

Algeria



Population: 34, 178, 188 (2010 est.)
Population Growth Rate: 1.196% (2010 est.)
Birth Rate: 16.9 births/1,000 population (2010 est.)
Life Expectancy: total population: 74.02 years
male: 72.35 years
female: 75.77 years (2010 est.)
Literacy Rate: total population: 69.9%
male: 79.6%
female: 60.1% (2002 est.)
Net Migration Rate: -0.29 migrants/1,000 population (2010 est.)
Unemployment Rate: 10.2% (2009 est.)
Gross Domestic Product per Capita: \$7,100 (2009 est.)
Religions: Sunni Muslim (state religion) 99%, Christian and Jewish 1%
Languages: Arabic (official), French, Berber dialects
Ethnic Groups: Arab-Berber 99%, European less than 1%
Capital: Algiers¹

Trafficking Routes

Algeria is a country of origin and transit for trafficking in persons, women men and children, for forced labor, sexual exploitation and organ harvesting.² Victims from Sub-Saharan Africa enter Algeria voluntarily and are trafficked to Europe.³ Men are primarily subjected to forced labor while women become part of the prostitution chain, paying off their smuggling debts.⁴ The transit of victims is facilitated by the Algerian nationals who arrange transportation, forge government documents, and give fraudulent promises of work.⁵ Algerian girls are trafficked to Israel, Italy and other Western countries where they are sometimes forced into prostitution and early marriage.⁶

Factors That Contribute to the Trafficking Infrastructure

Algeria is located on the Mediterranean Sea, serving as a crossroads between Northern Africa and Europe.⁷ Given its geographical location and proximity to

¹ CENTRAL INTELLIGENCE AGENCY, *World Factbook* (2010), available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>.

² AFRICA 24 MEDIA, *Algeria Children*, available at: <http://photography.a24media.com/index.php/photogallery/africaspeople/96-algeria-children>

³ UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, *Trafficking in Persons Report 2009—Algeria* (2009), available at: <http://photography.a24media.com/index.php/photogallery/africaspeople/96-algeria-children>

⁴ *Id.*

⁵ *Id.*

⁶ *Supra* note 2

⁷ *Supra* note 1.

neighboring countries, Algeria has been used as a main trafficking route.⁸ Other common factors contributing to trafficking in persons in Algeria are political and civil unrest,⁹ conditions of poverty, ethnic tensions, armed conflict,¹⁰ urbanization of communities,¹¹ and the disintegration of family structures.¹²

Experts have attributed the roots of the problem of trafficking in persons in Algeria to gender imbalances which trigger human rights abuses.¹³ Algerian women face discrimination at both legal and societal levels, making them especially vulnerable to trafficking.¹⁴ According to the Algerian Family Code, based on Islamic law, women do not enjoy equal rights in marriage and divorce.¹⁵ Women also receive a lower inheritance than men, often placing them at an economic disadvantage.¹⁶

Forms of Trafficking

The majority of women and children trafficked through Algeria are trafficked for the purpose of commercial sex work, and the majority of men are trafficked for the purpose of involuntary servitude.¹⁷ Though it is unknown how many people face conditions of trafficking in Algeria, one nongovernmental organization estimates there are currently 9,000 sub-Saharan African migrants in Algeria who have been victims of trafficking.¹⁸

The Committee on the Rights of the Child expressed its concern in April 2008 about reports of trafficking in Algerian children.¹⁹ The National Office for Algerian Children shares this concern as it has found that sexual violence against children in Algeria is on the rise.²⁰ According to the organization's director, Khayra Masuda, there have been 805 alleged cases of sexual abuse against children since the beginning of 2009.²¹

Women and children are also trafficked and exploited by several armed fundamentalist and terrorist organizations that are active in Algeria.²² The most notable

⁸ *Supra* note 3.

⁹ *Id.*

¹⁰ *Id.*

¹¹ LIBRARY OF CONGRESS, *Federal Research Division Country Profile—Algeria* (2008), available at: <http://lcweb2.loc.gov/frd/cs/profiles/Algeria.pdf>.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ CHILD RIGHTS INFORMATION NETWORK, *Algeria, Trafficking in Persons Report 2008* (2008), available at: <http://www.crin.org/resources/infodetail.asp?id=17752>.

¹⁸ WOMEN, *Algeria* (2010), available at:

http://www.peacewomen.org/assets/file/Resources/NGO/hr_womenrightsalgeria_fh_mar2010.pdf.

¹⁹ CHILD RIGHTS INFORMATION NETWORK, *Algeria: Child Rights Review for the UPR* (2008), available at: <http://www.crin.org/resources/infoDetail.asp?ID=17013&flag=report#di>.

