

CASE STUDY: ALGERIA

Determinants of Anti-Trafficking Efforts



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This report is published as part of the 'Determinants of Anti-Trafficking Efforts' Project. The project assesses the links and sequencing of specific factors that have yielded improved political will and capacity in national governments to address trafficking in persons and which have led to sustained and comprehensive anti-trafficking efforts. Through a multi-pronged approach, this project will conduct a review/meta-analysis of the current research and contribute a new data-set through expert interviews, a first of its kind global survey and a series of 14 case studies.

More information including the project outputs are available at:

<https://www.biicl.org/projects/determinants-of-anti-trafficking-efforts>

Report Authors: Ali Adenwala, Massinissa Benlakehal, and Mina Chiang, National Research Consultants

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Gift of the United States Government



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Abbreviations

Al-Qaeda in the Islamic Maghreb (AQIM)

Algerian League for Human Rights (LADDH)

Algerian Office for Refugees and Stateless Persons (BAPRA)

Algerian National Advisory Committee for Human Rights Protection and Promotion (CNCPPDH)

European Union (EU)

Focus Group Discussion (FGD)

Frontier and Immigration Police (PAF)

General Directorate of National Security (DGSN)

Global Slavery Index (GSI)

International Labour Organisation (ILO)

International Organisation for Migration (IOM)

Ministry of Defence (MoD)

Ministry of Foreign Affairs (MoFA)

Ministry of Finance (MoF)

Ministry of Interior (MOI)

National Committee for the Prevention and Fight Against Trafficking (NCPFAT)

National Liberation Front (FLN)

Organisation of African Unity (OAU)

The General Union of Algerian Workers (UGTA)

Trafficking in Person (TIP)

United Nations High Commissioner for Refugees (UNHCR)

United Nations Office on Drugs and Crime (UNODC)

Executive Summary

This study was carried out to identify and sequence the determinants impacting the Algerian government's anti-trafficking efforts. As the only study so far to explore the issue of determinants in Algeria, we anticipate this report will improve the understanding of factors which hinder and motivate Algeria's anti-trafficking response. We recommend reading 'Part 1: Introduction' before this Executive Summary to understand the limitations and parameters of this discussion.

We learned that **regional instability** has fuelled concerns for Algeria's **economic situation** and national security, while also contributing to the **overlapping of transnational crime networks** in the region. These determinants, together with Algeria's **political system** and the **historical legacy**, has led the country to adopt a 'tough on migration' **securitisation** policy which criminalises and deports irregular migrants. This singular approach is employed against the whole range of transnational crime: terrorism, smuggling, and drugs, arms, and human trafficking. It is arguable that Algeria is primarily focused on combating counterterrorism and crime, whereby it perceives counter-trafficking to be one way to achieve these original objectives. The **securitisation** agenda has also led to state-sponsored **xenophobia**, a determinant which enables the state to justify its deportation campaigns, instead of protecting trafficking victims and regularising migration statuses.

In contrast, **regional and international pressure** and **reputation** have not been particularly strong determinants of anti-trafficking. The Algerian government, with exceptions, has rebuffed requests from its neighbours and the EU to act on migration in general. The government has repeatedly denied or minimised the existence of trafficking in Algeria and has criticised the U.S. TIP reports' assessments of the situation in the country. This refusal to cede to international pressure is a result of **concerns about foreign interference** in its domestic affairs, which is linked to the country's **historical legacy** of anti-colonialism and the 1990s civil war. While Algeria is concerned about its international reputation, this has not been enough to enhance its policies around human trafficking. As Algeria is rich in national resources, it is not dependent on foreign aid, so faces fewer economic consequences should it fall out with the EU and US.

In relation to determinants affecting the profiles of victims, the Algerian government's perception of trafficking is skewed towards migrant children forced to work as beggars. The use of child begging as prime example of human trafficking is firstly the result of Algeria's **domestic legal framework**, where compulsion is a legal requirement to establish trafficking; secondly, it stems from a **lack of expertise** around victim identification – since an unaccompanied child forced to work is easily 'provable' as an instance of forced labour, it is the only form of trafficking recognised in practice. Meanwhile, the application of the

securitisation agenda towards Syrians has left them as vulnerable as Sub-Saharan Africans to trafficking in recent years.

With regards to one of the positive developments identified between 2011-2021, the **international legal framework** triggered Algeria's first interactions with international organisations working on counter-trafficking. These collaborations increased through **international pressure** from the U.S. and were strengthened by the disruption caused by the **COVID-19 pandemic**.

The COVID-19 pandemic had little impact on the government's anti-trafficking policy – while there was a short halt in deportations, these continued as usual soon after, putting trafficking victims and vulnerable migrants at risk. There was a small shift in priority towards the health of deportees, but this was not applied uniformly. However, the pandemic did see the government working more closely with the IOM and UNODC – the IOM established a cash grant for vulnerable migrants at the request of the government, while training sessions for officials were organised in collaboration with these organisations. The government has not taken any measures to protect victims of trafficking specifically.

Introduction

Algeria is severely lacking in an anti-trafficking response, as well as a response towards irregular migration and asylum in general. The government's approach to combatting human trafficking is the same as its approach towards irregular migration, counterterrorism, and the arms and drug trade – criminalising irregular migrants of various nationalities and deporting them, mostly to Niger. As victims of trafficking are not screened or identified by any official mechanism, there are surely scores of trafficking victims who have been deported under the label of 'irregular migrant'; furthermore, deportations render these migrants vulnerable to both trafficking and re-trafficking. There have even been reports of regular migrants being amongst those deported. Therefore, victims of trafficking would not risk reporting to the authorities for fear of deportation. Ultimately, there has not been a substantial improvement in anti-trafficking measures over the last decade.

Timeline of key events (2011-2021)

- **2013:** Algeria enters into an irregular migrant repatriation agreement with Niger
- **2014:** Algeria achieves its first conviction under its anti-trafficking law
- **2016:** Establishment of the National Committee for the Prevention and Fight Against Trafficking (NCPFAT)
- **2017:** Algeria upgraded to the Tier 2 Watchlist on the U.S. TIP Report
- **2018:** Algeria hosts the UNODC's regional anti-trafficking forum
- **2020:** Algeria downgraded back to Tier 3 on the U.S. TIP Report

Positive developments

We identified two key positive developments in Algeria between 2011 and 2021

1. The establishment of the National Committee for the Prevention and Fight Against Trafficking in Persons (NCPFAT) by Presidential Decree in September 2016. The NCPFAT's aim is to develop national policies to combat trafficking, implement and monitor national anti-trafficking action plans, and coordinate counter-trafficking efforts between government, civil society, and the private sector.
2. Increased collaboration between the Algerian government and international organisations. In contrast to Algeria's reluctance to collaborate with the EU and some regional neighbours, the Algerian government has increased its cooperation with the IOM, UNODC, and UNHCR on counter-trafficking issues. Working together, they have held workshops to train officials and launched a fund to assist unemployed migrants during the COVID-19 pandemic.

Methodology

We have followed the methodology as set out by BIICL. We conducted desk-based research using academic articles, NGO reports, media reports, and online sources such as WikiLeaks. We were not able to source travaux préparatoires, case law, or parliamentary debates on counter-trafficking efforts. One reason for this is that such documentation has not been digitalised in the country and also not available to the public; therefore, they cannot be sourced without government cooperation, which has not been forthcoming. We conducted a total of 10 interviews. Nine interviewees were civil society members, and one was a government official. One interviewee preferred to answer our questions in writing, rather than participate in a live interview. Out of 16 unsuccessful interview invitations, we received 6 rejections and 10 instances where we did not receive a response. Therefore, we had a success rate of around 38% when inviting stakeholders for interviews overall. We conducted an initial Focus Group Discussion (FGD) with 4 non-state actors on 8 December 2021. All four FGD participants were also interviewed individually. Prior to the commencement of our research, we agreed with BIICL that we would only be hosting one focus group discussion for Algeria. We selected non-state stakeholders across a range of professions, including media, NGOs, academia, and service provision.

Limitations

A key limitation of our research has been our difficulty securing interviews with government officials.

In Algeria, it is generally accepted that the government is unwilling to participate in research projects, to the extent that foreign researchers and journalists have difficulty securing a visa to enter the country. During the one government interview we secured, the interviewee did not answer our questions directly. Instead, they only gave us background information about trafficking in the country, such as facts and figures available from media sources, rather than their subjective opinions on determinants. Therefore, assessing determinants for certain government decisions has been challenging.

Another limitation is the lack of literature on determinants of anti-trafficking in Algeria. We have not found any literature that examines the question of determinants in Algeria explicitly. Nonetheless, the available literature – from academic sources, media articles, news segments, and NGO reports – does provide information from which we could implicitly deduce determinants. Similarly, quantitative data on human trafficking in Algeria is scarce. Apart from data from successive U.S. TIP Reports, the only other source of qualitative data we found on trafficking in Algeria is the 2020 UNODC Global Report on Trafficking in Persons, which provides a break-down of victims by gender and nationality. This data has been provided to the UNODC by Algeria's Ministry of Justice. Delta 8.7, the United Nation University's platform to measure progress towards SDG target 8.7, states that there is "no nationally representative" data for forced labour and human trafficking in Algeria. Similarly, while the Global Slavery Index 2018 has attempted to estimate the

prevalence of human trafficking in Algeria, it includes a caveat that “substantial gaps in data exist for the Arab States.” Multiple focus group participants corroborated that there is a significant lack of publicly available data on human trafficking in Algeria.

Finally, discussing the particularities of determinants in relation to victim and perpetrator profiles has been challenging. This is because Algeria employs a uniform strategy of deportation towards all irregular migrants – whether women, children, or adults, and regardless of nationality – without screening for victims or perpetrators of trafficking. Due to the lack of victims being formally identified, the majority of our sources refer generally to ‘migrants’, ‘irregular migrants’, or ‘asylum seekers’. Ultimately, due to the lack of sources mentioning ‘victims of trafficking’ directly, we must assume that within these populations there are both unidentified victims and potential victims of trafficking. We have tried our best to keep the discussion as specific to victims of trafficking as possible, but as we will explain further below, it is impossible to discuss trafficking in the Algerian context without discussing policies towards migrants and asylum seekers more generally.

Context

Algeria is a North African nation with a population of around 44 million people.¹ Under French colonial rule for 132 years, Algeria gained independence in 1962 after a war for decolonisation led by the National Liberation Front (FLN), a nationalist political party. The FLN has generally remained in power ever since. Between 1991 and 2002, the country endured a brutal civil war fought between government forces and Islamist rebel groups, which the government and army eventually won.²

In relation to human trafficking, Algeria is a transit and destination country. Sub-Saharan African migrants from Mali, Nigeria, Burkina Faso, Cameroon, Guinea, and the Gambia enter Algeria seeking economic opportunities, asylum, or as a transit country to Europe.³ Those most vulnerable to trafficking in Algeria are irregular migrants and asylum seekers, and especially unaccompanied women and children from these groups.⁴ By mid-2020, migrants constituted 0.6% of Algeria's population, while by October 2020, there were 9,758 refugees and asylum seekers in the country, although the true figure is likely to be much higher.⁵

Illegal migration is criminalised in Algeria, and in recent years, the government has increasingly resorted to the mass deportations of migrants, either to their home countries or to Niger, regardless of their nationality and with no individual assessment of their cases.⁶ This renders them highly vulnerable to trafficking, as many attempt to make the journey to or through Algeria again, but with depleted funds. To fund their trips to Europe, many migrants work in Algeria illegally, often in the construction sector and in commercial sex acts, rendering them at high risk of forced labour and trafficking for the purpose of sexual exploitation respectively.⁷ Forced labour occurs at an "ad-hoc basis" through informal groups and business, rather than as a "systematic form of transnational organised crime."⁸

¹ 'Algeria Population (2021)', Worldometer, <<https://www.worldometers.info/world-population/algeria-population/>> accessed 15 December

² Evans and Phillips, *Algeria: Anger of the Dispossessed* (Yale University Press, 2007), 1-15

³ Migrants and Refugees, 'Country profile: Algeria' (2021), <<https://migrants-refugees.va/country-profile/algeria/>> accessed 3 November 2021

⁴ Ibid

⁵ Ibid

⁶ Global Initiative Against Transnational Organised Crime, 'Algeria's migration dilemma: migration and human smuggling in southern Algeria' (December 2020), <<https://globalinitiative.net/wp-content/uploads/2020/12/Algerias-migration-dilemma-Migration-and-human-smuggling-in-southern-Algeria.pdf>> accessed 12 November 2021, 37

⁷ United States Department of State (2021), <<https://www.state.gov/wp-content/uploads/2021/09/TIPR-GPA-upload-07222021.pdf>> accessed 13 November, 84

⁸ Global Organized Crime Index (OCINDEX), 'Algeria' (2021), <https://ocindex.net/assets/downloads/ocindex_profile_algeria.pdf> accessed 13 November, 3

An estimated 6,000 unaccompanied migrant children are forced to work as beggars.⁹ Meanwhile, sub-Saharan migrant women working as domestic workers, regardless of immigration status, face “physical abuse, confiscation of passports, and withheld pay.”¹⁰ Finally, Algerian women and girls are also vulnerable to internal sex trafficking within Algeria.¹¹

International legal framework

Algeria acceded to the 1926 Slavery Convention in 1963¹², although it is not party to the 1953 Protocol to the Slavery Convention.¹³ It acceded to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1996¹⁴ and the UN Convention against Transnational Organised Crime and the Protocol to Prevent, Punish, and Suppress Trafficking in Persons (Palermo Protocol) in 2004.¹⁵

Algeria has ratified the following ILO instruments, amongst others:¹⁶

- Forced Labour Convention 1930 (No. 209), ratified on 19 October 1962
- Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87), ratified on 19 October 1962
- Right to Organise and Collective Bargaining Convention 1949 (No. 98), ratified on 19 October 1962
- Labour Inspection Convention, 1947 (No. 81), ratified on 19 October 1962
- Equal Remuneration Convention 1951 (No. 100), ratified on 19 October 1962
- Abolition of Forced Convention, 1957 (No. 105), ratified on 12 June 1969
- Discrimination (Employment and Occupation) Convention 1958 (No. 111), ratified on 12 June 1969
- Minimum Age Convention, 1973 (No. 138), ratified on 30 April 1984

⁹ United States Department of State (2021), 84

¹⁰ United States Department of State, *Trafficking in Persons Report 18th Edition* (2018), <<https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>> accessed 13 November 2021, 71

¹¹ United States Department of State (2021), 84

¹² United Nations Archive Geneva (n.d.), <<https://biblio-archiv.unog.ch/detail.aspx?ID=36767>> accessed 30 December 2021

¹³ Antislavery Law, ‘Algeria – Antislavery in domestic legislation’ (2021), <<https://antislaverylaw.ac.uk/country/algeria/>> accessed 13 November 2021

¹⁴ United Nations, ‘CEDAW Country Report – Algeria’, (1 September 1998), <<https://www.un.org/womenwatch/daw/cedaw/cedaw20/algeria.htm>> accessed 16 November 2021

¹⁵ Antislavery Law (2021)

¹⁶ ILO, ‘Ratifications for ILO Conventions: Ratifications for Algeria’, <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102908> accessed 16 November 2021

- Worst Forms of Child Labour Convention 1973 (No. 138), ratified on 9 February 2001

In relation to international refugee law, Algeria ratified the 1951 Geneva Convention in 1963, and is a signatory to the Organisation for 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa and the 1994 Arab Convention on Regulating Status of Refugees in the Arab Countries.¹⁷

Bilateral agreements

In 2013, Algeria entered into an agreement with Niger to repatriate irregular Nigerien nationals who have crossed into Algeria, after 92 migrants died *en route* to Algeria in the Nigerien desert.¹⁸ Nonetheless, there is speculation that the ‘agreement’ is in reality an informal “gentleman’s deal” between the two countries, as no documentation or public declarations have been released to date to explain the details of the arrangements.¹⁹ The agreement is discussed in detail below.

