

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	362
Land:	Algeriet
Kilde:	US Department of State
Titel:	2024 Trafficking in Persons Report – Algeria
Udgivet:	24. juni 2024
Optaget på baggrundsmaterialet:	4. juli 2024



Document #2111816

USDOS – US Department of State (Author)

2024 Trafficking in Persons Report: Algeria

ALGERIA (Tier 2 Watch List)

The Government of Algeria does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Algeria was upgraded to Tier 2 Watch List. These achievements included enacting a new anti-trafficking law, increasing investigations, tripling prosecutions of alleged traffickers, and identifying significantly more trafficking victims. Despite these achievements, the government did not consistently refer victims to appropriate shelter and services. Due to the government's inconsistent screening measures for victims among vulnerable populations, such as sub-Saharan African migrants, refugees, asylum-seekers, and individuals in commercial sex, authorities likely continued to inappropriately penalize trafficking victims solely for immigration offenses committed as a direct result of being trafficked. The government's ongoing measures to deport and expel undocumented migrants without effective screening for trafficking indicators deterred some victims among this population from reporting trafficking crimes to the police or seeking assistance. Furthermore, victim protection services remained inadequate.

PRIORITIZED RECOMMENDATIONS:

Finalize and implement SOPs for victim identification and screening for use by border, security, and law enforcement officials who encounter vulnerable populations, such as undocumented foreign migrants, asylum-seekers, refugees, and individuals in commercial sex. * Finalize and implement a formal national victim referral mechanism to refer victims to appropriate care. * Significantly increase the availability and quality of specialized protection services – including short-term shelter, long-term housing, counseling, and psycho-social assistance – for all trafficking

victims including by partnering with and allocating sufficient funding and/or in-kind support to civil society service providers. * Continue efforts to increase investigations, prosecutions, and convictions of sex and labor traffickers. * Ensure victims of all forms of trafficking are referred to and receive protection services, including appropriate shelter, adequate medical and psycho-social care, and legal assistance. * Train law enforcement, judiciary, labor inspectorate, health care officials, and social workers on victim identification and referral procedures. * Provide a legal and regulatory environment that allows NGOs and international organizations to provide services to trafficking victims and populations vulnerable to human trafficking. * Ensure the safe, dignified, and voluntary repatriation of foreign victims, including through collaboration with relevant organizations and source country embassies, and provide foreign victims with legal alternatives to their removal to countries where they may face retribution or hardship. * Improve efforts to regulate foreign labor recruitment to Algeria, including by requiring written labor contracts in languages the workers understand and banning all worker-paid recruitment fees. * Continue efforts to raise public awareness on the indicators and risks of trafficking. * Screen for forced labor indicators among Cuban medical professionals and People's Republic of China (PRC) nationals employed at worksites affiliated with the PRC's Belt and Road Initiative (BRI) and refer them to appropriate services. * Screen any North Korean workers for signs of trafficking and refer them to appropriate services in a manner consistent with obligations under UN Security Council resolution 2397.

PROSECUTION

The government increased overall law enforcement efforts. In May 2023, Algeria enacted Law No. 23-04, the 2023 anti-trafficking law, which criminalized sex trafficking and labor trafficking and prescribed penalties of five to 15 years' imprisonment and fines of 500,000 to 1.5 million Algerian dinar (\$3,730-\$11,190) for offenses involving adult victims and 10 to 20 years' imprisonment and fines of 1 million to 2 million Algerian dinar (\$7,460-\$14,920) for offenses involving child victims. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Prior to the enactment of the 2023 anti-trafficking law, most forms of sex trafficking and all forms of labor trafficking were criminalized under Section 5 of the Algerian penal code and prescribed penalties of three to 10 years' imprisonment and fines of 300,000 to 1 million Algerian dinar (\$2,240-\$7,460). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. However, inconsistent with international law, Section 5 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The 2023 law addressed this issue, criminalizing all forms of child sex trafficking. Article 143 of Law 12-15 stated crimes committed against children, including those involving sexual

exploitation, would be vigorously penalized; it generally referenced other penal code provisions that could potentially be applied to child sex trafficking offenses that did not involve force, fraud, or coercion. Article 319 bis of the penal code, which criminalized the buying and selling of children younger than the age of 18, prescribed penalties of five to 15 years' imprisonment and a fine for individuals convicted of committing or attempting to commit this crime; however, this law could be interpreted to include non-trafficking crimes such as migrant smuggling or illegal adoption.

