Submitted: 2011; February 28, 2013; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2700605](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2700605).
28. U.S. Embassy- Algiers. *reporting, April 8, 2009*.
29. UNICEF. *Algeria*, UNICEF, [online] [cited March 23, 2013]; [http://www.unicef.org/algeria/activites\\_5070.html](http://www.unicef.org/algeria/activites_5070.html).