²⁰ ADN KRONOS INTERNATIONAL, *Rise in Child Sex Abuse Causes Alarm* (2010), available at: <http://www.adnkronos.com/AKI/English/Security/?id=3.0.3410744252>.

²¹ ISLAMIZATION WATCH, *Algeria: Rise in Child Sexual Abuse Raises Concerns* (2009), available at: <http://islamizationwatch.blogspot.com/2009/06/algeria-rise-in-child-sex-abuse-causes.html>.

²² COALITION TO STOP THE USE OF CHILD SOLDIERS, *Child Soldiers Global Report 2008: Algeria* (2009), available at: <http://www.childsoldiersglobalreport.org/content/algeria>.

of these is al-Qaida in the Islamic Maghreb (AQIM), a union of al-Qaida and the Salafist Group for Preaching and Combat (GSPC).²³ Reports indicate that these organizations, encouraged by justification from religious leaders, kidnap and abduct young Algerian women, forcing them into temporary marriages or subjecting them to rape and extreme physical violence.²⁴ In many cases, these women are subsequently murdered by their captors.²⁵ The GPSC is involved in the trafficking of children for use as child soldiers and has used children as human shields.²⁶

Organ trafficking is also a problem in Algeria.²⁷ Algerian children are taken to other countries, including Morocco, and their organs are removed and trafficked to Israel and the US.²⁸

Government Responses

In February 2009, the government of Algeria amended the section of its existing Criminal Code on crimes against the person to include increased penalties for the crime of trafficking for the purposes of labor and sexual exploitation.²⁹ The law establishes a sentence of 3 to 10 years imprisonment for all forms of trafficking,³⁰ and a fine of 300,000 DA to 1 million DA.³¹ It also provides for additional punishment under aggravating circumstances when the victim is a member of a protected class based on his or her youth or mental or physical disability, whether apparent or unknown to the trafficker.³² Stricter sanctions for the crime of trafficking in organs and for active or passive participation in criminal activities related to trafficking are also included in the new law.³³

Solicitation for prostitution is illegal under the Criminal Code of Algeria.³⁴ The code also prohibits aiding, assisting, or protecting the prostitution of others; sharing the profits of a person who is regularly engaged in prostitution; living with a person who is regularly engaged in prostitution; and procuring or enticing a person into prostitution.³⁵ These offenses are punishable by a fine and imprisonment for 2 to 5 years.³⁶ Punishment

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ AL-JAZEERAH, *New York Police Arrest Gang Trafficking Organs of Algerian Children* (2009), available at:

<http://www.aljazeera.info/News/2009/September/8%20n/New%20York%20police%20arrest%20gang%20trafficking%20organs%20of%20Algerian%20children.htm>.

²⁸ *Id.*

²⁹ *Supra* note 2.

³⁰ *Id.*

³¹ THE UNITED NATIONS IN THE HEART OF EUROPE, *Committee on Protection of Rights of Migrant Workers Considers Initial Report of Algeria* (2010), available at:

[http://unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/59C3B816124F6243C12577110049D805?OpenDocument](http://unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/59C3B816124F6243C12577110049D805?OpenDocument).

³² *Id.*

³³ *Id.*

³⁴ DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA, MINISTRY OF JUSTICE, *Penal Code, Fourth Edition* (2005), Art. 343, 347.

³⁵ *Id.*

³⁶ *Id.*

may increase to 5 to 10 years when the offense is committed against a minor under the age of 18 or when the offense is accompanied by threats, duress, violence, assault, abuse of authority, or fraud.³⁷ That enhanced penalty is also imposed in cases of international trafficking for the purposes of prostitution when the “victims of the offense are delivered into prostitution outside the Algerian territory”³⁸ or “upon their arrival or shortly after their arrival in the Algerian territory.”³⁹ The code similarly prohibits keeping, managing, causing to operate, financing, or contributing to the financing of an establishment for the purpose of prostitution.⁴⁰ In addition, the criminal code prohibits any indecent acts or attempts at such acts—regardless of whether violence is used—against children of either sex under the age of 16.⁴¹ Such acts are punishable by imprisonment of 10 to 20 years.⁴²

Additionally, the Algerian government has taken steps to improve the overall situation of women in the country.⁴³ Between January and June 2008, judicial police received 4,500 complaints of violence and harassment against women, though the actual number of incidents is believed to be much higher.⁴⁴ A provision of the constitutional changes passed in November 2008 called for the promotion of women’s political rights, signifying an increase in women’s empowerment.⁴⁵

The government also uses laws against illegal immigration to enforce antitrafficking measures.⁴⁶ Travel agencies are prohibited from organizing or advertising sex tours and trips.⁴⁷ In addition, Algerian laws against sex tourism and sexual offenses have extraterritorial reach, meaning that they apply to offenses committed abroad by Algerian nationals.⁴⁸

Trafficking in persons is considered an organized criminal activity under Algerian domestic law, and laundering proceeds of trafficking is criminalized.⁴⁹ Domestic law also has anticorruption provisions that penalize bribe taking and similar practices.⁵⁰

Nongovernmental and International Organization Responses

There are nine NGOs actively dealing with women’s rights in Algeria.⁵¹ Though none of these groups have a direct focus on combating human trafficking, they deal with

³⁷ *Id.*

³⁸ Art. 344, §7.