General Directorate of National Security (DGSN) maintained seven police brigades to combat human trafficking and illegal immigration; five additional brigades supported the seven specialized brigades as necessary. DGSN maintained 58 specialized units focused on human trafficking and migrant smuggling to cover each *wilaya* (state) in Algeria. The government reported investigating eight new cases involving 38 suspects (two labor trafficking, five sex trafficking, and one involving an unspecified form of exploitation), an increase compared with two new cases investigated in the previous reporting period. The government initiated 66 new prosecutions under trafficking provisions of the penal code and the 2023 anti-trafficking law, five for sex trafficking crimes, 51 for labor trafficking, and 10 for unspecified forms of trafficking. The government also continued seven prosecutions initiated during previous reporting periods. This was an increase compared with 22 new prosecutions initiated in the previous reporting period. The government convicted one sex trafficker, which is similar to the previous reporting period when the government convicted two traffickers. Courts sentenced the convicted trafficker to 10 years' imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking crimes. The government maintained four courts dedicated to transnational organized crime cases, under which it classified trafficking. Officials acknowledged one of the biggest obstacles to prosecuting cases was identifying trafficking crimes, in part because of a lack of well-trained investigators and judicial officials as well as limited public awareness. The government, at times in coordination with international organizations, conducted multiple anti-trafficking trainings for law enforcement, judicial officials, border security officials, labor inspectors, and other front-line responders on trafficking indicators and distinguishing between migrant smuggling; identifying, assisting, and interviewing victims; financial investigative tools; and other trafficking-related topics.

PROTECTION

The government increased efforts to identify victims but authorities likely continued to inappropriately penalize unidentified victims for offenses committed as a direct result of being trafficked. The government identified 74 trafficking victims, including five sex trafficking victims, 56 labor trafficking victims, and 13 victims of unspecified forms of

exploitation; of the 74 identified victims, 61 were foreign nationals. This is a significant increase compared with 19 trafficking victims identified in the previous reporting period. International organizations reported identifying and assisting at least 61 additional victims among vulnerable migrants. The government distributed standardized victim identification indicators approved in the previous reporting period, but did not report whether the indicators had been promulgated into comprehensive victim identification SOPs by the end of the reporting period. The government reported individual agencies used their own victim identification SOPs and an informal referral system to ensure victims received access to medical and psychological services and shelter. The government did not have a formal referral mechanism but the 2023 anti-trafficking law included provisions to develop an NRM; at the end of the reporting period, the government was coordinating with an international organization to draft the NRM.

Victim protection services remained inadequate. The government did not provide shelter or other protection services specifically tailored to the needs of trafficking victims, nor did it track the resources it allocated to protection services during the reporting period. However, the government continued to report the Ministries of Health and National Solidarity, as well as other ministries, could provide foreign and domestic trafficking victims with free services as needed, to include shelter, food, medical services, interpretation, legal consultations, psychological counseling, and repatriation assistance. An international organization noted frequent cases of discrimination if sub-Saharan African migrants requested assistance and noted most undocumented migrants, including foreign trafficking victims, avoided seeking care at medical centers due to fear of arrest and deportation. The government reported its three women's shelters, 103 children's shelters, and seven general shelters could assist trafficking victims; however, shelter employees did not have specialized training on working with trafficking victims and it was unclear whether these shelters assisted any trafficking victims during the reporting period. The government also could refer trafficking victims to 35 quasi-governmental reception centers throughout the country that could provide food, clothing, medical, and psychological support; the government reportedly provided in-kind support to these centers but did not report if the centers supported any trafficking victims during the reporting period. The government reported referring 15 child labor trafficking victims to a child protection center but did not report whether the remaining 59 identified victims received any shelter or services. The government's restrictive laws and policies toward NGOs and international organizations supporting potential trafficking victims – including restricting foreign funding and movement outside of Algiers – impeded those organizations' efforts to provide specialized shelter and services to victims. Furthermore, restrictions on coordination between international organizations in Algeria stymied partnership and further impeded efforts to identify and provide services to trafficking victims. The government

reported it allowed relief from deportation for identified trafficking victims for an indefinite period of time and allowed all foreign victims to stay in Algeria temporarily; however, it did not grant work permits to foreign trafficking victims while under temporary residency status. The government reported it could provide victims with access to a lawyer, police protection, and video testimony during trial; however, it did not report providing any during the reporting period. Trafficking victims were legally entitled to file civil suits against their offenders, but the government did not report cases in which victims did so during the reporting period. The 2023 anti-trafficking law included provisions to establish a victim compensation fund; the government had not established the fund at the end of the reporting period. Courts could order restitution for victims if the perpetrator was convicted; however, the government did not report awarding restitution during the reporting period.

