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**UNIVERSAL PERIODIC REVIEW**

**Report of the Working Group on the Universal Periodic Review**

**Algeria \***

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## **Introduction**

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its first session from 7 to 18 April 2008. The review of Algeria was held at the 11th meeting on 14 April 2008. The delegation of Algeria was headed by H.E. Mourad Medelci, Minister for Foreign Affairs. For the composition of the delegation, composed of 23 members, see annex to the present report. At its 15th meeting held on 16 April 2008, the Working Group adopted the present report on Algeria.

2. On 28 February 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Algeria: Uruguay, Philippines, and Senegal.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Algeria:

(a) A national report submitted in accordance with paragraph 15 (a) (A/HRC/WG.6/1/DZA/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR), in accordance with paragraph 15 (b) (A/HRC/WG.6/1/DZA/2);

(c) A summary prepared by OHCHR, in accordance with paragraph 15 (c) (A/HRC/WG.6/1/DZA/3).

4. A list of questions prepared in advance by Canada, Germany, Italy, Netherlands, Romania, United Kingdom of Great Britain and Northern Ireland, Denmark, Ireland, Latvia, Portugal and Sweden was transmitted to Algeria through the troika. These questions are available on the extranet of the UPR.

## **I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS**

### **A. Presentation by the State under review**

5. At the 11th meeting, on 14 April 2008, H.E. Mourad Medelci, Minister for Foreign Affairs of Algeria, introduced the national report. The Minister said that the report was prepared in collaboration with all the segments of the Algerian society that expressed their interest in participating in such exercise, which, in his opinion, will be beneficial for his country as a component of the efforts of self-evaluation and governance undertaken by Africa.

6. At present, the Algerian State was engaged in the accomplishment of two major initiatives: first, the consolidation of internal peace after the long period of violence started in 1990s, and, second, to continue with institutional and structural reform. With regard to human rights, Algeria has adopted the principle of universality and an increasing engagement in the ratification of international instruments. In addition to being a party to the African Charter on Human and Peoples' Rights and to the Arab Charter on Human Rights, Algeria recently ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (April 2005) and signed the International Convention on the Protection of All Persons from Enforced Disappearance (February 2007) and the Convention on the Rights of Persons with Disabilities (March 2007).

7. On 9 October 2002, the President of the Republic set up the National Advisory Committee on the Promotion and Protection of Human Rights (CNCPPDH), which has 44 members, including

16 women. An advisory body on human rights monitoring, early warning and assessment, the Committee is an independent institution whose mandate is to examine situations involving human rights violations, and to undertake any action it deems appropriate in that regard. The Committee prepares an annual report on the human rights situation for submission to the President of the Republic.

8. Moreover, the President of the Republic has introduced a multi-dimensional policy to promote sustainable development, which includes the reform of the State's institutions; the reform of education; the repair of social damages done by the terrorism; and a comprehensive plan to further economic growth. Immediately after the beginning of his mandate, the President started a substantial and wide-ranging reform of the judicial system with a view, *inter alia*, to reinforcing the independence of the judiciary, reforming the penitentiary system and strengthening the principle of presumption of innocence. Notably, two organic laws, on the status of judges, and on the Supreme Council of the Judiciary, were promulgated.

9. The modifications of the Family Code, amended in 2005, corrected a number of injustices related to women, including the age of marriage and housing entitlements in case of divorce. The new Nationality Code rendered null and void the reservation expressed by Algeria on article 9 (2) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), thus making possible for Algerian women to transmit their nationality to their children.

10. The Minister continued by stating that the Government has implemented a national strategy to combat violence against women, ending in 2011. Gender issues indeed remain at the centre of the Government's agenda: in this perspective, a National Council for the Family and Women was set up in 2006 with the task of proposing measures to consolidate the numerous initiatives in favour of women and to make them irreversible, also through the adoption of special temporary measures. The Minister also noted that the steady improvements in child and maternal health, should allow meeting the relevant Millennium Development Goals by 2015.

11. Since September 1993, Algeria has been observing a moratorium on death penalty and, since then, capital punishment is transformed into prison sentences. During the last session of the General Assembly, Algeria assumed co-authorship of the resolution on the moratorium and ultimately voted for the text proposed by the European Union.

12. With regard to torture, the Minister stated that this and similar practices are prohibited by the fundamental law in all places and circumstances. He also firmly denied the existence of secret detention centres in the country.