Algeria is not party to any bilateral agreement relating to trafficking or migration with Morocco nor the EU. Algeria has a long-standing rivalry with Morocco and, in August 2021, cut all diplomatic ties with the country;²⁰ meanwhile, Algeria’s “non-cooperative approach” to the EU is based on its concerns relating to foreign interference in its internal affairs.²¹ These issues are explored in detail below.

Domestic legal framework

Legal system

The legal system is a mixture of civil law adapted from French law and Islamic law which governs the personal status of Muslims. The Algerian parliament consists of a lower chamber called the National People’s Assembly and an upper chamber called the National Council, and legislation may be initiated by either chamber.²² The Algerian Constitution respects the separation of powers between the executive and judiciary in theory.²³ However, in practice, the executive has considerable control over the judiciary, as the President is also president

¹⁷ ECDPM, ‘Algeria: Reforming migration and asylum systems in a time of crisis’ (November 2020), <<https://ecdpm.org/publications/algeria-reforming-migration-asylum-systems-time-crisis/>> accessed 14 November 2021, 4-5

¹⁸ GI (December 2020), 37

¹⁹ GI (December 2020), 37

²⁰ Reuters, ‘Algeria cuts diplomatic ties with Morocco’, <<https://www.reuters.com/world/algeria-says-cutting-diplomatic-ties-with-morocco-2021-08-24/>> accessed 14 November 2021

²¹ Zardo and Loschi, ‘EU-Algeria (non) cooperation on migration: A tale of two fortresses’ (2020), *Mediterranean Politics*, 1

²² Boubekeur, ‘Countries at a crossroads 2011 – Algeria’ (2011), *Freedom House*, <<https://www.refworld.org/docid/4ecba654c.html>> accessed 14 November 2021

²³ Articles 138, 147 and 148 of the 1963 Algerian Constitution; Organic Law 99-02 of 8 March 1999

of the High Council of Magistracy while the Minister of Justice is the vice-president.²⁴ Magistrates are susceptible to political pressure,²⁵ where there are high levels of political interference with the judiciary.²⁶ Therefore, the judiciary is “significantly limited” in its ability to prosecute “high-level organised crime figures.”²⁷

Anti-trafficking laws

In 2008, Algeria inserted provisions criminalising trafficking in persons into its Penal Code. Article 303 bis 4 adopts the definition of trafficking in person as defined in the Palermo Protocol, and includes the prohibition of forced labour, including forced begging, and trafficking for the purpose of sexual exploitation.²⁸ The means of trafficking are stated as “recruitment, transportation, transfer, harbouring or reception [...] by the threat of recourse or the use of force or other forms of coercion, by kidnapping, fraud, deception, abuse of authority or position of vulnerability, or by offering or accepting payment or benefits.”²⁹ Article 303 bis 12 states that the consent of the victim is irrelevant, as long as one of the means under Article 303 bis 4 is established.³⁰ If the victim is in a “situation of vulnerability” as a result of age, illness, or physical and mental incapacity, this is an aggravated offence with higher penalties.³¹ Prior to the 2008 anti-trafficking provisions, traffickers could be prosecuted under Articles 291-293 of the Penal Code which prohibits the transportation of others against their will, and Article 432 and 349 of Ordinance 66-156, related to the procurement of prostitution.³²

Crimes against children, including sexual exploitation, are criminalised under Article 143 of Law 12-15,³³ and the “corruption and debauchery” of anyone under the age of 19 is prohibited by Ordinary 75-47 (June 1975) and Law No. 82-04 (February 1982).³⁴ Child sex trafficking is criminalised under Section 5 of the Penal Code (Articles 319, 333 bis I, 343, and 344) – nonetheless, these provisions are inconsistent with international law as a demonstration of “force, fraud, or coercion” is necessary to constitute an offence, and

²⁴ Carnegie Endowment, ‘Arabic Political Systems: Baseline information and reforms’ (2008), <<https://carnegieendowment.org/sada/16918>> accessed 16 November 2021, 4

²⁵ Zoubir, ‘Governance in Algeria: The protracted transition to democratic rule’, in Kahdhim (ed.), *Governance in the Middle East and North Africa* (2013), 458

²⁶ OCINDEX, 5

²⁷ Ibid

²⁸ Article 303 bis 4, Penal Code 1966, <<https://www.joradp.dz/trv/fpenal.pdf>> accessed 13 November 2021

²⁹ Ibid

³⁰ Article 303 bis 12, Penal Code 1966

³¹ Article 303 bis 4, Penal Code 1966

³² Embassy Algiers, ‘Algeria: 2009 Trafficking in Person Report’, Cable No. 01ALGIERS177_a, dated 23 February 2009. <https://wikileaks.org/plusd/cables/04MANAMA1425_a.html> accessed 12 November 2021

³³ United States Department of State (2021), 83

³⁴ Embassy Algiers, ‘Algeria: Worst Forms of Child Labour’, Cable No. 07ALGIERS1784_a, dated 12 December 2009, <https://wikileaks.org/plusd/cables/07ALGIERS1784_a.html> accessed 12 December 2021

therefore Algeria “[does] not criminalise all forms of child sex trafficking”, according to the U.S. TIP report.³⁵

Regarding victim protection, the anti-trafficking law was amended in 2012 to provide financial and medical assistance to victims participating in investigations and prosecutions of trafficking perpetrators.³⁶ In July 2015, the criminal procedural code was amended, providing protection to witnesses and victims, as well as their family members, should they participate in criminal proceedings.³⁷

Since 2017, a draft for comprehensive anti-trafficking legislation has been in development.³⁸ In mid-2021, it was announced that the new legislation would be officially announced before the end of the year, although at the time of writing this is yet to occur. As current anti-trafficking provisions are scattered across a number of statutes, the new law will codify existing laws into a single piece of legislation³⁹ and will detail procedural rules to be followed by the courts.⁴⁰

Asylum, refugee, and migration laws

Decree No. 63-274 (25 July 1963) established the Algerian Office for Refugees and Stateless Persons (*Bureau Algérien pour les Réfugiés et Apatrides*, or BAPRA), which is tasked with the legal and administrative protection of refugees and asylum seekers.⁴¹ There are no laws governing the procedures of refugee status determination for asylum seekers. The government developed a draft law in 2012, but it was not passed due to a lack of momentum, as the government was focused on constitutional reform that year.⁴²

In 2009, Algeria amended its Penal Code to create the crime of illegally exiting the country, as well as smuggling.⁴³ Therefore, illegal entry to, residence in, and exit from Algeria are all criminalised. There is no way for migrants who have entered illegally to regularise their immigration status.⁴⁴

Labour laws

³⁵ United States Department of State (2021), 83

³⁶ United States Department of State, *Trafficking in Persons Report 16th Edition* (2016), <<https://2009-2017.state.gov/documents/organization/258876.pdf>> accessed 13 November 2021, 72

³⁷ Ibid

³⁸ United States Department of State (2018), 69

³⁹ Ennahar TV, ‘The National Committee for the Prevention of Trafficking in Persons announces the presentation of a new draft law’ (31 July 2019), <<https://www.youtube.com/watch?v=Uauu8VzC3x4&t=1s>> accessed 1 December 2021

⁴⁰ Algerian Public Television Corporation, ‘The phenomenon of human trafficking has reached new heights during the pandemic’ (2 August 2021), <<https://www.youtube.com/watch?v=UcZh8OpuLio>> accessed 1 December 2021

⁴¹ Decree No 16-249 of 26 September 2016

⁴² ECDPM (2020), 5

⁴³ Zardo and Loschi (2020), 10

⁴⁴ ECDPM (2020), 5

Article 55 of the Labour Relations Act 1990 establishes the right to safety and security at work, while the Law 90-11 (21 April 1990) makes provisions for the right to regular remuneration, minimum working hours, minimum wage, and other employment rights.⁴⁵

Stakeholders

National Committee for the Prevention and Fight Against Trafficking in Persons (NCPFAT)

The NCPFAT was established by Presidential Decree No 16-249 of 26 September 2016 under the authority of the Prime Minister's office.⁴⁶ The objectives of the Committee are to develop national policies to combat trafficking, ensuring the implementation and monitoring of action plans, proposing legislative reviews, and coordinating efforts between government, civil society and the private sector. The Committee is composed of members from numerous government ministries and representatives from the National Council for Human Rights and the Algerian Red Crescent Society.⁴⁷

The National Council for Human Rights

The National Council for Human Rights monitors human rights issues in Algeria and leads a sub-committee focused on combatting human trafficking.⁴⁸

Algerian Office for Refugees and Stateless Persons (BAPRA)

BAPRA is an Algerian agency tasked with the legal and administrative protection of refugees and asylum seekers. It has been criticised for not releasing any information about its functioning, the lack of transparency of its procedures, and the arbitrariness of its decisions.⁴⁹ The UNHCR states that BAPRA is "not in a position to fully implement [it's] responsibilities" under the decree – for instance, the Appeals Commission stipulated in the 1963 decree has not yet been established.⁵⁰ The decree also enables BAPRA to carry out refugee status determinations under its own mandate, although its rejection rate by 2012 was 100% of all asylum applications.⁵¹

⁴⁵ Bekhouche, 'Corporate social responsibility in Algeria: A discussion of law and regulations' (2018), *International Journal of Advanced Educational Research* Vol. 3(6), 34

⁴⁶ Elhayatarabiya, 'Ambassador Lazhar Soualem: Algeria is a victim human trafficking due to crises in the region' (July 28 2020), <<https://www.elhayatarabiya.net/ar/السفير لظهر سواlem-الجزائر ضحية لتفسيما>> accessed 15 November 2021

⁴⁷ [Comite traite personnes, 'Introduction',](https://comitetraitepersonnes.dz/ar/%d9%85%d9%82%d8%af%d9%85%d8%a9/) accessed 16 November 2021

⁴⁸ United States Department of State (2021), 84

⁴⁹ EuroMed Rights, 'Maghnia: The uncrossable border' (December 2013), <https://euromedrights.org/wp-content/uploads/2013/01/Maghnia_Crossing-the-uncrossable-border_EN.pdf> accessed 21 November 2021, 10

⁵⁰ Sabah, 'The African refugees in Algeria' (Dissertation, University Abdelhamid Ibn Badis, 2019), 35

⁵¹ EuroMed Rights, 'Asylum and Migration in the Maghreb: Algeria' (2012), <https://euromedrights.org/wp-content/uploads/2012/12/EMHRN-Factsheet-Algeria_EN_15JAN203_WEB.pdf> accessed 21 November 2021, 22

United Nations High Commissioner for Refugees (UNHCR)

The UNHCR is able to process asylum applications and make status determination under its own mandate, while BAPRA is able to recognise the UNHCR's determinations.⁵² As mentioned above, asylum seekers crossing into Algeria from bordering countries are at high risk of human trafficking, so the ability to attain refugee status is crucial to avoiding the vulnerabilities of irregular status as well as deportation.

Nonetheless, police are often unaware of the UNHCR's role and therefore ignore UNHCR refugee cards which are shown to them by refugees, who are then arrested or deported.⁵³ Furthermore, access to the UNHCR office in Algiers – the only location in the country where it has a presence – is difficult, as asylum seekers are required to be physically present, despite having crossed the border thousands of kilometres away.⁵⁴ Therefore, the capacity of the UNHCR to protect refugees and asylum seekers – and therefore those vulnerable to human trafficking – is extremely narrow.

National Gendarmerie and the General Directorate of National Security (DGSN)

The National Gendarmerie, a part of the Ministry of National Defence, is the police force responsible for rural areas, towns, and villages; the DGSN, under the Ministry of Interior, is the country's national police force and largely operates in cities and urban areas. Responsibility for law enforcement is shared between them.⁵⁵ Both have referred victims of trafficking to protective services.⁵⁶

Institutions responsible for migration and border control

We note that migration governance in Algeria is spread across a number of institutions and has been described as highly opaque. The Global Initiative Against Transnational Organised Crime states that "[e]ven for experienced observers in Algerian civil society, it is unclear which government actors control migration governance."⁵⁷ In 2015, border management was militarised and the principal responsibilities over Algeria's borders were transferred from the Ministry of Interior (MoI) to the Ministry of Defence (MoD).⁵⁸ Despite this, three interviewees asserted that the Ministry of Interior was the government body

⁵² EuroMed Rights (2012), 17

⁵³ EuroMed Rights (2013), 27

⁵⁴ Ibid

⁵⁵ Strachen, 'The criminal justice system and stability in Algeria' (2018), <https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/13877/Algeria_criminal_justice_system.pdf?sequence=1&isAllowed=y> accessed 14 November 2021, 3

⁵⁶ United States Department of State, *Trafficking in Persons Report 19th Edition* (2019), <<https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>> accessed 13 November 2021, 65

⁵⁷ GI (December 2020), 33

⁵⁸ RAND Europe, 'Against the rising tide: An overview of the growing criminalisation of the Mediterranean region' (2019), <<https://www.rand.org/pubs/perspectives/PE220.html>> accessed 15 November 2021, 33

primarily responsible for combating trafficking in persons.⁵⁹ Another also cited the Ministry of Foreign Affairs (MoFA) and MoD as influential institutions.⁶⁰

Other institutional actors with influence over border control, broadly speaking, include the Ministry of Finance (MoF), the DGSN, and the Frontier and Immigration Police (PAF) which is part of the Mol.⁶¹

Civil society organisations

There is no civil society organisation or NGO dedicated exclusively to combating trafficking. The Algerian Red Crescent is the NGO most involved in anti-trafficking efforts, with a representative as part of the NCPFAT. An interviewee said that the Red Crescent was the “first and [most] direct” point of contact for Algerian officials on the issue of trafficking amongst civil society organisations.⁶² Other relevant NGOs include the Nada Association (focused on child refugees) and the Algerian League for Human Rights (LADDH). According to the 2016 TIP report, “Civil society organizations continued to be the primary providers of protection services, such as temporary shelter and medical, legal, and counselling services.”⁶³ A focus group discussion (FGD) participant said that victims of trafficking “find solutions through civil society networks that are linked to migration issues” more generally, as opposed to trafficking exclusively.⁶⁴

Trade unions, meanwhile, lack independence in Algeria. The General Union of Algerian Workers (UGTA) is perceived to be close to the state, while authorities withhold legal status from unions that attempt to act independently outside of UGTA.⁶⁵

Prosecutions and convictions

Reporting Period	Investigations (Forced Labour)	Investigations (Sex Trafficking)	Prosecutions (Forced Labour)	Prosecutions (Sex Trafficking)	Investigations	Convictions (Sex Trafficking)
2020-21 ⁶⁶	0	0	/	/	4	1

⁵⁹ Interviewee 2011 (Virtual, 20 November 2021); Interviewee 1811 (Virtual, 18 November 2021); Interviewee 2112 (Virtual, 21 December 2021)

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⁶¹ Zardo and Loschi (2020), 5

⁶² Interviewee 2011 (Virtual, 20 November 2021)

⁶³ United States Department of State, *Trafficking in Persons Report 16th Edition* (2016), <<https://2009-2017.state.gov/documents/organization/258876.pdf>> accessed 13 November 2021, 72

⁶⁴ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

⁶⁵ EuroMed Rights, ‘Algeria: Workers’ rights trampled’ (May 27 2014), <<https://euromedrights.org/publication/algeria-workers-rights-trampled/>> accessed 24 November 2021

⁶⁶ United States Department of State (2021), 83

2019-20 ⁶⁷	/	/	0	0	0	0
2018-19 ⁶⁸	0	0	1	2	/	/
2017-18 ⁶⁹	16	0	3	0	0	0
2016-17 ⁷⁰	[16 in total]	[16 in total]	[16 in total]	[16 in total]	/	/
2015-16 ⁷¹	1	0	0	0	0	0
2014-15 ⁷²	/	/	/	/	[1 in total]	[1 in total]
2013-14 ⁷³	/	/	/	/	0	0
2012-13 ⁷⁴	/	/	[7 in total]	[7 in total]	0	0
2011-12 ⁷⁵	[2 in total]	[2 in total]	[1 in total]	[1 in total]	/	/
2010-11 ⁷⁶	0	0	0	0		0

We note that, between 2011 and 2013, it is unclear whether the investigations and prosecutions are related to smuggling or trafficking in persons.⁷⁷ The conflation between smuggling and trafficking is discussed in 4.1.2.