Due to a lack of formal identification procedures, authorities likely continued to detain, arrest, expel, and deport some unidentified trafficking victims for immigration violations, alleged “prostitution” crimes, and other unlawful acts committed as a direct result of being trafficked. The government did not consistently screen for trafficking among vulnerable migrants, including those it deported and expelled throughout the year, nor among individuals in commercial sex, refugees, or asylum-seekers – all populations highly vulnerable to trafficking. For example, border and other security authorities continued to regularly deport or expel sub-Saharan African migrants – a population highly vulnerable to trafficking – but reported lacking the manpower and capability to systematically screen each migrant for trafficking indicators. As a result, reports indicate authorities sometimes expelled migrants outside of official deportation procedures, at times leaving migrants, some of whom likely were unidentified trafficking victims, in the desert at the Mali and Niger borders. Officials continued to rely on victims to report abuses to authorities, yet civil society groups observed most trafficking victims in Algeria were undocumented migrants who typically did not report trafficking crimes to the police or file lawsuits against their traffickers. During the reporting period, Algerian authorities deported two government-affiliated Cuban healthcare workers. Cuban government-affiliated workers may have been forced to work by the Cuban government, and deportation may have led to arbitrary punishment back in Cuba, including imprisonment. The government did not report whether it screened the individuals for trafficking indicators. Although public services, such as healthcare and education, were available and free for foreign nationals in Algeria, many undocumented migrants avoided seeking public services out of fear of deportation. The government’s deportation operations further discouraged foreign trafficking victims from self-identifying to authorities.

PREVENTION

The government maintained efforts to prevent human trafficking. The inter-ministerial anti-trafficking committee, led by the Ministry of Foreign Affairs, continued to coordinate the government's efforts; the full committee met four times in 2023 and had regular informal meetings. The presidential decree that formally institutionalized the anti-trafficking committee required it to submit a report to the president on the trafficking situation in Algeria; the committee submitted the report in February 2024. The government continued implementing the 2022-2024 anti-trafficking NAP; the anti-trafficking committee used its annual budget of 12 million dinar (\$89,520) to implement the NAP. The government organized multiple public awareness campaigns in Arabic and French, at times in coordination with an international organization, including radio campaigns, public briefings, and other events. The government did not report operating a trafficking-specific hotline. An NGO reported treatment of "illegal exit" as a criminal offense under Algerian law exacerbated the vulnerability of trafficking victims, in particular PRC workers employed in BRI projects. In addition, Algerian law permitted non-written labor contracts, further increasing the vulnerability of foreign and Algerian workers to labor exploitation and trafficking. The government did not report prohibiting worker-paid recruitment fees. The government did not report efforts to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Algeria, and traffickers exploit victims from Algeria abroad. Algerian children were vulnerable to sex and labor trafficking in Algeria. An NGO reported that Algerian women and girls are also vulnerable to sex trafficking rings, often as a result of financial difficulties; these incidents are reportedly clandestine in nature and therefore difficult for authorities and civil society actors to identify.

Undocumented sub-Saharan migrants, primarily from Burkina Faso, Benin, Cameroon, Guinea, Liberia, Mali, Niger, Nigeria, and Sierra Leone are most vulnerable to labor and sex trafficking in Algeria, mainly due to their irregular migration status, poverty, and, in some cases, language barriers. Unaccompanied women and women traveling with children are particularly vulnerable to sex trafficking and forced domestic work. Refugees and asylum-seekers are also vulnerable to trafficking either before or during their migration to Algeria. In some instances, traffickers use false promises of work to recruit migrants to Algeria where they ultimately exploit them in sex or labor trafficking. More often, sub-Saharan African adults enter Algeria voluntarily and irregularly, frequently with the assistance of smugglers or criminal networks. Many migrants remain in Algeria and work in Algeria's informal job market. While facing limited opportunities in Algeria, many migrants illegally work in

