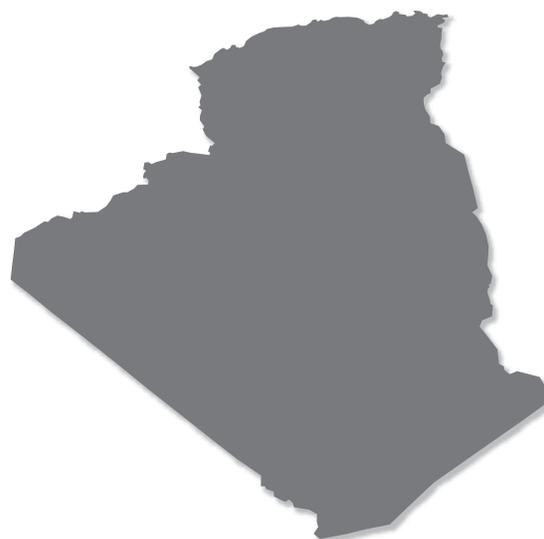


# Algeria

*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 the worst forms of child labor.*



## Statistics on Working Children and School Attendance

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

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

Children in Algeria are reportedly engaged in the worst forms of child labor.<sup>135</sup> Algerian children work in the construction sector and mechanic shops, where they face health and safety risks from work with heavy, motorized equipment and harmful materials.<sup>136</sup> Children work on the streets as vendors and messengers, exposing them to multiple dangers including severe weather, vehicle accidents and criminal elements.<sup>137</sup> Algerian children also work in agriculture where they may perform dangerous tasks such as operating heavy machinery and tools, transporting heavy loads and applying harmful pesticides.<sup>138</sup>

Children also work as domestic servants.<sup>139</sup> Child domestic labor commonly involves long hours and may expose children to physical and sexual exploitation by their employer.<sup>140</sup>

## 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.<sup>141</sup> The Ministry of Labor and Social Welfare may also grant permission for children under age 16 to work in certain fixed-term temporary jobs.<sup>142</sup> 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.<sup>143</sup> However the Code fails to define a minor or to establish hazardous occupations prohibited to minors.<sup>144</sup> The Code also only covers contract-based employment and thus would not apply to informal work arrangements more likely to involve children.<sup>145</sup>

Education is compulsory to age 16.<sup>146</sup>

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, as of this reporting period, the parliament has not yet adopted the legislation.<sup>147</sup>

	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	16

The Algerian Constitution prohibits forced labor, and the Penal Code explicitly forbids forced or bonded child labor.<sup>148</sup> All forms of trafficking in persons are outlawed, and the trafficking of children is an aggravated offense.<sup>149</sup> Algeria’s Penal Code bars the use or recruitment of minors under age 19 for prostitution, and pornography is prohibited.<sup>150</sup>

### Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Algeria has an established coordinating mechanism to combat the worst forms of child labor. The draft child protection law would, if passed, establish a National Delegate for the Protection of Children.<sup>151</sup>

The Ministry of Labor and Social Welfare leads the Government’s efforts to investigate child

labor cases and enforce minimum age laws.<sup>152</sup> The Ministry conducts some surprise inspections of public sector enterprises. Most inspectors are concentrated in urban areas, although more hazardous child labor is found in rural areas.<sup>153</sup>

The Ministry of Interior’s National and Border Police and the Ministry of Defense’s *gendarmerie* police force have law enforcement responsibilities relating to child trafficking violations.<sup>154</sup> 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.<sup>155</sup>

The Ministry of Labor and Social Welfare’s Intersectoral Commission Relative to the Prevention of and Fight Against Child Labor coordinates the Government’s actions to prevent and eliminate child labor.<sup>156</sup> However, research found no information suggesting that this committee was active during the reporting period.

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 on child labor; however, other policies exist that may affect the problem. Algeria guarantees free education 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, recognizes child labor as a potential barrier to education access and enumerates Algeria’s legal protections for young workers.<sup>157</sup> The Agency for Family and Women’s Affairs has a child protection strategy for 2009–2012.<sup>158</sup> Research has not identified this policy’s objectives or possible impact on child labor. The question of whether these policies have an impact on child labor does not appear to have been considered.

Aside from these broad child welfare policies, research has not identified any policies specifically intended to reduce or prevent the worst forms of child labor. There is no policy or action plan on child trafficking.<sup>159</sup> Research found no evidence that the Government of Algeria has systematic data collection and analysis regarding the prevalence and nature of the worst forms of child labor.

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

Many of Algeria's programmatic efforts are undertaken with the assistance of UNICEF,<sup>160</sup> and the sustainability of these programs over the

long term is unknown. The Ministry of Labor and the Ministry of National Education continue to implement awareness-raising campaigns on child labor.<sup>161</sup> The Ministry of National Solidarity provides grants and school supplies to low-income families to encourage school attendance.<sup>162</sup> The question of whether this program has an impact on child labor does not appear to have been explored.

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.

### **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 coordinating body to combat the worst forms of child labor such as the National Delegate for the Protection of Children envisioned by the draft child protection law.
- 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 GOVERNMENT POLICIES ON CHILD LABOR:**

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

#### **IN THE AREA OF SOCIAL PROGRAMS TO COMBAT CHILD LABOR:**

- Integrate more activities that specifically address the worst forms of child labor into the agendas of relevant Ministries, for long-term sustainability of program efforts.
- Assess the impact that existing programs may have on child labor.
- 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.