International ranking

U.S. TIP Report

⁶⁷ United States Department of State (2020), 71

⁶⁸ United States Department of State (2019), 65

⁶⁹ United States Department of State (2018), 64-70

⁷⁰ United States Department of State, *Trafficking in Persons Report 17th Edition* (2017), <<https://www.state.gov/wp-content/uploads/2019/02/271339.pdf>> accessed 14 July 2021, 65

⁷¹ United States Department of State, *Trafficking in Persons Report 16th Edition* (2016), <<https://2009-2017.state.gov/documents/organization/258876.pdf>> accessed 13 November 2021, 71

⁷² United States Department of State, *Trafficking in Persons Report 15th Edition* (2015), <<https://2009-2017.state.gov/documents/organization/245365.pdf>> accessed 13 November 2021, 68

⁷³ United States Department of State, *Trafficking in Persons Report 14th Edition* (2014), <<https://2009-2017.state.gov/documents/organization/226845.pdf>> accessed 13 November 2021, 72

⁷⁴ United States Department of State, *Trafficking in Persons Report 13th Edition* (2013), <<https://2009-2017.state.gov/documents/organization/210738.pdf>> accessed 13 November 2021, 70

⁷⁵ United States Department of State, *Trafficking in Persons Report 12th Edition* (2012), <<https://2009-2017.state.gov/documents/organization/192594.pdf>> accessed 13 November 2021, 65

⁷⁶ United States Department of State, *Trafficking in Persons Report 11th Edition* (2011), <<https://2009-2017.state.gov/j/tip/rls/tiprpt/2011/164231.htm>> accessed 13 November

⁷⁷ United States Department of State (2012), 65

Prior to 2017, Algeria was consistently ranked at Tier 3 in successive U.S. TIP reports. Between 2017 and 2019, the country was raised to the Tier 2 Watchlist, as a result of enhanced law enforcement and the institutionalisation of the NCPFAT in 2017. This indicated that Algeria did not meet minimum standards to eliminate trafficking but was “making significant efforts to do so.”⁷⁸ In 2019, Algeria obtained a waiver for a downgrade to Tier 3 under the U.S.’s Trafficking Victims Protection Act 2000 because it published a written plan that would “constitute significant efforts to meet the minimum standards” if implemented, therefore remaining on the watchlist.⁷⁹ However, Algeria was downgraded to Tier 3 in 2020 and 2021, as prosecutions and convictions dropped to zero between 2019 and 2020, while deportations continued without any effort to screen for victims. Therefore, Algeria currently “does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so.”⁸⁰

GSI

In the last Global Slavery Index report published in 2018, Algeria received a score of CCC.⁸¹ This indicates a government action plan or coordination body to combat trafficking, despite a limited government response. Algeria’s latest score is an improvement from its score of CC in 2016, indicating a limited government response with an absence of an action plan or coordination body.⁸² In 2018, the government made particular progress in relation to ‘criminal justice’, which other indicators such as ‘coordination’ did not improve.⁸³

UNODC

Algeria was included in the UNODC’s Global Report on Trafficking in Persons 2020. The report provided a breakdown of victims and convicted perpetrators by sex and nationality, as reported to UNODC by the Ministry of Justice.⁸⁴

⁷⁸ United States Department of State (2017), 65

⁷⁹ United States Department of State (2019), 65

⁸⁰ United States Department of State (2020), 82

⁸¹ Walk Free Foundation (2018), 72

⁸² Walk Free Foundation, *Global Slavery Index 2016* (2016), <<https://www.globalslaveryindex.org/resources/downloads/>> accessed 3 November 2021, 46

⁸³ Walk Free Foundation (2018), 74

⁸⁴ UNODC (2020), 3-5

Determinants of anti-trafficking efforts

Algeria is severely lacking in not only a substantial anti-trafficking response, but also in its responses towards migration governance and asylum more generally. The government's uniform response towards the phenomena of human trafficking, asylum, and irregular migration – as well as terrorism and other forms of transnational crime – has been to criminalise irregular migration and deport migrants without screenings for trafficking victimisation or their protection needs, including asylum. As such, it is impossible to talk about the government's anti-trafficking response without discussing its response to migration and transnational crime as a whole. Due to the lack of a specific anti-trafficking response which is distinct from other responses, the majority of determinants cannot be broken down in terms of prevention, prosecution, prevention, and partnership. An interviewee reiterated this and argued that determinants for different types of responses were essentially “the same.” Of course, there are exceptions to this, as outlined below. Nonetheless, a substantial part of this chapter will focus on determinants which impact all ‘4Ps’, firstly considering positive determinants, before moving to the negative determinants precluding a substantive anti-trafficking response.

Particulars of determinants by type of response

Determinants relevant to all 4Ps

International organisations

Much of Algeria's anti-trafficking efforts have been achieved in coordination with **international organisations**, namely the IOM and UNODC, including the drafting of the upcoming draft anti-trafficking law.⁸⁵ An interviewee cited international organisations as one of the most influential actors impacting the development of Algeria's anti-trafficking efforts.⁸⁶ A detailed discussion of this determinant is discussed below, as a positive improvement, and in relation to the COVID-19 pandemic.

International legal framework

The **international legal framework** is a positive and, to a lesser extent, a negative determinant. As a positive determinant, it shapes the form and content of Algeria's anti-trafficking legislation and training workshops. One of the explicit aims of the NCPFAT is to make Algeria's legislation “compatible with the relevant international conventions ratified

⁸⁵ United States Department of State (2021), 83

⁸⁶ Interviewee 2112 (Virtual, 21 December 2021)

by Algeria.”⁸⁷ Workshops organised by the Committee have trained judges and law enforcement officials and have been carried out “in accordance with [Algeria’s] international obligations” under its ratified conventions, according to the current chairman of the NCPFAT, al-Hajj Lamine.⁸⁸ The Committee concluded that the new anti-trafficking law it drafted was consistent with these conventions,⁸⁹ notably, the law removes the requirement that force, fraud, or coercion is necessary for a child sex trafficking offence, putting it in line with the Palermo Protocol.⁹⁰ Therefore, for both prevention and prosecution, international legal frameworks play a significant role in shaping Algeria’s responses, although the extent to which it generates political will is unclear. Yet, as a negative determinant, Algeria has also used the **international legal framework** to justify its deportation campaigns. In 2017, the Interior Minister at the time, Noureddine Bedoui, justified Algeria’s deportations by arguing that they were in accordance with international law.⁹¹ This is despite the fact that refoulement, which Algeria has been regularly accused of, is prohibited under international human rights law.⁹² Therefore, the weaponization of the **international legal framework** is – to a lesser extent – a negative determinant, as the legitimacy it affords to state actions has been instrumentalised by Algeria to legitimise crackdowns on migrants which increase vulnerabilities to trafficking and robs victims of redress.

International pressure and reputation versus deflection and denial

Regional and international pressure have a limited role to play as positive determinants of Algeria’s anti-trafficking efforts. One example of **regional pressure** as a positive determinant was after the violent protests staged by deported Malians at the Algerian embassy in Mali’s capital, Bamako, in 2017.⁹³ According to Global Initiative, “this event resonated significantly among Algeria’s diplomatic and political elites”, which led to a major wane in deportations to Mali since that year.⁹⁴ Similarly, the 2013 Algeria-Niger repatriation agreement was a product of requests from Niger to protect vulnerable Nigeriens in

⁸⁷ <https://comitetraitepersonnes.dz/ar/%d9%85%d9%82%d8%af%d9%85%d8%a9/> *Comite traite personnes,* accessed 16 November 2021

⁸⁸ El-massa, ‘Highlighting Algeria’s role in combating human trafficking’ (October 25 2021), <https://www.el-massa.com/dz/news/ايراز-حور-الجزائر-في-محاربه-بمالاتجار-بالبشر> accessed 16 November 2021

⁸⁹ Algerian Public Television Corporation (2021)

⁹⁰ United States Department of State (2021), 83

⁹¹ Middle East Monitor, ‘Algeria to take all ‘legal measures’ against illegal migration’ (August 11 2017), <https://www.scribd.com/article/356119453/Algeria-To-Take-All-Legal-Measures-Against-Illegal-Immigration> accessed 16 November 2021

⁹² GI (December 2020), 38

⁹³ Malijet, ‘Attack on Algerian Embassy in Bamako: Mali Ambassador summoned to Algiers’ (16 March 2018) <http://malijet.com/actualite-internationale/206497-attaque-contre-l%E2%80%99ambassade-d%E2%80%99alg%C3%A9rie-%C3%A0-bamako-l%E2%80%99ambassadeur-du-m.html> accessed 18 November 2021

⁹⁴ GI (2020), 39

Algeria.⁹⁵ Nonetheless, when Nigerien officials,⁹⁶ including Nigerien Prime Minister, condemned the deportations of non-Nigeriens into their country⁹⁷ – which was “not part of the deal”, according to a diplomat⁹⁸ – this did not lead to any change and the numbers of non-Nigerians deported to Niger steadily increased.⁹⁹ Similarly, when Algeria’s Sub-Saharan African neighbours, along with European nations, requested that Algeria build migrant and refugee shelters in 2018, Algeria refused on the grounds that its neighbours and the EU did not consider the link between irregular migration and organised crime in the country.¹⁰⁰ These examples illustrate the limits of **regional and international pressure** to lead Algeria to improve its anti-trafficking measures.

Deflection and denial are two common tactics used by the Algerian government to avoid taking responsibility for combating trafficking, especially in the face of **international pressure**. They are both negative determinants of anti-trafficking efforts because they foster the notion that trafficking either does not exist or is not Algeria’s responsibility. In relation to outright **denial**, prior to 2008, the government did not recognise trafficking as a problem faced by Algeria and treated the issue exclusively within the context of irregular migration.¹⁰¹ Even by 2015, the U.S. TIP report said that “some government officials” – including law enforcement officials – “continued to deny human trafficking existed in Algeria, concluding that “this sentiment [...] severely hindered law enforcement efforts to combat trafficking.”¹⁰² In the previous year, this denial was even “in the face of evidence to the contrary” which was presented to them from civil society and other stakeholders.¹⁰³ An interviewee told us that officials responsible for combatting trafficking state that “human trafficking does not exist” on the basis that “hardly any reports are made.”¹⁰⁴ By 2020, the Head of NCPFAT at the time, Mourad Djabi, said that the presence of trafficking was “limited” in Algeria.¹⁰⁵ Therefore, **denial** overpowers **international pressure**, perpetuating

⁹⁵ Ibid

⁹⁶ Emmanuel Atcha, ‘Niger and Algeria strengthen their cooperation’, (13 March 2017), <<https://afrique.latribune.fr/economie/strategies/2017-03-19/le-niger-et-l-algerie-renforcent-leur-cooperation.html>> accessed 18 November 2021

⁹⁷ Jihane Ben Yahia, ‘Algeria’s migration policy conundrum’ (July 4 2018), <https://issafrica.org/iss-today/algerias-migration-policy-conundrum?utm_source=BenchmarkEmail&utm_campaign=ISS_Today&utm_medium=email> accessed 18 November 2021

⁹⁸ GI (2020), 37

⁹⁹ Ibid

¹⁰⁰ GI (November 2020)

¹⁰¹ Embassy Algiers (February 2009)

¹⁰² United States Department of State (2015), 67

¹⁰³ United States Department of State (2014), 72

¹⁰⁴ Interviewee 1811 (Virtual, 18 November 2021)

¹⁰⁵ Youm7, ‘Algeria is preparing a preliminary draft law on combating human trafficking for approval in 2020’ (July 30 2019), <<https://www.youm7.com/story/2019/7/30/-الجزائر-تعد-مشروع-قانون-تمهيدى-حول-مكافحة-الاتجار-بالبشر-لاقراره/4356324>> accessed 12 November 2021

the notion that trafficking is not a serious problem in the country and therefore that little action needs to be taken to combat it.

In relation to **deflection**, an example are comments of Lazhar Soualem, Algerian ambassador to the U.S., in July 2020, describing trafficking as a crime whose source is extraneous to Algeria.¹⁰⁶ Similarly, in October 2021, Head of the National Council for Human Rights Sayed Mohammed Bolaal was asked about what Algeria is doing to protect the rising number of victims. He deflected from the question and said that trafficking in Algeria is linked to regional developments in the Sahel, and that the Algerian government is paying close attention to the situation.¹⁰⁷ Indeed, officials regularly state that Algeria cannot be expected to manage migratory flows across its borders because the international community is responsible for the political insecurity and economic situation across Sahelian countries.¹⁰⁸ There is a perception that Algeria should not be responsible for dealing with Europe's problems, where the government believes Europe wants to "rid its hands" of the migrant crisis by putting greater responsibility on North African states such as Algeria.¹⁰⁹ Former PM Ahmed Ouyahia said that Europe wanted to turn North African states into "camps" to prevent migration into the EU, while former Interior Minister Dahour Ould Kablia rejected what he called Europe's attempt to make Algeria "the role of police in the Mediterranean."¹¹⁰ Again, this pattern of **deflection** shifts the responsibility of migration governance – and therefore anti-trafficking, to Europe – perpetuating the idea that Algeria need not take action itself.

One interviewee shed a different light on what we perceived to be **deflection**. They argued that Algeria recognises the need for "international cooperation" to combat trafficking, since, they said, "no country can tackle this crime of alarming proportions alone."¹¹¹ This suggests that Algeria's criticisms towards the EU's reliance on North African states is in reality a call for greater EU assistance. Lazhar Soualem reiterated this notion, stating that no country "can cope alone" to fight trafficking.¹¹² These are realistic propositions given the increasing **level of immigration into the country**, especially following the conflicts in Libya, Mali, and

¹⁰⁶ Elhayatarabiya, 'Ambassador Lazhar Soualem: Algeria is a victim of the issue of human trafficking due to the crises in the region' (July 28 2020), <<https://www.elhayatarabiya.net/ar/السفير لظهر سوسو المالحجز انتر ضحية لتقضية>> accessed 13 November 2021

¹⁰⁷ Algerian Public Television Corporation (2021)

¹⁰⁸ ECPDM (2020), 5

¹⁰⁹ Sky News, 'Human trafficking: criminal organisations and thousands of victims' (22 November 2018), <<https://www.youtube.com/watch?v=Z-UmOHTIJMI>> accessed 2 December 2021

¹¹⁰ Middle East Monitor, 'Algeria abandons 13,000 migrants in the Sahara desert' (June 27 2018), <<https://www.scribd.com/article/382730728/Algeria-Abandons-13-000-Migrants-In-Sahara-Desert>> accessed 13 November 2021

¹¹¹ Interviewee 2111 (Virtual, 21 November 2021)

¹¹² APS, 'Trafficking in persons: Algeria suffers from this problem' (July 29 2020), <<https://www.aps.dz/algerie/108013-traite-des-personnes-l-algerie-patit-de-ce-probleme-du-fait-des-crisis-recurrentes-dans-la-region>> accessed 11 November 2021

Chad. In 2018, senior officials said that Algeria was facing a “surge of migration” and therefore “need[ed] more help.”¹¹³ In 2016, migration flows to Europe were redirected towards the Central Mediterranean route due to the ‘EU-Turkey statement’, putting additional pressure on Algeria – again, the Ministry of Interior (Mol) at the time said Algeria needed international support to cope with increasing migration.¹¹⁴ Yet, when the EU subsequently offered Algeria assistance in response to the Mol, Algeria rejected the offer on the basis that it would involve strengthened joint information sharing across its borders. Algeria’s non-cooperative approach towards the EU on anti-trafficking is discussed below. Nonetheless, this example makes clear that while Algeria has legitimate concerns about the **level of immigration into the country** and its lack of support from the international community – leading to **deflection** of the issue of trafficking – these concerns do not translate into actual international cooperation.

