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

<table>
<thead>
<tr>
<th>Children</th>
<th>Age</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working</td>
<td>5-14 yrs.</td>
<td>Unavailable</td>
</tr>
<tr>
<td>Attending School</td>
<td>5-14 yrs.</td>
<td>Unavailable</td>
</tr>
<tr>
<td>Combining Work and School</td>
<td>7-14 yrs.</td>
<td>Unavailable</td>
</tr>
</tbody>
</table>

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Algeria are reportedly engaged in the worst forms of child labor. 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. Children work on the streets as vendors and messengers, exposing them to multiple dangers including severe weather, vehicle accidents and criminal elements. 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.

Children also work as domestic servants. 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. The Ministry of Labor and Social Welfare may also grant permission for children under age 16 to work in certain fixed-term temporary jobs. 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. However the Code fails to define a minor or to establish hazardous occupations prohibited to minors. The Code also only covers contract-based employment and thus would not apply to informal work arrangements more likely to involve children.

Education is compulsory to age 16.

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.147

<table>
<thead>
<tr>
<th>Minimum Age</th>
<th>✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>Worst Forms of Child Labor</td>
<td>✓</td>
</tr>
<tr>
<td>CRC</td>
<td>✓</td>
</tr>
<tr>
<td>CRC Optional Protocol on Armed Conflict</td>
<td>✓</td>
</tr>
<tr>
<td>Palermo Protocol on Trafficking in Persons</td>
<td>✓</td>
</tr>
<tr>
<td>Minimum Age for Work</td>
<td>16</td>
</tr>
<tr>
<td>Minimum Age for Hazardous Work</td>
<td>No</td>
</tr>
<tr>
<td>Compulsory Education Age</td>
<td>16</td>
</tr>
<tr>
<td>Free Public Education</td>
<td>16</td>
</tr>
</tbody>
</table>

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

**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.151

The Ministry of Labor and Social Welfare leads the Government’s efforts to investigate child labor cases and enforce minimum age laws.152 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.153

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.154 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.155

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.156 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.157 The Agency for Family and Women’s Affairs has a child protection strategy for 2009–2012.158 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.\textsuperscript{159} 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,\textsuperscript{160} 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.\textsuperscript{161} The Ministry of National Solidarity provides grants and school supplies to low-income families to encourage school attendance.\textsuperscript{162} 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.

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**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.
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.


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=statu01&textbase=iloeng&document=21859&chapter=9&query=%28C182%29+%40ref+%28Algeria%29+%40ref&highlight=%28C182%29+%40ref+%28Algeria%29+%40ref&highlight-textbase=iloeng&document=21859&chapter=9&query=%28C182%29+%40ref+%28Algeria%29+%40ref&highlight-textbase=iloeng&document=21859&chapter=9&query=


U.S. Embassy- Algiers, reporting, April 26, 2010. See also U.S. Embassy- Algiers official, E-mail communication to USDOL official, May 17, 2011.


U.S. Embassy- Algiers, reporting, February 6, 2011.


UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the

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

U.S. Embassy- Algiers official, E-mail communication, May 17, 2011.