<sup>135</sup> 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.

<sup>136</sup> Lofti Mérad, “Actualités: Selon une enquête de la FOREM en Algérie, entre 250,000 et 300,000 enfants travaillent”, *Le Soir d’Algérie*, [online], June 13, 2006 [cited February 16, 2011]; available from <http://www.lesoirdalgerie.com/articles/2006/06/13/article.php?sid=39659&cid=2>

<sup>137</sup> *Ibid.* See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001) Submitted: 2008*, February 2011, clause b(1); available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21859&chapter=9&query=%28C182%29+%40ref+%2B+%28Algeria%29+%40ref&highlight=&querytype=bool&context=0>. See also U.S. Department of State, “Algeria,” in *Country Reports on Human Rights Practices - 2010*, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154458.htm>.

<sup>138</sup> Mérad, “Actualités”. See also U.S. Department of State, “Country Reports- 2010: Algeria,” section 7d.

<sup>139</sup> 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; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d2316598f6190c4fc12570200049bd8d/\\$FILE/G0544259.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d2316598f6190c4fc12570200049bd8d/$FILE/G0544259.pdf). See also ILO Committee of Experts, *Individual Direct Request C182: Algeria (2008)*.

<sup>140</sup> ILO Committee of Experts, *Individual Direct Request C182: Algeria (2008)*.

<sup>141</sup> Government of Algeria, “Algerie: Loi no. 90-11 du 21 avril 1990 relative aux relations de Travail,” (January 11, 1997), chapter 2, article 15; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/9557/64805/F97DZA01.htm>. See also Government of Algeria, *Loi no. 81-07 du 27 juin 1981 relative à l’apprentissage*, (1981), articles 10, 12; available from <http://www.fnac-dz.org/juridique/Document3.pdf>.

<sup>142</sup> 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, CRC/C/93/Add.7*, Geneva, March 3, 2005, section 94(e); available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/fef289cbac5d9292c12570180052d60d/\\$FILE/G0540613.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/fef289cbac5d9292c12570180052d60d/$FILE/G0540613.pdf).

<sup>143</sup> Government of Algeria, “Relative aux relations de Travail,” chapter 2, article 15.

<sup>144</sup> Government of Algeria, *Droit du travail*; available from <http://lexalgeria.free.fr/travail.htm>. See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Algeria (ratification: 2001) Submitted: 2009*, February 2011; available from <http://www.ilo.org/ilolex/english/index.htm>.

<sup>145</sup> ILO Committee of Experts, *Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Algeria (ratification: 1984) Published: 2007*, February 2011; 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>.

<sup>146</sup> U.S. Department of State, “Country Reports- 2010: Algeria,” section 6.

<sup>147</sup> U.S. Embassy- Algiers, *reporting, April 26, 2010*. See also U.S. Embassy- Algiers official, E-mail communication to USDOL official, May 17, 2011.

<sup>148</sup> Library of Congress, *Algeria- Prohibition of Forced Labor*, April 2011. See also U.S. Embassy- Algiers, *reporting, April 8, 2009*.

<sup>149</sup> U.S. Embassy- Algiers, *reporting, April 26, 2010*.

<sup>150</sup> U.S. Embassy- Algiers, *reporting, April 8, 2009*. See also U.S. Department of State, “Country Reports- 2010: Algeria,” section 6.

<sup>151</sup> U.S. Embassy- Algiers, *reporting, April 26, 2010*.

<sup>152</sup> U.S. Embassy- Algiers, *reporting, February 6, 2011*.

<sup>153</sup> U.S. Embassy- Algiers, *reporting, April 26, 2010*.

<sup>154</sup> *Ibid.*

<sup>155</sup> U.S. Embassy- Algiers, *reporting, February 17, 2011*.

<sup>156</sup> Government of Algeria, *Décision n° 006 du 16 mars 2003 portant création, composition et fonctionnement de la commission intersectorielle relative à la prévention et à la lutte contre le travail des enfants*, (2003).

<sup>157</sup> ILO Committee of Experts, *Individual Direct Request C182: Algeria (2009)*. See also U.S. Embassy- Algiers, *reporting, April 26, 2010*. See also U.S. Embassy- Algiers, *reporting, April 8, 2009*.

<sup>158</sup> U.S. Embassy- Algiers, *reporting, April 26, 2010*.

<sup>159</sup> U.S. Department of State, “Algeria,” in *Trafficking in Persons Report- 2010* Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142981.pdf>.

<sup>160</sup> U.S. Embassy- Algiers, *reporting, April 26, 2010*.

<sup>161</sup> U.S. Embassy- Algiers official, E-mail communication, May 17, 2011.

<sup>162</sup> ILO Committee of Experts, *Individual Direct Request C182: Algeria (2009)*. See also Ministry of Education of Algeria, *Rapport national. L'éducation pour l'inclusion: La voie de l'avenir*, November 2008; available from [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). See also U.S. Embassy- Algiers, *reporting, April 26, 2010*.