American pressure, the U.S. Trafficking in Persons Report, and international reputation

Equally telling are the government’s responses to Algeria’s consistently low positions on the U.S. TIP reports. In 2008, a Wikileaks document from the U.S. embassy states that the “Algerian government has decided that it has made great strides [in combating trafficking] but has not been rewarded for them.”¹¹⁵ In 2013, the government called the U.S. TIP report’s Tier 3 ranking “baseless.”¹¹⁶ In 2016, the Ministry of Justice said that the report was “built on false data.”¹¹⁷ Indeed, even when Algeria was first placed on the Tier 2 watchlist in 2017 – its highest ever ranking – the government was still dissatisfied with the ranking, where the Head of the National Council for Human Rights said that Algeria should have been placed in Tier 1.¹¹⁸ As recently as October 2021, the current Director of the National Council for Human Rights, Sayed Mohammed Bolaal said that the U.S. TIP report “does not have objective criteria” by which to measure Algeria’s anti-trafficking progress. In his televised interview, he spoke in detail about the positive progress of Algeria’s efforts highlighted by the U.S., ignoring all the shortcomings of Algeria’s response, which in reality made up the majority of Algeria’s section in the report.¹¹⁹ Indeed, an Algerian lawyer and human rights activist speaking on the news about trafficking said that the government’s

¹¹³ Thomas Reuters, ‘African migrants report torture, slavery in Algeria’ (30 May 2018), <<https://news.trust.org/item/20180530133616-77920/>> accessed 13 November 2021

¹¹⁴ Zardo and Loschi (2020), 12

¹¹⁵ Embassy Algiers, ‘Algeria reaction to 2008 TIP Report’, Cable No. 08ALGIERS683_a, dated 11 June 2008, <https://wikileaks.org/plusd/cables/08ALGIERS683_a.html> accessed 12 November 2021

¹¹⁶ Embassy Algiers, ‘Algeria says U.S. accusation of human trafficking ‘baseless’’, dated 6 July 2008, <https://wikileaks.org/gifiles/docs/20/2072455_-os-algeria-us-algeria-says-u-s-accusation-of-human.html> accessed 12 November 2021

¹¹⁷ EchorouknewsTV, ‘Human trafficking in Algeria: America implicates Algeria’ (18 July 2016), <<https://www.youtube.com/watch?v=7kT3oJOCCEM>> accessed 1 December 2021

¹¹⁸ EnnaharTV, ‘Algeria is in the 2nd category in terms of human trafficking’ (25 December 2017), <<https://www.youtube.com/watch?v=XynSpiWQMLs>> accessed 1 December 2021

¹¹⁹ Algerian Public Television Corporation (2021)

response to the TIP reports has “not been rational” – rather, the government pretends that Algeria is a “heaven on earth”, preventing effective combative measures.¹²⁰ These comments suggest that the **international pressure** that the U.S. Department of States aims to impose through its TIP report has little impact in Algeria, because the basis of the report’s construction can be criticised and its findings easily glossed over by politicians, who refuse to acknowledge the seriousness of the accusations.

Tempering this argument, we note that despite these outward dismissals of **international pressure**, external influence – particularly from the United States – has led to Algeria’s increasing cooperation with international organisations, as argued by a FGD participant.¹²¹ This discussion can be found below. Furthermore, there are indications that **international pressure** has led to serious concerns about Algeria’s **international reputation**, a potential positive determinant. Algerian officials asked U.S. officials in 2008 why the report had to be made public, while one official expressed concern that “once it is made public [...] countries are free to react and respond.”¹²² This makes clear that Algeria is concerned with the reputational impact of the reports. However, such concern has also been combined with denial and conspiratorial thinking. In 2011, the Head of the Algerian National Advisory Committee for Human Rights Protection and Promotion (CNCPPDH), Farouk Ksentini, said that the U.S. TIP report’s Tier 3 ranking of Algeria that year was not only a “hassle” to the country’s reputation,¹²³ but an active “attempt to harm the reputation of Algeria in recovering its role in the international scene’.¹²⁴ Ksentini continued by saying that the report served the U.S.’s “political agenda.”¹²⁵ Similarly, in 2017, the then PM Abdelmadjid Tebboune said that Algeria’s reputation was being “tarnish[ed]” and “darken[ed]” by accusations that Algeria “oppresses Africans.”¹²⁶ Again, this suggests the government cares about the country’s **international reputation** and how its actions are perceived by the international community. Yet, he accused “hands” – a metaphor for mysterious external forces – of wanting to “show Algeria as racist”, again insinuating a plot against the country and deflecting from its own shortcomings.¹²⁷ These conspiracies are a result of Algeria’s **concerns about foreign interference**, a determinant which is explained in detail below. These two examples, nonetheless, reveal that concern for reputation and denial can co-exist, nullifying the need for a response to actively improve reputation. Instead, denial is a way

¹²⁰ EchorouknewsTV (2016)

¹²¹ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹²² Embassy Algiers (June 2008)

¹²³ Embassy Algiers (July 2008)

¹²⁴ Embassy Algiers, ‘Algerian official slams U.S. report ranking Algeria as human trafficking violator’ dated 3 November 2011, <https://wikileaks.org/gifiles/docs/25/2508550_algeria-us-algerian-official-slams-u-s-report-ranking.html> accessed 12 November 2021

¹²⁵ Ibid

¹²⁶ Algeria Watch, ‘Tebboune: The presence of sub-Saharan migrants in Algeria will be regulated’ (June 27 2017), <<https://algeria-watch.org/?p=38561>> accessed 23 November 2021

¹²⁷ Ibid

to preserve reputation in the short-term. In the long-term, denial only leads to more inaction, which further harms reputation. As one activist expressed in a report by Global Initiative, the government “doesn't know how to deal with the fact that they are under the international spotlight. What they know best is fear, division, and security language.”¹²⁸

The Algerian state's sensitivity to criticism, and the consequential determinants of **deflection** and **denial**, is rooted in its **political situation** and **concerns about foreign interference**. These determinants are expanded upon and sequenced below in relation to Algeria's relationship with its international partners, and we encourage the reader to review these sections in conjunction for a full understanding of how these determinants interlink.

Regional instability, overlapping transnational crime networks, and securitisation

To summarise the determinants explored in this section, **regional instability** in the Sahel and Maghreb region – and its actual and potential consequences on the domestic **economic situation** – has led to the Algerian state adopting **securitisation** as its dominant policy lens. In turn, the government's conceptualisation of and approach to counterterrorism and counter-trafficking have become increasingly conflated. This conflation has led to the prioritisation of technology-based and security-based approaches over a victim-centred response and has also led to state-fuelled **xenophobia** which has been instrumentalised to justify its securitisation policies and distract from the state's failures.

The turning points which triggered **regional instability** were the collapse of Gaddafi's Libya in 2011 and the destabilisation of Mali in 2012, as Algeria feared that transnational organised crime routes – from cross-border terrorism to human trafficking and smuggling – would expand into their territory.¹²⁹ In addition to these foreign threats, Algeria faced an unpredictable political situation domestically – the health of President Bouteflika continued to decline, particularly after his stroke in 2013, with constitutional amendments introduced a year later allowing him to sit a fourth presidential term.¹³⁰ All this left the political structures and **national security** in Algeria much more vulnerable to collapse on the scale of Libya and Mali. The country's vulnerability to external threats was confirmed by the In Amenas terrorist attack in January 2013 committed by terrorists linked to Al-Qaeda, most of whom were citizens of neighbouring countries and who had crossed into the country from Libya.¹³¹ Most importantly, the attack targeted the Tigentourine gas plant, which made up 10% of Algeria's national gas production.¹³² Algeria's economy is highly dependent on the hydrocarbon

¹²⁸ GI (2020), 27

¹²⁹ Carnegie Endowment (2019)

¹³⁰ Participant 4, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹³¹ Carnegie Endowment (2019)

¹³² Armstrong, 'The In Amenas attack in the context of Southern Algeria's growing social unrest', <<https://ctc.usma.edu/the-in-amenas-attack-in-the-context-of-southern-algerias-growing-social-unrest/>> accessed 11 December 2021

industry,¹³³ and therefore the **regional instability** of the time directly threatened Algeria's economic stability. As a result, Algeria scaled up its border management through surveillance and border posts, while heavily militarising its frontiers with troops and weaponry.¹³⁴ Prior to this point, Algeria took a more laissez-faire approach to its borders.¹³⁵ Within this new regional context, Algeria's "policy responses to smuggling and trafficking were conflated with [policies combatting] at the transnational terrorist threat."¹³⁶ Commentators widely agree that the conception of these varying threats overlap in the perspective of the authorities¹³⁷ and as well as the responses to them.¹³⁸ For instance, mass deportations of migrants have been justified by the government as being "necessary to ensure the safety of [Algerian] citizens."¹³⁹ An interviewee confirmed that to the authorities, the fight against human trafficking, drugs, terrorism, and irregular migration are "all [...] mixed up."¹⁴⁰

Algeria's perception of these issues as overlapping and interlinked is not entirely unfounded. According to some analysts, a substantial portion of Al-Qaeda in the Islamic Maghreb's (AQIM) funding comes from transnational crime, including trafficking of persons,¹⁴¹ although we note that the proportions of human trafficking amongst these groups is contested.¹⁴² Nonetheless, it can be argued that **overlapping transnational crime networks** in the region is a negative determinant, complicating Algeria's anti-trafficking response as it is required to respond to a range of diverse phenomena without institutional capacity or expertise. What is erroneous and damaging, however, is the government's belief that it can combat these numerous phenomena, including human trafficking, through a single uniform strategy of border security, criminalisation of irregular migration, and deportation. A quote from the Interior Minister in 2008 reveals this logic of battling these phenomena through a single strategy, where he defended the criminalisation of illegal migration on the basis that it is the "gateway" to "all possible plagues, including terrorism, drug trafficking, and transnational organized crime."¹⁴³ Sequencing these determinants, **regional instability** has contributed to the **overlapping [of] transnational crime networks**, subsequently putting

¹³³ ECDPM, 6

¹³⁴ Zardo and Loschi (2020), 11

¹³⁵ Ibid

¹³⁶ ECDPM, 6

¹³⁷ Zardo and Loschi (2020), 11

¹³⁸ Strachen, 'Conflict analysis of Algeria' (2014), <<https://gsdrc.org/publications/conflict-analysis-of-algeria/>> accessed 13 November 2021, 5

¹³⁹ Thomas Reuters (May 2018)

¹⁴⁰ Interviewee 1811 (Virtual, 18 November 2021)

¹⁴¹ Strachen (2014), 9

¹⁴² GI (2020), 27

¹⁴³ Zardo and Loschi (2020), 10

national security and the **economic situation** at risk, and ultimately leading to the “growing **securitisation** of the migration question.”¹⁴⁴

The securitisation lens explains the overemphasis on “technology-based solutions”, such as border management and crackdowns on irregular migrants, as the state has eschewed “the devising of long-term holistic programmes” to combat trafficking and protect victims.¹⁴⁵ A FGD participant told us that the government’s main response to trafficking has been through arrests and deportations, arguing that this approach remains the same,¹⁴⁶ where this was corroborated by another participant.¹⁴⁷ In fact, a third FGD participant questioned whether the Algerian authorities truly aimed to dismantle trafficking networks in order to protect victims. Rather, they believe that Algeria’s efforts to crack down on trafficking are in reality linked to drugs trafficking, arms trafficking, and the production of counterfeit currency, which are close to the “same networks [...] circuits [and] perpetrators.”¹⁴⁸ Again, this reinforces how Algeria employs a universal approach to all transnational crime, including trafficking, as well as the **securitisation** lens which dominates this approach. Another FGD participant argues that Algeria’s 2014 repatriation agreement with Niger was driven by security concerns, especially considering the escalation of conflicts in Libya, Mali, and Chad that year.¹⁴⁹ They argue that one of the aims of the Algerian authorities when entering into the agreement was to halt trafficking of persons, as the Algeria government believes it is closely connected to terrorist financing in the region.¹⁵⁰ Another FGD participant corroborated this argument. Algeria’s official justification for the 2014-2015 deportations to Niger, the FGD participant told us, was that those migrants were involved in child begging networks, which themselves “were used to fuel criminal groups, drugs, weapons, and terrorism.”¹⁵¹ The same FGD participant also argued that Algerian political will to combat trafficking began in 2014, around the time of the escalating regional conflicts and increased security threats.¹⁵² Ultimately, examples suggest that trafficking is a secondary concern to authorities amongst these various phenomena, where an attempt is made to combat trafficking only because of the perception that it is linked to national security threats and other forms of transnational crime.

This dominant security lens is very rarely replaced by a victim-centred view. The Head of the National Council for Human Rights, Sayed Mohammed Bolaal, spoke passionately on national television about irregular migrants’ vulnerabilities to trafficking. He used a human

¹⁴⁴ ECDPM, 3

¹⁴⁵ Thomas Reuters (May 2018)

¹⁴⁶ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁴⁷ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁴⁸ Participant 2, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁴⁹ Participant 4, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁵⁰ Ibid

¹⁵¹ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁵² Ibid

rights lens, saying that if victims of trafficking lose power over their bodies, all other rights cease to exist. Similarly, Head of the NCPFAT Lamine al-Hajj said that workshops to train magistrates on anti-trafficking were rooted in a “victim-centred approach” that ensures the “restitution of [their] rights.”¹⁵³ Commentator Raouf Farrah has written that the security approach is, at times, “temporarily put aside”, giving way to a “contradictory logic of ‘humanitarian treatment’.”¹⁵⁴ Algerian sociologist Nacer Djabi expressed that “[t]here is no vision. It is day-to-day management [...] Sometimes the government launches campaigns to help them. Other times, [it] expels them to the South.”¹⁵⁵ Ultimately, this momentary rhetoric is always superseded by the dominant security lens. In 2017, then PM Tebboune said that the issue of displaced Sub-Saharan Africans “should not be subject to emotion at the expense of security.”¹⁵⁶ Therefore, the victim-centred lens does not translate into policy, as the securitisation agenda takes priority in practice.

Xenophobia

Another consequence of **securitisation** is the stigmatisation of migrants as security threats through government-sponsored **xenophobia**, a determinant which has been instrumentalised to justify the securitisation agenda and thus further put migrants at risk of trafficking. Indeed, the government has fanned the flames of anti-migrant prejudice by portraying migrants as bringers of crime and disorder, while simultaneously exaggerating the scale of irregular migration to Algeria. As stated above, PM Ahmed Ouyahia linked irregular migrants directly to crime. Director of Migration at the Mol, Hacene Kacimi, reiterated these threats, while declaring that up to 500 migrants arrive each day at Algeria’s Sahelian borders.¹⁵⁷ Yet, the civil society groups argue that the government has exaggerated these numbers, where between 100 and 200 arrive each day in reality.¹⁵⁸ Meanwhile, in 2017, an anonymous anti-migrant campaign on Twitter, using the hashtag #NoToAfricansinAlgeria, spread on Algerian social media – again, civil society believes that the regime was responsible for the campaign.¹⁵⁹ Exaggerating the number of migrants and a threat posed by them, according to commentators, is used to distract Algerians from the state’s political

¹⁵³ UNODC, ‘Algeria; Facing challenges and exchanging best experiences to end human trafficking’ (August 17 2021), < <https://www.unodc.org/romena/en/Stories/2021/August/algeria-facing-challenges-and-exchanging-best-experiences-to-end-human-trafficking.html>> accessed 10 November 2021

¹⁵⁴ ElWatan, ‘Algeria needs a clear vision and a coherent strategy on the migration issue’ (13 August 2018), <<https://www.elwatan.com/edition/contributions/lalgerie-a-besoin-dune-vision-claire-et-dune-strategie-coherente-sur-le-dossier-migratoire-13-08-2018>> accessed 18 December 2021

¹⁵⁵ Djabi, ‘In Algeria, migrant workers are in hiding to survive’ (November 7 2017), <<https://www.jeunefrique.com/490400/politique/en-algerie-les-travailleurs-migrants-se-cachent-pour-survivre/>> accessed 12 December 2021

¹⁵⁶ Algeria Watch (2017)

¹⁵⁷ L’Expression, ‘500 migrants arrive per day’ (25 November 2019), <<https://www.lexpressiondz.com/nationale/500-migrants-par-jour-324030>> accessed 18 November 2021

¹⁵⁸ GI (Dec 2020), 35

¹⁵⁹ Ibid

and economic failures.¹⁶⁰ In fact, Global Initiative warns against the view that Algerian policy is motivated exclusively by xenophobia; instead, their research emphasizes this is “partially wrong”, where the *instrumentalization* of xenophobia is used to distract the populace and to justify the government’s inflated military spending and continuing crackdowns.¹⁶¹ Sequencing these determinants, *both the securitisation agenda (itself a result of regional instability) and the failings of Algeria’s political system and economic situation* has the government to fuel **xenophobia**. This has stigmatised irregular migrants and has enabled the state to avoid regularisation, trafficking prevention, and victim protection in favour of stronger securitisation, while distracting from its political and economic failings.