³⁹ Art. 344, §8.

⁴⁰ Art. 346.

⁴¹ *Supra* note 33.

⁴² *Id.*

⁴³ AMNESTY INTERNATIONAL, *Report 2009: Algeria* (2009), available at: <http://report2009.amnesty.org/en/regions/middle-east-north-africa/algeria>.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ MAGHAREBIA, *New Penal Code Criminalises Illegal Immigration in Algeria* (2008), available at: http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2008/09/04/feature-01.

⁴⁷ DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA, MINISTRY OF JUSTICE, *Penal Code, Fourth Edition* (2005), Act No. 90-05 Article 8 Order of 10.12.1990.

⁴⁸ Law No. 82-04 (13.02. 1982), Article 345.

⁴⁹ FREEDOM HOUSE, *Women’s rights in the Middle East and North Africa* (2005), available at: <http://www.freedomhouse.org/template.cfm?page=170>.

⁵⁰ *Id.*

⁵¹ NON PROFIT EXPERT, *Algeria* (2010), available at: <http://www.nonprofitexpert.com/countries/algeria.htm>.

the problem as a tangential issue.⁵² NGOs in Algeria have not established any centers specifically for victims of human trafficking.⁵³ However, victims of trafficking receive care at centers for abused women or endangered children provided by NGOs.⁵⁴

The United Nations International Children's Fund (UNICEF) is working with the government to develop a National Plan of Action for women and children affected by violence.⁵⁵ This plan, though not specifically targeted toward human trafficking, will make it easier for victims of trafficking to access the services and support they need.⁵⁶

Multilateral Initiatives

The International Organization for Migration (IOM) supports Algeria's regional cooperation concerning issues related to migration and trafficking.⁵⁷ Although its main programs for Algeria concern rural development, IOM has encouraged Algeria's participation in a number of multilateral conferences.⁵⁸

In November 2007, Algeria participated with 34 other countries in the first Euro-Mediterranean Partnership (Euromed) conference on migration.⁵⁹ One of the central issues of the conference was the trafficking of human beings, especially women, across the Mediterranean Sea.⁶⁰ The conference aimed to facilitate the flows of legal immigrants from non-European Union countries and to improve their social and professional integration.⁶¹ Algeria signed the Tunis Declaration, which states the need to prevent "irregular migration," at the Ministerial Conference on Migration in the Western Mediterranean in October 2002.⁶² Trafficking in persons is included under the term "irregular migration" as used in the declaration.⁶³

Algeria is also party to the International Labor Organization's (ILO) Worst Forms of Child Labor Convention.⁶⁴ The convention requires participating countries to address the problems of trafficking, especially pertaining to forced labor of children and child soldiers.⁶⁵

⁵² *Id.*

⁵³ *Supra* note 24.

⁵⁴ *Id.*

⁵⁵ UNITED NATIONS INTERNATIONAL CHILDREN'S FUND, *Algeria* (2010), available at: http://www.unicef.org/infobycountry/algeria_478.html.

⁵⁶ *Id.*

⁵⁷ INTERNATIONAL ORGANIZATION FOR MIGRATION, *Algeria* (2007), available at: <http://iom.int/jahia/Jahia/algeria>.

⁵⁸ *Id.*

⁵⁹ INTER-PRESS SERVICE, *Migration: 35 Countries Agree to Regulate Flows Across Mediterranean* (2007), available at: <http://ipsnews.net/news.asp?idnews=40131>.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² STATEWATCH NEWS, *Technical Mission to Libya on Illegal Immigration—Report* (2005), available at: <http://www.statewatch.org/news/2005/may/eu-report-libya-ill-imm.pdf>.

⁶³ *Id.*

⁶⁴ INTERNATIONAL LABOR ORGANIZATION, *ILOLEX for Algeria* (2006), available at: <http://www.ilo.org/ilolex/cgi-lex/pqconv.pl?host=status01&textbase=iloeng&querytype=bool&hitdirection=1&hitstart=0&hitsrange=2000&sortmacro=sortconv&query=Algeria@ref&chspec=19&>

⁶⁵ *Id.*