construction and some engage in commercial sex acts to earn money to send home, which increases their risk of sex trafficking and debt bondage. Traffickers often use restaurants, private homes, or informal worksites to exploit victims, making it difficult for authorities to locate traffickers and victims. Some migrants become indebted to smugglers, who subsequently exploit them in forced labor and sex trafficking upon arrival in Algeria. For example, some employers reportedly force adult male and child migrants to work in the construction sector to pay for smuggling fees for onward migration, where employers restrict migrants' movement and withhold their salaries and, at times, their travel documents. Many female migrants in the southern city of Tamanrasset – the main transit point into other cities in Algeria for migrants – are exploited in debt bondage through domestic servitude, forced begging, and sex trafficking as they work to repay smuggling debts. Some migrants also fall into debt to fellow nationals who control segregated ethnic neighborhoods in Tamanrasset; these individuals pay migrants' debts to smugglers and then force the migrants into bonded labor or commercial sex. Tuareg and Maure smugglers and traffickers in northern Mali and southern Algeria force or coerce men to work as masons or mechanics; women to wash dishes, clothes, and cars; and children to draw water from wells in southern Algeria. Victims also report experiencing physical and sexual abuse from smugglers and traffickers. During the reporting period, an international organization reported Nigerian trafficking networks had strengthened in Algeria and past smuggling routes from Edo State, Nigeria, through Agadez, Niger to Libya were shifting to Algeria; traffickers allegedly use traditional *juju* rituals to compel Nigerian victims into sex trafficking and other forms of exploitation in Algeria.

Foreign women and girls, primarily sub-Saharan African migrants, are exploited in sex trafficking in bars and informal brothels, typically by members of their own communities, including in cities of Tamanrasset, Oran, and Algiers. Civil society organizations reported anecdotally that criminal networks exploit young adult women from sub-Saharan Africa, ages 18-19, in sex trafficking in Algeria. Many sub-Saharan migrant women in southern Algeria willingly enter into relationships with migrant men to receive basic shelter, food, income, and safety, in return for sex, cooking, and cleaning. While many of these relationships are purportedly consensual, these women are at risk of trafficking.

Criminal begging rings are common in Algeria. Media sources suggest leaders of begging networks coerce or force sub-Saharan African migrant children to beg through the use of punishment. An international organization reported children separated from families during police raids in northern cities and removed to the border with Niger were potentially exploited in forced begging. In 2020, a civil society organization estimated criminal begging networks exploit more than 6,000 unaccompanied migrant children in Algeria. Local leaders suggest migrant children may also be coerced into work by their parents as a result of extreme

economic pressures. Nigerien female migrants begging in Algeria, who often carry children – sometimes rented from their mothers in Niger – may be forced labor victims. Nigerien children, ranging from four to eight years old, are brought to Algeria by trafficking networks with the consent of their parents and forced to beg for several months in Algeria before being returned to their families in Niger. In 2020, media reports alleged traffickers fraudulently recruited 55 Bangladeshi workers for work in Spain and instead exploited them in forced labor in the Algerian construction sector. Cuban medical professionals working in Algeria may have been forced to work by the Cuban government. North Korean nationals working in Algeria may be operating under exploitative working conditions and display multiple indicators of forced labor. PRC nationals employed in Algeria at worksites affiliated with the PRC's BRI are vulnerable to forced labor, including in the construction sector. An NGO reported PRC workers in Algeria experienced conditions of debt bondage, fraudulent recruitment, passport confiscation, unpaid wages, and contract switching. In 2023, media reported Algerian criminal networks coerced Algerian and Moroccan children to commit criminal acts, such as theft, in Europe, at times through the use of drugs to manipulate dependence.

ecoi.net description:

Annual report on trafficking in persons (covering April 2023 to March 2024)

Country:

Algeria

Source:

[USDOS – US Department of State](#) (Author)

Published:

24 June 2024

Original link:

<https://www.state.gov/reports/2024-trafficking-in-persons-report/algeria/>

Document type:

Periodical Report

Language:

English

Available on ecoi.net since:

2 July 2024

Document ID:

2111816

Austrian Red Cross	Wiedner Hauptstraße	Contact
Austrian Centre for	32, 1041 Wien	Imprint & Disclaimer
Country of Origin and	T +43 1 589 00 583	F.A.Q.
Asylum Research and	F +43 1 589 00 589	Data Protection Notice
Documentation	info@ecoi.net	
(ACCORD)		

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