The role of the media

According to a FGD participant, the Algerian media – both public and private – perpetuates the securitisation agenda when covering both migration and trafficking issues.¹⁶² This was corroborated by another participant.¹⁶³ The first of these two participants told us that the media report the “official press releases from the security services announcing arrests and [the] dismantling of [trafficking] networks”, where the media have little choice but to echo the official line.¹⁶⁴ Indeed, an interviewee said that the rare times the words “human trafficking” have been featured in the press is because the words were used by officials. The interviewee said that many journalists writing about trafficking are in fact “security journalists”, therefore perpetuating the **securitisation** agenda and its conflation of trafficking with numerous other phenomena. The reason for this, a FGD participant said, was that it is difficult for independent media professionals of all kinds to investigate trafficking and make contact with victims, as a result of a lack of knowledge about trafficking as well as a lack of data. One interviewee said that there is widespread “ignorance” amongst journalists on matters of international law relating to trafficking.¹⁶⁵ Therefore, media which goes beyond the official narrative is “limited.”¹⁶⁶

Algeria’s laws around freedom of press also limit the role the media can play to combat trafficking. The 2001 amendments to Algeria’s Penal Code provide that the press must respect “the imperatives of foreign policy and national defence.”¹⁶⁷ Especially following the 2019 anti-government Hirak movement, vague crimes such as “demoralizing the army” have been used to repress the media.¹⁶⁸ As migration, and therefore trafficking, have

¹⁶⁰ GI (Dec 2020), 43

¹⁶¹ GI (Dec 2020), 35

¹⁶² Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁶³ Participant 4, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁶⁴ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁶⁵ Interviewee 0912 (Virtual, 9 December 2021)

¹⁶⁶ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁶⁷ Zoubir (2013), 458

¹⁶⁸ OCINDEX (2021), 5

become issues intimately related to national security, a critique of government migration policy may be construed as disrespecting these national imperatives. More recently, freedom of press has been increasingly restricted since the beginning of the anti-government Hirak movement in February 2019.¹⁶⁹ While many journalists have defied these laws over the years to strongly critique government policies,¹⁷⁰ we conclude that, due to the above factors – a lack of data, knowledge, and legal freedom – that the Algerian media does not and cannot influence the government’s anti-trafficking agenda, and therefore is not a determinant of anti-trafficking efforts.

Data and research

As mentioned above, the media lack access to publicly available data on trafficking, hindering their ability to challenge the government. One FGD participant believes that the security authorities do have data on trafficking but that is simply not shared publicly, nor used in any constructive way, subsequently hindering the country’s anti-trafficking response.¹⁷¹ Another participant expressed that they, personally, have data on trafficking due to their history working on the topic; however, they qualify that “only a few [professionals]” have such data.¹⁷² Crucially, they state that the information gathered by these professionals, including themselves, has “never been analysed [... or] exploited by the authorities of other competent persons” in order to “allow [for] the development of [anti-trafficking] plans.”¹⁷³ The participant argues that proper, effective use of the available data would enable an identification of victims and their journeys as well as train officials on counter-trafficking. Therefore, **data and research** are negative determinants in Algeria, firstly, because media and civil society do not have access to government-collected data, with the exception of a few professionals, and therefore their ability to challenge government policy is further limited. Second, they are negative determinants not because the data is entirely unavailable, but because the government is not making effective use of the data that it or professionals have at their disposal.

Agency of individual officials

Algerian migration policy, and therefore anti-trafficking policy is “highly dependent on the focus of key government officials”; when senior officials change, “policies can shift significantly.”¹⁷⁴ This means that the **agency of individual officials** is a key determinant which influences political will and the shape of anti-trafficking policies. A key example relates to the current President Abdelmadjid Tebboune, who in July 2017 was PM under Abdelaziz

¹⁶⁹ Ibid

¹⁷⁰ Zoubir (2013), 459

¹⁷¹ Participant 3, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁷² Participant 2, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

¹⁷³ Ibid

¹⁷⁴ GI (December 2020) 34

Bouteflika. At the time, Tebboune told the National Assembly that Algeria would begin to regularise undocumented migrants, providing them access to employment opportunities and state services. At this time, the policy was in implementation, where Tebboune said that the Gendarmerie were in the process of identifying migrants who could benefit.¹⁷⁵ This policy could have substantially decreased vulnerabilities to trafficking, since it is undocumented migrants who are most vulnerable due to their precarious legal status. Yet, a month later, Tebboune was dismissed by Bouteflika and his replacement, Ahmed Ouyahia, opposed Tebboune's regularisation policy. Ouyahia supported crackdowns, detention, and the deportation of migrants – which rose significantly once he took office – and declared that migrants were a “source of criminality, drugs, and other scourges.”¹⁷⁶ Unfortunately, Tebboune has not resurrected his policy aim of regularisation since he became president in December 2019. Ultimately, Tebboune's replacement derailed what would have been the most defining and positive shift in Algeria's anti-trafficking policy.

The determinant of the agency of individual officials is a result of Algeria's **political situation**. According to the U.S. embassy in a leaked correspondence, the capacity for combating trafficking is severely limited by Algeria's “top-heavy authoritarian system” that concentrates power in the hands of the military and security elite, and therefore “affords limited initiative to regional and municipal level.”¹⁷⁷ At the same time, this system – in a country as large and complex as Algeria – can lead to inconsistencies in enforcement on municipal levels. In 2017, the Ministry of Transportation issued an order banning public buses from transporting irregular migrants.¹⁷⁸ However, numerous transport directories around the country simply did not apply the order.¹⁷⁹ This suggests that **agency of individual officials** at lower municipal levels is also a determinant, where in some regions, the central government's authority and grip on power is weaker than in others. As the examples above illustrate, this determinant is both positive and negative depending on the official and their policy or, in the case of lower-level officials, their reaction to a specific policy. Sequencing these determinants, Algeria's authoritarian **political system** enables the **agency of individual officials** to have a disproportionate impact on national policy at higher-levels, and in some

¹⁷⁵ Algérie Patriotique, ‘Tebboune: The presence of displaced Africans on Algerian territory will be regulated’ (24 June 2017), <www.algeriepatriotique.com/2017/06/24/tebboune-presence-deplaces-africains-territoire-algerien-sera-reglementee/> accessed 17 November 2021

¹⁷⁶ Fayçal Métaoui, ‘Ahmed Ouyahia is versed in the racist discourse’ (July 2017), <<https://www.tsa-algerie.com/ahmed-ouyahia-verse-dans-le-discours-raciste/>> accessed 17 November 2021

¹⁷⁷ Embassy Algiers, ‘Algeria: 2009 TIP Interim Assessment’, Cable No. 09LGIERS1065_a, dated 2 December 2009, <https://wikileaks.org/plusd/cables/09ALGIERS1065_a.html> accessed 12 November 2021

¹⁷⁸ Algérie 360, ‘Ministerial directive prohibits bus and taxi drivers from transporting illegal migrants’ (27 September 2017), <<https://www.algerie360.com/une-directive-ministerielle-interdit-aux-chauffeurs-de-bus-et-taxis-le-transport-des-migrants-illegaux/>> accessed 17 November 2021

¹⁷⁹ Dernière Info Algérie, ‘Mostaganem transport directorate cancels directive on African migrants’ (28 September 2017), <<http://dia-algerie.com/direction-transport-de-mostaganem-annule-directive-migrants-africains>> accessed 17 November 2021

regions, a disproportionate impact on responses to policy at lower-levels. Both of these determinants allow the political class to sustain Algeria's **securitisation** agenda, as discussed above.

Prosecution

The determinants which fall under the above section all apply to prosecution. Furthermore, the 2013 U.S. TIP report stated that the government faced "difficulty distinguishing between human trafficking and smuggling data", leading to a conflation between the two concepts. As a result of this conflation, in November 2012, seven smugglers were arrested under Algeria's anti-trafficking law.¹⁸⁰ In March 2012, three individuals were convicted for smuggling under Algeria's illegal immigration law. Yet, officials stated that those convicted aimed to keep migrants' passports and exploit them with higher fees.¹⁸¹ The U.S. TIP report qualifies that "it was not clear whether the three were involved in human trafficking."¹⁸² The government's difficulties in distinguishing between the smuggling and trafficking is, again, likely due to the overlapping transnational crime networks in the region. According to Global Initiative, "[t]he distinction between human smuggling and human trafficking along Algeria's borders with Niger and Mali is becoming increasingly blurred."¹⁸³ RAND Europe also contends that smuggling and trafficking tend to overlap in the region.¹⁸⁴ These overlapping networks may have impacted the number and nature of prosecutions under Algeria's ant-trafficking law.

Protection

The determinants which fall under the above section all apply to prevention. An interviewee argued that "less investments" are made to protect victims because the government believes that most migrants are travelling to Algeria illegally and are therefore perceived as threats to national security¹⁸⁵ The dominant **securitisation** lens, then, disincentives protecting victims, where the national security agenda is prioritised.

Corruption may be a negative determinant hindering protective services, as discussed below. There have been reports of police stealing from migrants awaiting deportation¹⁸⁶ and even destroying regular migrants' documentation,¹⁸⁷ indicating that they cannot be

¹⁸⁰ United States Department of State (2013), 69-70

¹⁸¹ United States Department of State (2012), 65

¹⁸² Ibid

¹⁸³ GI (2020), 25

¹⁸⁴ RAND (2019), 29

¹⁸⁵ Ibid

¹⁸⁶ Human Rights Watch (HRW), 'Algeria: Migrants, asylum seekers forced out' (October 9 2020), <<https://www.hrw.org/news/2020/10/09/algeria-migrants-asylum-seekers-forced-out>> accessed 12 November 2021

¹⁸⁷ Middle East Monitor (June 2018)

relied upon to protect victims. Civil society organisations are the “primary providers of protection services”, from temporary shelter to legal and psychological services.¹⁸⁸ Nonetheless, as discussed immediately below, civil society is not able to influence the government to take measures to protect victims.

Regional instability has, to a small extent, been a positive determinant in relation to victim protection. In 2012, Algeria halted its deportations to Mali due to the unrest in the country.¹⁸⁹ Nonetheless, the deportations continued over the following years and there is no evidence to suggest that any of the would-be deportees were proactively identified as victims of trafficking or provided protection services.

Between 2016 and 2017, the U.S. TIP report states that the authorities took steps to identify victims amongst undocumented migrants and provided protective services. The State Department said this was a “significant step towards providing victim-centred protection.”¹⁹⁰ This stands in contrast to the 2021 report which states that victim protection and identification were “negligible.”¹⁹¹ We have been unable to assess the determinants for this short-lived improvement due to limitations with securing interviews with government officials.

Prevention

The determinants which fall under the above section all apply to prevention. Furthermore, Algeria’s non-cooperative approach to partnerships with international and regional stakeholders hinders prevention. This approach is discussed in detail below under the sub-heading of ‘Partnership’.

Religion may act as a positive determinant, potentially playing a role in reducing the demand for commercial sex and therefore preventing trafficking for the purpose of sexual exploitation. In the early 2000s, as a result of political pressure from Islamists, many brothels were shut down by the government.¹⁹² Nonetheless, we note that shutting down brothels does not necessarily mean less trafficking. Indeed, there have no prosecutions of sex trafficking perpetrators for two years and potential victims are not proactively identified. Furthermore, the authorities largely overlook internal trafficking for the purpose of sexual exploitation and instead focus on international trafficking. Therefore, the extent to which **religion** is a positive determinant is questionable in this context. In contrast, one interviewee

¹⁸⁸ United States Department of State (2016), 72

¹⁸⁹ United States Department of State (2013), 65

¹⁹⁰ United States Department of State (2017)

¹⁹¹ United States Department of State (2021), 83

¹⁹² Rekik, ‘Algeria: Should we regulate prostitution?’ (4 July 2011), <<https://www.agoravox.fr/actualites/international/article/algerie-faut-il-reglementer-la-97001>> accessed 11 December 2021

argued religion was potentially negative determinant. They said that “religious factors” have possibly led to a lack of public acknowledgement about internal trafficking for the purpose of sexual exploitation.¹⁹³ From this, we infer that the taboo around openly discussing sex and sexuality in Algeria have precluded official acknowledgement of the issue and hindered its prevention.

Partnership

Domestic partnerships

Civil society organisations and NGOs are “very limited” in their ability to “implement significant change” and influence government policy.¹⁹⁴ As mentioned above, the government has denied the existence of trafficking even when faced with evidence from civil society.¹⁹⁵ In 2013, NGOs were banned from operating shelters as the government was concerned that they would harbour irregular migrants.¹⁹⁶ Successive administrations have sought to “tame” Algerian civil society and “co-opt only associations that would support [the regime].”¹⁹⁷ An interviewee said that the “repressive approach” taken against civil society has led to an atmosphere where “no one within [civil society] dares to do any or say anything” in opposition to the government.¹⁹⁸ The interviewee linked this situation directly to the government’s **securitisation** approach, where all perceived threats to internal stability are crushed. Another interviewee said that while “the role of civil society in Algeria is challenging [...] authorised NGOs do have an influence” on shaping policy. Nonetheless, they did not provide further information or examples of NGOs shaping policy.¹⁹⁹

Activists have accused the regime of being deliberately opaque about its policies around migration in order to escape accountability. One civil society member told Global Initiative, “We [civil society] don’t know to whom we should address our queries, and to whom we should reach out”, stating that “the *Pouvoir*”, meaning ‘power’, “cannot tolerate being trapped within a public strategy” which would subsequently make them accountable to the public. *Le Pouvoir* is a colloquial term used to refer to the military elite and a group of unelected, unknown civilians who are widely perceived to drive political decisions in Algeria – *le gouvernement* (the government), the elected representatives, are perceived to have considerably less power.²⁰⁰ While there are various debates about the extent of *Le Pouvoir*’s

¹⁹³ Interviewee 2112 (Virtual, 21 December 2021)

¹⁹⁴ Fondation Scelles, ‘Algeria: Sexual exploitation’ (2019), <http://fondationscelles.org/pdf/RM5/ALGERIA_Excerpt_5th_Global_Report_Fondation_SCELLES_2019.pdf> accessed 14 November 2021, 2

¹⁹⁵ United States Department of State (2014), 72

¹⁹⁶ United States Department of State (2014), 73

¹⁹⁷ Zoubir (2013), 458

¹⁹⁸ Interviewee 2111 (Virtual, 21 November 2021)

¹⁹⁹ Interviewee 2112 (Virtual, 21 December 2021)

²⁰⁰ ECDPM (2020), 2

control, it is clear that due to Algeria's **political system**, **lack of democratic institutions**, and the dominant **securitisation** policy lens, civil society are not able to have an influence on policy-making around human trafficking.

Regional partnerships

There are positive signs that Algeria's concerns for its **regional reputation** is motivating it to collaborate with its African neighbours on anti-trafficking efforts. Algerian diplomacy significantly waned under President Bouteflika. A key priority for his successor, Tebboune, is to "rebuild [...] Algeria's international standing", particularly with regards to its "African partners."²⁰¹ In 2018, Algeria worked to enhance regional anti-trafficking coordination through the African Union Mechanism for Police Coordination. An interviewee said that the African Union was a "probably" an influential external actor in the development of Algeria's anti-trafficking policies, although could not provide further details.²⁰² The same year, Algeria hosted the UNODC's regional forum, bringing together human trafficking experts from across North African and the Sahelian states.²⁰³ While **regional pressure** has had a limited impact in leading Algeria to combat trafficking, the opportunity to enhance Algeria's **regional reputation** through anti-trafficking diplomacy has been more impactful.

In contrast to its sub-Saharan African neighbours, Algeria's **regional rivalry** with Morocco precludes a coordinated anti-trafficking response on their shared border. As explained previously, Algeria cut all diplomatic ties with Morocco in August 2021. The Algerian town of Maghnia, on the border between the two countries, is the point through which irregular migrants are deported between Algeria and Morocco. Neither Algerian or Moroccan authorities are informed by the other about the deportations, and readmission of migrants from one country back into the other would now be near impossible due to the cutting of diplomatic ties. The situation at this border has been described as a "surreal ping pong game",²⁰⁴ each continually pushing migrants to the other side by force as a form of "retaliation",²⁰⁵ as well as reportedly stealing from migrants in the process.²⁰⁶ The Organised Crime Index argues that the lack of cooperation between Algeria and Morocco is a "serious gap" due to the scale and range of criminal markets operating across this border.²⁰⁷ The academic Anouar Boukhars states that corrupt officials on both sides of the border facilitate these markets, which are exacerbated by the lack of cooperation.²⁰⁸ As a result, migrants forcibly crossing this border are particularly vulnerable to being trafficked,

²⁰¹ ECDPM (2020), 9

²⁰² Interviewee 2112 (Virtual, 21 December 2021)

²⁰³ United States Department of State (2018) 70

²⁰⁴ EuroMed Rights (2013), 27

²⁰⁵ Koch and Werenfels (2018), 29

²⁰⁶ Middle East Monitor (2018)

²⁰⁷ OCINDEX (2021), 4

²⁰⁸ Carnegie Endowment (2019)

where the Algerian-Moroccan rivalry impedes the Algerian government working bilaterally with Morocco to prevent trafficking and protect victims on this border. Furthermore, their regional rivalry has led to a “lack of regional security integration” and therefore greater vulnerability to human trafficking, as both countries continue to combat cross-border crime unilaterally.²⁰⁹ Morocco’s active and constructive cooperation with the EU on the migration issues, meanwhile, has further alienated Algeria from the EU.²¹⁰

Wider international partnerships

As explained above, the Algerian government has denied the existence of trafficking in the past, denies the extent of the challenges it faces to combat trafficking in the present, and deflects from the issue whenever it is presented with evidence from international stakeholders, such as the U.S. Department of State. The reason for this sensitivity to international criticism is the government’s **concerns about foreign interference**. As discussed above, the Algerian authorities believe there is a foreign plot to weaken and discredit Algeria. Many in Algeria’s politico-military elite believe that there is an “international campaign against the country”, and therefore “every criticism put forward by the UN [and] independent NGOs [...] is seen as an interference” in domestic affairs.²¹¹ The PM, Ahmed Ouyahia, himself spoke of a “relentless campaign aimed at weakening [Algeria].”²¹² According to academics Koch and Werenfels, there is a “low threshold for what is perceived as foreign meddling.”²¹³ Algeria is also “very suspicious” of French and U.S. intentions in the region,²¹⁴ and has a long-standing policy against international borrowing and aid, which President Tebboune called “political suicide” if reversed.²¹⁵ When an Algerian lawyer spoke on the news about what is needed to combat trafficking, he suggested that American NGOs should provide assistance and even aid to Algeria, but qualified that this was a “very sensitive” issue.²¹⁶ Indeed, foreign support for Algerian NGOs is “virtually impossible” and obtaining a visa as a member of a non-Algerian NGO is very difficult.²¹⁷

²⁰⁹ RAND (2019), 33

²¹⁰ Zardo and Loschi (2020), 13

²¹¹ GI (Dec 2020), 39

²¹² ElWatan (2018)

²¹³ Koch and Werenfels, ‘Profiteers of Migration? Authoritarian states in Africa and European migration management’ (July 2018), <https://www.swp-berlin.org/fileadmin/contents/products/research_papers/2018RP04_koh_et_al.pdf>, accessed 15 December 2021, 31

²¹⁴ Spencer, ‘Strategic Posture Review – Algeria (World Politics Reviews)’ (2012), Chatham House, <https://www.chathamhouse.org/sites/default/files/public/Research/Middle%20East/0712wpr_spencer.pdf> accessed 16 November 2021, 5

²¹⁵ Bloomberg, ‘Algeria leaders dubs IMF foreign debt advice ‘political suicide’, (11 October 2021), <<https://www.bloomberquint.com/onweb/algeria-leader-dubs-imf-foreign-debt-advice-political-suicide>> accessed 11 December 2021

²¹⁶ EchorouknewsTV (2016)

²¹⁷ Boubekour, ‘Rolling either way? Algerian entrepreneurs as both agents of change and means of preservation of the system’, *The Journal of North African Studies* 18(3): 469 (-481)

In its relationship to the EU, Algeria refuses “any cooperation [...] that might be perceived as in any way curtailing Algeria’s sovereignty.”²¹⁸ Algeria is not involved in any bilateral projects funded by the EU²¹⁹ – in fact, the government has outright refused assistance from the EU for capacity building on migration issues, which would have significantly improved its anti-trafficking capacity, putting it at odds with its neighbours Tunisia and Morocco.²²⁰ As detailed above, the government refused the EU’s request in 2018 that Algeria establish irregular migrant and refugee shelters, as well the EU’s offer to assist with information sharing in 2016. Interestingly, Algeria created temporary transit centres in June 2008, and yet refused to do so when requested by the EU a decade later.²²¹ While we do not know what prompted the creation of the 2008 shelters, we suspect that the fact that the EU called for their establishment in 2018 was a factor which deterred the government from re-establishing them. As explained, Algeria perceives the EU as trying to rid itself of its responsibility for the migrant crisis. Ironically, the more Algeria refuses to cooperate, the more its migration crises will be exacerbated, leading to more international pressure and in turn more conspiratorial accusations of interference.

At the same time, a FGD argued that Algeria derives **diplomatic leverage** from non-cooperation. They explained that Algeria could realistically weaponize the anti-trafficking issue, using it as a ‘card’ to be played at a diplomatic level, in order to put pressure on the EU to further Algeria’s interests.²²² They said that Algeria already uses anti-trafficking and migration issues as leverage in “political calculations [...] in connection with Mali, Niger, [and] Libya.”²²³ One could infer that not giving into the EU’s demands preserves this diplomatic playing card. Thus, **diplomatic leverage** could potentially be a negative determinant.

These **concerns about foreign interference** are rooted in the **historical legacy** of French colonialism and the ‘Black Decade’ of the 1990s civil war. The modern Algerian state was born out of anti-colonial struggle. For decades, the state derived its legitimacy from this fact alone.²²⁴ Successive administrations – from the mid-50s to the 2000s – populated its highest offices with the ‘freedom fighters’ of the anti-colonial war of liberation, where the FLN’s governance has been historically justified by this continuity.²²⁵ During the ‘Black Decade’, foreign interference became closely associated with domestic instability, as local Islamist groups battling government forces were ideologically and financially backed by foreign

²¹⁸ ECDPM (2020), 2

²¹⁹ Zardo and Loschi (2020), 5

²²⁰ GI (2020), 42

²²¹ Zardo and Loschi (2020), 10

²²² Participant 4, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²²³ Participant 4, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²²⁴ Zardo and Loschi (2020), 16

²²⁵ Evans and Phillips (2007)

actors, such as Saudi Arabia.²²⁶ This only reinforced the importance of non-interference in Algeria's affair – a policy aim described by commentators as “dogmatic.”²²⁷ Ultimately, the government's unwillingness to engage with both domestic and international NGOs, as well as the U.S. and EU on migration, further cripples its ability to effectively combat human trafficking. For an effective response, **concerns about foreign interference** must be tempered, but this requires the country to move past its **historical legacy** which keeps the state tied its anti-colonial and anti-Islamist past.

Particulars of determinant by form of exploitation

Trafficking for the purpose of sexual exploitation

Determinants related to trafficking for the purpose of sexual exploitation are discussed below, in relation to the gender profile of victims. To summarise, **corruption** could be a negative determinant diverting funding away from protective services for female victims.

Trafficking for the purpose of forced labour

Determinants related to the forced begging of children – perceived to be the most prevalent form of forced labour in the country – are discussed below, in relation to the age profile of victims. To summarise, the government's public communications about trafficking focus on forced child labour in begging networks. The determinants behind this prioritisation are a **lack of expertise** on victim identification combined with Algeria's **domestic legal framework** on child trafficking. Together, these determinants lead to the **conflation of child begging and human trafficking**.

The forced labour of adult men is discussed below in relation to differences in law enforcement based on the geographic location of perpetrators. However, we have not been able to assess the determinants for these differences.

Trafficking for other exploitative purposes

Domestic servitude

As mentioned, there are reports of sub-Saharan African domestic workers being exploited by the Algerian families they work for. Domestic workers are covered and protected by Algeria's social security system.²²⁸ Apart from this, we have not been able to find additional information on the government's efforts to protect domestic workers, nor have we been able to assess determinants for domestic servitude. Considering the lack of governmental

²²⁶ Zardo and Loschi (2020), 13

²²⁷ Ibid, 16

²²⁸ Act No. 83-14 of 2 July 1983; Decree No. 85-33 of 9 February 1985

response towards other forms of exploitation, we may infer a similar lack of combative measures against domestic servitude.

Particulars of determinants according to trafficked persons' profile

We note that it is particularly difficult to discuss separate determinants for the profile of victims in the Algerian context, firstly because of the lack of available data on victim profiles, and secondly because of the uniform approach taken by the security services towards migrants, regardless of their gender, age, and nationality. A focus group participant told us that the security services “deal with the issue of trafficking without any prior knowledge or preparation”, and therefore “do not make any distinction” between migrants nor take any action to “determine the profiles of migrants [and] victims.”²²⁹ Algeria does not have a national identification mechanism to process trafficking claims or identify victims of trafficking, and there was no proactive identification of victims in 2019, 2020, nor 2021.²³⁰

Sex, Gender Identity and Sexual Orientation

There is no shelter in Algeria exclusively for victims of trafficking. Instead, there are three state-run shelters for female victims of gender-based violence and a small number of NGO-run shelters.²³¹ Therefore, male victims of trafficking are not able to be sheltered by either the state or NGOs.

In relation to the existing women's shelters, civil society reported in 2011 the government failed to “put sufficient resources” towards building institutional capacity to protect victims of gender-based violence, arguing this reflected a lack of “follow-through” with the government's own policies.²³² Given the country's vast natural resources and its rejection of international borrowing, it is clear that Algeria itself does not lack this funding, but that the funding is not being distributed appropriately.

In 2018 the government reportedly spent 12 million euros in order to shelter female and child victims of trafficking.²³³ Yet, the 2021 U.S. TIP report stated that Algeria made

²²⁹ Participant 2, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²³⁰ United States Department of State (2021), 82

²³¹ Human Rights Watch, ‘Algeria needs to do more to end domestic violence’ (23 May 2021), <<https://www.hrw.org/news/2017/05/23/algeria-needs-do-more-end-domestic-violence-0>> accessed 17 November 21

²³² United Nations, ‘Mission in Algeria’ (19 May 2011), <<https://evaw-global-database.unwomen.org/-/media/files/un%20women/vaw/country%20report/africa/algeria/algeria%20srva.pdf?vs=5933>> accessed 18 November 2021, 13

²³³ Farid Belgacem, ‘Migrants: Algeria will not let it go’ (2018), <<https://www.liberte-algerie.com/actualite/migrants-lalgerie-ne-se-laissera-pas-faire-304060>> accessed 14 December 2021

“negligible efforts to [...] provide services to victims”, where clearly this money has not been effectively put to use.²³⁴ As corruption is rife in Algeria, we question the use to which this money was put and whether **corruption** may be a negative determinant which diverts funding away from protective services for female victims.²³⁵ As it is impossible for us to know how this money was used, this argument is only speculative.

In relation to sexual orientation, homosexuality is criminalised under Article 338 of the Penal Code for both men and women, with a maximum penalty of two years’ imprisonment.²³⁶ Therefore, victims identifying as LGBTQ or victims of same-sex sexual violence would not report their exploitation to authorities for fear of both legal and societal repercussions. We could not find any information relating to LGBTQ victims, as the community is highly marginalised.²³⁷

Age

As mentioned, an estimated 6,000 children are suspected to be involved in forced begging in Algeria as of 2021.²³⁸ An FGD expressed that the government’s perception of trafficking is skewed towards forced child labour in begging networks, stating that “Algeria uses children in its speech to talk about trafficking.” The reason for this, they state, is because the Algerian authorities “are acting on something that they can prove and that they can define as trafficking”, particularly in the absence of any identification mechanisms in the country and a lack of official understanding about the issue.²³⁹ In the view of the authorities, because the children involved in begging networks are “not accompanied by their legal guardians and [...] effectively under the influence of adults”, the existence of coercion can be easily and immediately proved.²⁴⁰ The fact that the authorities require exploitation to be easily ‘provable’ suggests a significant **lack of expertise** on victim identification. Secondly, this development is also linked to Algeria’s **domestic legal framework**, which requires that coercion be proved in child trafficking cases. These two determinants work together, leading to the **conflation of child begging and human trafficking**, a determinant which prioritising child begging victims in the government’s official communications on trafficking.

Yet, the FGD participant emphasised the government response is only in “its speech” – in reality, they say, the “[the government] arrests everyone: [irregular migrant] adults, women, children [...] and sends everyone back and expels [those children] to Niger.”²⁴¹ Indeed,

²³⁴ United States Department of State (2021), 83

²³⁵ OCINDEX (2021), 3

²³⁶ Article 338, Penal Code

²³⁷ EuroMed Rights, ‘Violence Against Women in Algeria’ (2021), <<https://euromedrights.org/wp-content/uploads/2021/03/Violence-against-women-in-Algeria.pdf>> accessed 18 November 2021, 5

²³⁸ United States Department of State (2021), 84

²³⁹ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²⁴⁰ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²⁴¹ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

children are commonly identified amongst deportees from Algeria.²⁴² In relation to the Algeria-Niger repatriation agreement, 2,250 children were repatriated to Niger in 2014, many victims of forced child begging.²⁴³ Yet, the repatriations also included many non-Nigeriens, as explained above, and therefore many of these ‘repatriations’ were in fact deportations of children. Therefore, the determinants outlined above – **lack of expertise, domestic legal framework, and the conflation of child begging and human trafficking** – has no impact the actual *measures* taken to identify or protect child victims of forced begging, but simply the government’s perceptions and communications about trafficking. This conflation, in theory, could have led to child victims getting some redress – nonetheless, this determinant’s lack of real-world impact is likely due to the **securitisation** agenda, which dominates all policymaking around trafficking.

Citizenship Race and ethnic origin

In relation to nationality, between 2014 and 2017, 94% of all identified victims were citizens of Sub-Saharan African countries, while the remaining 6% were Algerian nationals.²⁴⁴ Another source puts the figure of Algerian nationals at 4% and breaks down the nationalities of Sub-Saharan African victims: Nigerien (32%), Malian (19%), Guinean (7%), with 1% from other Sub-Saharan countries.²⁴⁵

In relation to Sub-Saharan African migrants, there is no differentiation in treatment based on nationality. Rather, according to an FGD participant, “the authorities assume that [all irregular] migrants [...] come from Niger, so they send all migrants arrested in the Algerian streets back to Niger, without even determining [their] real nationality.”²⁴⁶ Therefore, because the authorities do not even screen for nationality – let alone victimisation – it is not possible for the anti-trafficking response to vary in relation to different nationalities of Sub-Saharan migrants. The xenophobia rhetoric directed by the government towards irregular Sub-Saharan migrants has been discussed.

In relation to Algerian victims, an FGD participant told us that the authorities, in their public communications, only speak of the trafficking of migrants in Algeria, drawing very little attention to the trafficking of Algerian nationals to the extent that this notion is “removed from public discourse.”²⁴⁷ The participant said that Algeria viewed trafficking as linked

²⁴² Middle East Monitor (2018)

²⁴³ Reuters, ‘Algeria and Niger start repatriation of 3,000 illegal migrants’ (10 December 2014), <<https://www.reuters.com/article/us-niger-algeria/algeria-%20and-niger-start-repatriation-of-3000-illegal-migrants-%20idUSKBN0JO23W20141210>> accessed 18 November 2021

²⁴⁴ UNODC (2020), 4

²⁴⁵ Mariam Saleh, ‘Victims of trafficking in persons in Algeria 2014-2017, by country on origin’ (30 March 2021), <<https://www.statista.com/statistics/1223903/distribution-of-victims-of-trafficking-in-persons-in-algeria-by-country-of-origin/>> accessed 24 December 2021

²⁴⁶ Participant 2, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²⁴⁷ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

inherently to migration, and that this perception was different from the more expansive view of the UN and US on what constitutes trafficking. Therefore, Algeria's **understanding of trafficking as a migration issue** could be a negative determinant which side-lines Algerian victims in the fight against trafficking. It also reinforces and normalises **securitisation** measures as a solution for preventing trafficking.

As stated above, non-Sub-Saharan migrants have not been identified as trafficking victims in Algeria. Nonetheless, it is worth noting that there are a number of Syrian migrants in Algeria. Before 2015, Syrians fleeing the Syrian Civil War did not require a visa to settle in Algeria and therefore did not need to obtain refugee status. Algeria changed this rule in 2015 and began requiring Syrians to apply for settlement visas, due to heightened concerns about foreign terrorism for Syria.²⁴⁸ As many of the Syrians entering through this route have been middle-class, they are not particularly vulnerable to trafficking as compared to their Sub-Saharan counterparts entering from the borders.²⁴⁹ Nonetheless, some Algerians *have attempted to cross from the borders and have been "trapped [...] in abysmal conditions."*²⁵⁰ In 2019, Algeria barred Syrian refugees from entering the country through its southern border, where officials said that recently arrived Syrians were from armed groups who posed a threat to Algeria.²⁵¹ Therefore, Syrians crossing from this border are now particularly vulnerable to trafficking, as they risk crossing into the country as irregular migrants or being victims of trafficking on Algeria's borders. The 2015 and 2019 decisions reinforce how Algeria's **securitisation** approach dominates its decision-making, subsequently putting more Syrians at risk of victimisation.

Particulars of determinants according to perpetrator profile

Citizenship (Citizen versus non-Citizen)

We have not been able to assess the determinants in relation to the citizenship of perpetrators. In a written response to our questions, one interviewee responded with "N/A" when asked whether determinants differ based on perpetrators' nationality, suggesting that they do not.²⁵² For context, there is little data available on the nationalities of perpetrators.

²⁴⁸ Reuters, 'Stuck in limbo, Mauritania's Syrian refugees dream of the West' (2 March 2016), <<https://www.reuters.com/article/us-mideast-crisis-syria-mauritania-idUSKCN0W400W>> accessed 23 December 2021

²⁴⁹ We note that we have not been able to find a source on this; rather, our Algerian team member, Massinissa, contends that this is general knowledge in Algeria.

²⁵⁰ Human Rights Watch (2021), 'Algeria/Morocco: Syrians stranded at border' (5 May 2017), <<https://www.hrw.org/node/303297/printable/print>> accessed 19 November 2021

²⁵¹ Reuters, 'U.N. says Algerian security move has stranded vulnerable Syrians in desert' 93 January 2019), <<https://www.reuters.com/article/us-algeria-security-syria-idUSKCN1OX100>> accessed 23 December 2021

²⁵² Interviewee 2112 (Virtual, 21 December 2021)

The 2014 U.S. TIP report states that traffickers are “typically members of the victim’s own nationality”, rather than Algerian nationals, which was corroborated by an interviewee.²⁵³ The report writes that the leaders of villages surrounding the city of Tamanrasset, predominantly populated by non-Algerian Africans, “may be responsible” for trafficking for the purpose of sexual exploitation,²⁵⁴ although the clients of these networks are predominantly Algerians.²⁵⁵ The 2013 report states that police have, in the past, released victims back to these village leaders who were also often pimps.²⁵⁶ The police’s treatment of prostitutes – some of whom may have been victims of trafficking. Algerian nationals have also been perpetrators of forced labourers, particularly in the construction sector.²⁵⁷

Urban versus rural areas

In the town of Maghnia, near the border with Morocco, reports indicate that law enforcement differs between urban and rural areas. Authorities take little enforcement action against businesses who employ irregular migrants in rural areas surrounding the city – when authorities do act, they arrest the migrants themselves “along the road leading back to [their] camps or directly at the [worker] ghettos’, while staying away from work sites.²⁵⁸ This suggests that the police only enforce laws against irregular work, and not laws prohibiting the employment of irregular workers. In contrast, employers in the city of Meghnia do fear legal consequences for employing irregular workers.²⁵⁹ We have been unable to establish the determinants for this irregularity.

Governments versus companies versus natural persons

As explained above, Algerian nationals and businesses have been informally identified as perpetrators, as well as Sub-Saharan individuals. In a written response to our questions, one interviewee responded with “N/A” when asked whether determinants differ based on the legal entity of the perpetrators, suggesting they do not.²⁶⁰

For additional context, Chinese-owned companies may be complicit in the forced labour of Chinese and Vietnamese nationals in the country.²⁶¹ There have also been reports that the Cuban government may be complicit in forcing Cuban medical professionals to work in Algeria.²⁶² The Algerian government pays Cuba \$70 million per year for the medical services of 890 Cuban doctors who are sent to Algeria. Some Cuban doctors reported that

²⁵³ Interviewee 1811 (Virtual, 18 November 2021)

²⁵⁴ United States Department of State (2014), 72

²⁵⁵ Interviewee 1811 (Virtual, 18 November 2021)

²⁵⁶ United States Department of State (2013), 70

²⁵⁷ Interviewee 1811 (Virtual, 18 November 2021)

²⁵⁸ EuroMed Rights (2013), 32

²⁵⁹ Ibid

²⁶⁰ Interviewee 2112 (Virtual, 21 December 2021)

²⁶¹ United States Department of State (2021), 85

²⁶² Ibid

upon arrival in Algeria, their passports were withheld by Cuban officials, and that they did not receive the majority of their pay from the Cuban government. The doctors also reported that they did not receive any information from the Algerian authorities about their salaries.²⁶³ It is unclear what the Algerian authorities are doing to curb Cuba's state-sponsored forced labour.

Particulars of determinants by type of trafficking

Internal v International trafficking

Algerian women have been victims of trafficking for the purpose of sexual exploitation within Algeria. Depending on the source, Algerians constitute either 4%²⁶⁴ or 6%²⁶⁵ of trafficking victims. An FGD stated that Algerian authorities associate trafficking with migration, where internal trafficking is given much less attention by the authorities in their public communications. An interviewee reiterated that "public acknowledgment of the issue focuses on international trafficking."²⁶⁶ They attribute this to the fact that international trafficking involves mainly irregular migrants and is linked to "wider migration issues."²⁶⁷ Therefore, this suggests that Algeria's securitisation lens – focused on deterring irregular migration at all costs – diverts attention away from internal trafficking. Indeed, the determinants underpinning **securitisation** – **regional instability**, **overlapping transnational crime networks**, and the preservation of the **economic situation** and **political system** – are perceived as urgent and key to national security, unlike internal trafficking. Therefore, **securitisation** is a negative determinant which leads authorities to focus on international trafficking at the expense of combating internal trafficking.

Apart from trafficking for the purpose of sexual exploitation organised by Sub-Saharan Africans, there is also regulated prostitution in Algeria – however, the extent of exploitation in these forms of sex work is unclear. Although any form of involvement in sex work is illegal,²⁶⁸ an unconfirmed number of 'red light' districts and brothels still exist under government supervision, regulated by the police.²⁶⁹ Women who want to work as prostitutes in these spaces must apply through their local police station. The 2013 U.S. TIP report wrote that "if a prostitution operation became too public", the police would arrest the prostitutes

²⁶³ Morocco World News, 'US bill against Cuban 'doctor trafficking' could impact Algeria', (18 June 2018), <<https://www.morocccoworldnews.com/2020/06/306230/us-bill-against-cuban-doctor-trafficking-could-impact-algeria>> accessed 24 December 2021

²⁶⁴ Mariam Saleh (2021)

²⁶⁵ UNODC (2020), 4

²⁶⁶ Interviewee 2112 (Virtual, 21 December 2021)

²⁶⁷ Ibid

²⁶⁸ Fondation Scelles (2019), 2

²⁶⁹ Rekik (2011)

and deport them, without screening to identify whether they were trafficking victims.²⁷⁰ The 2015 U.S. TIP report wrote that police officers “allegedly frequented” establishments and districts where women were forced into prostitution, with no evidence of any police officer being investigated or prosecuted.²⁷¹ As explained, Algeria’s judiciary lacks independence. According to the NGO *Fondation Scelles*, “most Algerian business and households believe that corruption is widespread amongst the police”, where their “reliability [in relation to] protecting victims or arresting human traffickers” is compromised.²⁷² While there is no direct evidence to suggest that police officers are complicit in organised sex trafficking, it is clear that do not adequately protect victims of this crime.

All other sections of the report relate to Algeria’s position as a transit and destination country for trafficking, and therefore those arguments will not be repeated here. Apart from trafficking within Algerian borders, the 2011 U.S. TIP report states that “23 Algerian children and six men were identified as trafficking victims in Norway.”²⁷³ We were not able to find any further information about the trafficking of Algerians abroad.

Particulars of determinants by stage of response

Acknowledgment and prioritisation of trafficking as a policy issue

As discussed, some government officials have, in the past, flatly denied the existence of trafficking in Algeria. More recently, officials have either sought to minimise the extent of trafficking or deflecting from Algeria’s response by criticising the EU’s inaction. One FGD participant went as far as to say that “there is no official policy in the fight against trafficking” in Algeria, despite the existence of anti-trafficking action plans, suggesting that it is not a genuine priority of the government.²⁷⁴ As explained, the determinants which hinder the acknowledgment and prioritisation of anti-trafficking are firstly the government’s long-standing **deflection** and **denial** of the issue. The determinant underpinning this denial is the country’s **concerns about foreign interference**, itself rooted in its **securitisation** agenda and **historical legacy**.

Adoption of legislation and policy and setting up of institutions or mechanisms

A new, comprehensive anti-trafficking law has been in development for several years, details of which can be found. The establishment of the NCPFAT is discussed below.

²⁷⁰ United States Department of State (2013), 70

²⁷¹ United States Department of State (2015), 67

²⁷² Fondation Scelles (2019), 3

²⁷³ United States Department of State (2013)

²⁷⁴ Participant 2, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

Allocation of resources and capacity building

Capacity building is discussed in relation to COVID-19, where we can infer that a lack of institutional capacity has led the government to rely on the IOM for providing services to vulnerable migrants during the pandemic.

In relation to resources, the NCPFAT's annual budget was 12 million dinars (£65,988) under the draft version of the 2022-2024 anti-trafficking action plan, which could be used to implement the action plan itself. Nonetheless, a breakdown of this budget was not provided to the U.S. State Department.²⁷⁵

Implementation and enforcement of law, policy and practice

The central government has more control over some regions and districts in the country than others. Therefore, uniformity of policies and practices at local levels can be an issue hindering Algeria's anti-trafficking response. There is also a discrepancy in response between urban and rural areas, specifically in the area of Maghnia.

The failure of the NCPFAT to successfully implement its anti-trafficking national action plans is discussed below.

Establishment of partnerships (including with civil society organisations and the private sector)

The Algerian government's relationships to both domestic civil society partners and international partners, such as the EU and U.S., are detailed below. The government's increasing collaboration with international organisations is also discussed in below.

Monitoring and evaluation of anti-trafficking efforts and reporting

The NCPFAT is a response for monitoring the progress of national action plans and on reporting to the President's office. Under the presidential decree which established the NCPFAT, the Committee is required to submit an annual report to the President which details the current extent of human trafficking in the country. Furthermore, the 2019-2021 national action plan for anti-trafficking requires the NCPFAT to submit quarterly factsheets on the Committee's annual activities. Nonetheless, this factsheet was not submitted in 2020.²⁷⁶ The activities of the NCPFAT itself are not monitored by an external body.

²⁷⁵ United States Department of State (2021), 84

²⁷⁶ Ibid

Data and research are negative determinants. To summarise, the government's lack of utilisation of its own data and NGOs' data precludes the designing of effective anti-trafficking policies.

Sustainability

Below, we discuss our concerns in relation to the NCPFAT. To summarise, the institution lacks transparency about its national anti-trafficking action plans, the contents of which have not been made publicly available. According to the NGO *Fondation Scelles*, there is a risk of corruption as the Committee is not monitored by any external body.

Meanwhile, we further discuss our concerns in relation to the government's collaboration with international organisations

Focus: the National Committee for the Prevention and Fight Against Trafficking (NCPFAT)

The NCPFAT was established by presidential decree in 2016 under the authority of the Prime Minister's office. The aims of the committee include the development of the national policies to combat trafficking, the drafting and implementation of national anti-trafficking action plans, and coordination between government, civil society, and private sector actors. Committee Chairman al-Hajj Lamine describes the NCPFAT as a "multi-sectoral institutional framework",²⁷⁷ while the Committee's approach, according to its website, relies on "four axes: prevention, judicial follow-up, protection of victims, and partnerships."²⁷⁸

Determinants

Due to limitations in securing interviews with government officials, we were not able to assess the determinants for this improvement. Understandably, our interviewees and focus group participants from civil society were not able to comment on the government's motivations for establishing the NCTPFAT, especially considering the opacity of the government on migration and trafficking issues.

Concerns linked to the National Committee for the Prevention and Fight Against Trafficking (NCPFAT)

There are concerns in relation to the Committee's implementation of its national anti-trafficking action plans. By 2018, the Committee did not implement the 2015 anti-trafficking action plan.²⁷⁹ Due to the pandemic, items on the 2019-2022 action plan were delayed.²⁸⁰ Most importantly, the content of these action plans, including the latest 2022-2024 plan, have not – as far as we are aware – been released to the public. Similarly, a breakdown of the Committee's 12-million-dinar (£65,988) budget was not provided to the U.S. State Department.²⁸¹ Civil society believes that the government seeks to avoid accountability and

²⁷⁷ [Comite traite personnes,](https://comitetraitepersonnes.dz/ar/%d9%85%d9%82%d8%af%d9%85%d8%a9/) 'Introduction', accessed 16 November 2021

²⁷⁸ Ibid

²⁷⁹ United States Department of State (2018), 69

²⁸⁰ United States Department of State (2021), 82

²⁸¹ United States Department of State (2021), 84

therefore is not transparent about its aims or activities. Without more transparency from the Committee, it is difficult to assess why these action plans have not been implemented. The NGO *Fondation Scelles* argues that corruption could be an issue hindering the Committee's implementation of the anti-trafficking action plans, because the Committee is essentially "in charge of monitoring itself."²⁸²

Relevance of these examples as representative of broader determinants

As we were unable to assess the determinants for this improvement, we are not able to discuss this improvement in relation to other determinants.

²⁸² Foundation Scelles (2019), 4

Focus: Increased collaboration between the Algerian government and international organisations

Despite Algeria's reluctance to collaborate with the EU and some of its regional neighbours on combatting human trafficking, it has become increasingly open to collaborating with international organisations, namely the IOM and UNODC to build its national counter-trafficking capacity. According to the U.S. TIP Report, the NCPFAT collaborated with an unspecified international organisation to draft its upcoming anti-trafficking legislation, as well as develop a national referral mechanism which has not yet been finalised.²⁸³ Since 2013,²⁸⁴ the government has worked with the UNODC to deliver training workshops to officials, law enforcement, and the judiciary on investigation, identification, victim interviewing, and other technical areas.²⁸⁵ Details about the government's collaboration with the IOM throughout the pandemic can be found below.

Determinants

A UNDOC article traces the beginning of Algeria's collaboration with international organisations to March 2004, the same month that Algeria ratified the Palermo Protocol.²⁸⁶ Therefore, the **international legal framework** is likely a positive determinant which triggered Algeria's first collaborations with international organisations combating trafficking.

A FGD participant explicitly linked the training workshops organised by the government, in collaboration with international organisations, to U.S. influence, where **international pressure** is the determinant driving this improvement. As a result, Algeria responded to "requests from foreign [and] international partners" to combat trafficking by hosting these workshops as an act of good faith.²⁸⁷

²⁸³ United States Department of State (2021), 83

²⁸⁴ UNODC, 'Empowering Algerian magistrates to fight human trafficking and smuggling of migrants' (29 September 2013), <<https://www.unodc.org/romena/en/Stories/2013/September/empowering-algerian-magistrates-to-fight-human-trafficking-and-smuggling-of-migrants.html>> accessed 10 November 2021

²⁸⁵ UNDOC, 'Algeria; UNODC amplifies national efforts against trafficking in persons' (21 May 2021), <https://www.unodc.org/romena/en/Stories/2021/May/algeria_unodc-amplifies-national-efforts-against-trafficking-in-persons.html> accessed 10 November 2021

²⁸⁶ UNODC (2013)

²⁸⁷ Participant 4, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

One report in November 2020 stated that collaboration between the government and IOM increased in the last year, with “growing trust between them.”²⁸⁸ We speculate whether the COVID-19 pandemic, and the pressure it would have placed on national capacity, is a positive determinant which spurred this collaboration and trust-building. Nonetheless, we need more information to conclude on this. More details about activities organised during the pandemic can be found below.

Concerns linked to the Increased collaboration between the Algerian government and international organisations

One FGD participant expressed concerns about the transparency of training events organised by international organisations and the governments. In particular, they note how details about the UNHCR’s anti-trafficking training “often remain confidential”, where neither the UNHCR or the government reveal information about “the themes of this training, who is trained, or the [training’s] framework.” They also said that the relevant authorities, from police to social services, lacked training on this issue across the board.²⁸⁹ This argument was corroborated by another FGD participant in relation to the training workshops hosted in collaboration with international organisations as a whole.²⁹⁰

Tempering these concerns, however, the UNODC has published information online in relation to the general topics covered and the professionals targeted by the training workshops. Furthermore, the Head of the NCPFAT provided details on a ‘National Workshop on the Prosecution and Judgement of Human Trafficking Cases’ coordinated by the Committee with UNODC, detailing the kinds of professionals who would benefit and the experts attending. While he was vague regarding the exact content – saying the event would focus on building “good national practice” and include a mock trial – the authorities are providing some general information about these workshops.²⁹¹ Nonetheless, it is clear that civil society expects more transparency around these training workshops, and without this, it is difficult to assess their effectiveness and the impact of these anti-trafficking efforts.

Relevance of these examples as representative of broader determinants

The FGD participant’s assertion that **international pressure**, and particularly U.S. pressure, is particularly interesting considering our discussion regarding Algeria’s apparent

²⁸⁸ ECDPM (2020), 6

²⁸⁹ Participant 2, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²⁹⁰ Participant 1, non-state actors Focus Group Discussion (Virtual, 8 December 2021)

²⁹¹ ENTV, ‘Algeria’s fight against human trafficking: specific, exhaustive law before end of 2021’ (17 May 2021), <<https://www.entv.dz/algeria-fight-against-human-trafficking-specific-exhaustive-law-before-end-2021/>> accessed 10 November 2021

intransigence in the face of repeated U.S. criticism. To summarise, we illustrated how the Algeria government continually undermined the credibility of the TIP Report and rejected its findings year after year. The authorities were simultaneously concerned about the reports' impact on Algeria's **international reputation**, while decrying the report as part of an international plot to discredit Algeria. In light of the FGD participant's argument, it is clear that while Algeria is boldly dismissive of international pressure in its rhetoric and actions, it has – to a limited extent – still succumbed to this pressure.

COVID-19

Impact on anti-trafficking efforts

An interviewee told us that the pandemic has not had any impact on the government's primary anti-trafficking response: deporting migrants.²⁹² Raouf Farrah of Global Initiative has reiterated this, saying that COVID-19 "didn't have a major effect on Algeria's migration policy."²⁹³ Shortly after the pandemic began, the government imposed a temporary suspension of deportations, which was then reinstated for 10 days during the New Year holiday period.²⁹⁴ Nonetheless, between January and October 2020, 16,000 migrants were expelled to Niger, most during a time when the pandemic was still active and when Algeria was in national lockdown.²⁹⁵ These temporary suspensions, then, had little impact and it is questionable whether they were done with the exacerbated vulnerabilities of migrants in mind.

The public health crisis also decreased the government's capacity to combat trafficking. For instance, items on the 2019-2021 anti-trafficking action plan were postponed due to the pandemic.²⁹⁶ We have not been able to find more details about the action plan or the postponed items and suspect that it was not made publicly available. An interviewee said that COVID-19 lockdown measures negatively impacted the NCPFAT's capacity to implement anti-trafficking responses.²⁹⁷ They also noted that, during this period, the NCPFAT did not have a president, and while a new president has since been appointed, this had exacerbated difficulties in implementation.²⁹⁸ Nonetheless, despite these setback, another interviewee said that there was increased communication from the government on the issue of human trafficking during the pandemic.²⁹⁹ Furthermore, while the government cancelled most anti-trafficking training workshops for officials, it held eight virtual training sessions for the judiciary, labour inspectors, and law enforcement in collaboration with the UNODC and IOM.³⁰⁰

²⁹² Interviewee 2011 (Virtual, 20 November 2021)

²⁹³ Global Initiative, 'Migration and human smuggling in Southern Algeria' (Jan 2021), <<https://www.youtube.com/watch?v=GzmyPtlFjTI&t=489s>> accessed 8 November 2021

²⁹⁴ ECDPM (November 2020), 7

²⁹⁵ Human Rights Watch, 'Algeria: Migrants, asylum seekers forced out' (October 9 2020), <<https://www.hrw.org/news/2020/10/09/algeria-migrants-asylum-seekers-forced-out>> accessed 19 November 2021

²⁹⁶ United States Department of State (2021), 82

²⁹⁷ Interviewee 2112 (Virtual, 21 December 2021)

²⁹⁸ Ibid

²⁹⁹ Interviewee 2011 (Virtual, 20 November 2021)

³⁰⁰ United States Department of State (2021), 82

The government has been reliant on international organisations to protect the vulnerable since the start of the pandemic. One report in November 2020 stated that collaboration between the government and IOM increased in the last year, with “growing trust between them.”³⁰¹ At the Algerian government’s request, the IOM established a one-time cash grant for vulnerable migrants who lost their income due to the pandemic.³⁰² Furthermore, migrants stranded in Algeria were provided psychological support from the IOM in government-run migrant transit centres known as ‘Reception Centres for Voluntary Return’.³⁰³ Moreover, the IOM arranged for the voluntary repatriations of dozens of stranded migrants.³⁰⁴ The increased collaboration coinciding with the pandemic is circumstantial evidence which suggests that the **COVID-19 pandemic** could be a positive determinant, due to the pandemic’s exacerbation of migration-related issues. This collaboration suggests the government is not only aware of its limitations and that it needs external assistance, as discussed previously, but that it is also beginning to act on this awareness, which is a positive development.

Shifts in government priorities

The government took steps to stem the spread of the virus during deportations, suggesting that public health became a new priority. Migrants showing COVID-19 symptoms were entitled to treatment regardless of their immigration status.³⁰⁵ The scale of expulsions at the time, however, would have undoubtedly deterred many migrants from receiving such treatment for fear of arrest and deportation. In interviews conducted by Human Rights Watch (HRW), none of the migrants who were deported reported coronavirus testing. While some told HRW that authorities distributed masks and disinfected vehicles, others reported that no precautions were taken at all.³⁰⁶ As public health measures were not applied consistently towards migrants, and with no effort to dispel fears about expulsions, it is clear that migrants’ health was not always prioritised.

³⁰¹ ECDPM (November 2020), 6

³⁰² Ibid, 7

³⁰³ IOM, ‘To help migrants in Algeria cope’ (22 June 2020), <<https://medium.com/@UNmigration/to-help-migrants-in-algeria-cope-ioms-psychosocial-support-sessions-b6a6416de353>> accessed 19 November 2021

³⁰⁴ IOM, ‘Amid Covid-19 pandemic, IOM facilitates return of 84 migrants from Algeria to Mali’ (July 2020), <https://www.iom.int/news/amid-covid-19-pandemic-iom-facilitates-return-84-migrants-algeria-mali>

³⁰⁵ ECDPM (November 2020), 7

³⁰⁶ HRW (October 2020)

Conclusion

In conclusion, we have identified and developed 15 new determinants to capture Algeria's specific experience of anti-trafficking efforts and have built upon 9 of BIICL's original determinants. The most influential determinant by far is Algeria's policy of **securitisation**. This determinant was triggered by **regional instability**, leading to concerns about Algeria's **economic situation**, although it has deeper roots in the country's **political system** and **historical legacy**. This policy lens – focused on combatting external threats – has led the government to conflate human trafficking with terrorism, smuggling, the arms trade, and the drugs trade. This conflation is not entirely unfounded, and that is why we consider the **overlapping of transnational crime networks** in the region to be a determinate which inevitably complicates the country's approach to trafficking. This overlapping has led to the adoption of a singular strategy towards transnational crime, including trafficking: criminalising irregular migration and deporting arrested migrants. This **securitisation** strategy is backed by the media, justified through state-sponsored **xenophobia**, and legitimised by the instrumentalisation of the **international legal framework**.

In contrast, **international pressure** and **international reputation** has only been marginally influential and highly dependent on the external actors in question. Algeria's concerns for **regional reputation** led to anti-trafficking collaboration with its neighbours, but its **regional rivalry** with Morocco overpowers these concerns, putting migrants and victims at great risk. **Concerns for international reputation**, rooted in Algeria's **political system** and **historical legacy**, have led to strong rebukes from Algeria against EU and US pressure, as well as outright refusal to cooperate. At the same time, **international pressure** from the U.S. has led to public rebuke from authorities, especially of the U.S. TIP report, but silent concession, according to interviewees.

The most significant opportunity to transform Algeria's anti-trafficking policy in – the regularisation of irregular migrant status – was derailed by President Bouteflika's replacement of PM Tebboune in 2017, shortly after he announced a new regularisation policy. Algeria's **political system** and the disproportionate **agency of individual officials** within that system are negative determinants which ensure the continuation of Algeria's **securitisation** policy, in which Algeria's political and military elite have a vested interest.

In relation to victim profiles, the **conflation of child begging and human trafficking** has led the government to discuss child begging more than other forms of trafficking. This is because Algeria's **domestic legal framework** requires proof of compulsion to establish trafficking while the **lack of expertise** around victim identification means unaccompanied begging children are easily 'provable' as victims. Yet, this has not led to a prioritisation of child victims in Algeria's actual anti-trafficking measures, as children – along with other migrants

of various profiles – are simply deported with the knowledge that they were unidentified victims. Again, **securitisation** is the determinant which overpowers almost all others.

The pandemic made no impact on Algeria's anti-trafficking policy and the government did not take any measures to protect victims of trafficking. Deportations were halted very briefly before resuming, and health measures to protect deportees were not applied uniformly – therefore, public health was a shift in government priorities, but only marginally. There is circumstantial evidence that the **COVID-19 pandemic** triggered stronger collaboration with **international organisations**, where training sessions were held, and migrant cash grants established. This relationship began in the 2000s as a result of the **international legal framework** and grew in the 2010s due to **international pressure** from the U.S. This collaboration is arguably the most substantial improvement in anti-trafficking measures in the last decade. Nonetheless, it will not be enough to counter the dogma of **securitisation** which is driving Algeria's migration policy and derailing efforts to implement a robust anti-trafficking policy.

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List of Determinants

Where any determinant codes have been used, they have been highlighted in **blue** throughout this report. We have sought as far as possible to use the terminology as set out in the list of potential determinants within BIICL’s ‘research tools’ document. Determinants such as ‘political system’ and ‘lack of democratic institutions’ are inspired by the ‘research tools’ list. We found it necessary to develop new determinants to capture Algeria’s specific experience. These determinants are highlighted in **purple**.

Determinant Codes

BIICL determinants	+ve/-ve	Page
International legal framework	+ve, -ve	6, 17, 43, 47
International pressure	+ve	6, 17, 19-21, 43-44, 47
International reputation	+ve, -ve	6, 21, 44, 47
The level of immigration into the country	+ve	20
Data and research	-ve	25-26, 40
Economic situation	-ve	6, 23, 25, 39, 47
Lack of democratic institutions	-ve	6, 29
Lack of expertise	-ve	6, 36, 47
Political system	-ve	6, 25-27, 29, 39, 47
New determinants	+ve/-ve	Page
Agency of individual officials	+ve, -ve	26-27, 47
Religion	+ve, -ve	27-28
COVID-19 pandemic	+ve	6, 43, 46-47
International organisations	+ve	17, 43, 47
Regional pressure	+ve	18, 29

Regional reputation	+ve	29-30, 47
Concerns about foreign interference	-ve	6, 21, 30-32, 47
Conflation of child begging with human trafficking	-ve	6, 36, 47
Corruption	-ve	28, 34
Defection of blame	-ve	17, 19-21
Denial	-ve	17, 19-21
Diplomatic leverage	-ve	31
Domestic legal framework	-ve	36, 47
Historical legacy	-ve	6, 31-32, 47
National security	-ve	21-23
Overlapping transnational crime networks		6, 23, 27, 39, 47
Regional instability	-ve	6, 21-23, 25, 28, 39, 47
Regional rivalry	-ve	30, 47
Securitisation	-ve	6, 21-25, 27-29, 35-36, 39, 47
Understanding of trafficking as a migration issue	-ve	35
Xenophobia	-ve	6, 24-25, 47

Sequencing

Where possible, we have sequenced determinants in relation to certain outcomes. A summary of determinant sequencing can be found in the table below. We note that this is a simplified illustration which should be read in tandem with their respective explanations, and that all determinants likely interplay together.

Outcome	D1	D2	D3	Page
Securitisation policy lens	Regional instability	Overlapping transnational crime networks	Economic situation and political system put at risk	21-24
State-sponsored xenophobia	Securitisation (with above determinants)	Distracting from economic situation and political system	N/A	24-25
Denial and deflection	Historical legacy	Securitisation (with above determinants)	Concerns about foreign interference	18-21, 30-32
The role of media in perpetuating securitisation agenda	Political system	Lack of data and research	Securitisation (with above determinants)	25
The sustainability of the securitisation agenda	Political system	Agency of individual officials	N/A	26-27
The lack of influence from civil society on anti-trafficking policy	Political system, lack of democratic institutions	Securitisation (with above determinants)	N/A	29
Focus on forced child begging in government's communications on trafficking	Domestic legal framework	Level of expertise	Conflation of child begging and human trafficking	36

Charles Clore House
17 Russell Square
London WC1B 5JP

T 020 7862 5151
F 020 7862 5152
E info@biicl.org

www.biicl.org

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