13. On the requests of visit by special procedures mandate-holders, he noted that a number of them have already taken place and others remain pending because they were made in a sensitive political moment. This issue may be reconsidered, bearing in mind the statutory right of each country to decide about the appropriateness of such visits.

14. The declaration of state of emergency was a step taken in the fight against terrorism and it will be revoked once the conditions that led to it will cease to exist. However, in spite of the state of emergency, democratic life went on steadily: regular elections were held, political parties and association continued their work, the press was free and citizens were allowed to travel with no restrictions. The Minister noted that Algeria has been calling, for more than two decades, for the signing, under the United Nations tutelage, of an international convention on terrorism, which would include a definition of this phenomenon.

15. The practice of religion is regulated by law in order to prevent excesses. This is valid for Islam, the religion of more than 99 per cent of Algerians. The provisions of the law were extended in April 2006 to the practice of other religions. Religious holidays, regardless to which religion they belong to, are observed and celebrated.

16. The Minister informed the Working Group that the Constitution, since 2002, gave Amazigh the status of national language and more than 100,000 pupils have so far learnt Amazigh in State schools. A specific programme of training of teachers has been set up to continue the teaching of Amazigh.

17. Freedom of the press is guaranteed by the existence of numerous daily, weekly and other periodical publications with a circulation of approximately 4.5 million copies. Regarding defamation, the judiciary has dealt with 200 cases in the last six years, and found journalists guilty in 26 cases only. Following the appeal, sentences were transformed into fines or acquittal. The President of the Republic exercised his right to pardon on two occasions. Freedom of association is guaranteed through the registration of a simple declaration. Registration can be refused only in the event that one of the founding members of an organization has been criminally convicted, or on the ground of incompatibility with the institutional system and human rights.

18. The damage caused by terrorism over a period of nearly 10 years is incalculable. The loss of human life, destruction of schools, factories, health-care centres, infrastructure, and job losses are all violations of human rights. The turning point of the struggle against terrorism was marked by the adoption of the “Civil Concord” initiative in 1999, adopted by referendum. In 2006, the massive popular support for the Charter for Peace and National Reconciliation (Order No. 06-01 of 28 February 2006) has led to the promulgation of presidential decrees dealing with specific situations, including compensation for the victims of the national tragedy; State assistance for families left destitute because a family member was implicated in terrorism; reintegration or compensation procedures for individuals dismissed on administrative grounds having to do with the national tragedy.

## **B. Interactive dialogue and responses by the State under review**

19. During the ensuing interactive dialogue, statements were made by 46 delegations which all expressed appreciation for the quality of the national report. Many delegations also expressed their appreciation for the role played by Algeria in the Human Rights Council, especially in the building of the Universal Periodic Review.

20. Djibouti expressed its solidarity in regard to resolving the serious threats of terrorism. It welcomed the process of legislative reforms started in 1999 and noted that members of civil society would regularly be consulted in the development of this process. In this connection, Djibouti asked whether a timeline had been set for the implementation of the reforms. With regard to mediation between the citizen and State institutions, Djibouti enquired about the existence of structures that could help the citizen make his/her own rights respected.

21. Palestine noted that Algeria had financially contributed to the activities of OHCHR and other funds, and has ratified most international instruments, as well as regional and Arab instruments concerning human rights. Since the independence, the Government has based its actions on social equality, the participation of citizens and respect for human rights. Palestine wanted to know how the Government deals with the migration phenomenon at the regional and international level.

22. Kuwait noted that Algeria suffers from terrorism and noted that particularly North Africa has been confronted with terrorist action and that regional and international cooperation is needed to

combat this problem. Kuwait requested information on Algeria's strategy to address terrorism while preserving civil freedoms. Kuwait recommended the establishment of an international round table to discuss the interrelation and interdependence between security and fundamental freedoms.

23. Sudan welcomed Algeria's pioneering role in balancing the fight against terrorism with the protection of human rights, and recommended Algeria to share its experience with the HRC. While noting the need to promote and protect economic and social rights, as well as civil and political rights, Sudan urged Algeria to share its experience in combating poverty, attaining the Millennium Development Goals (MDGs) and enquired what has been achieved so far in this respect.

24. Mali, as a neighbouring country of Algeria, requested information on the approach the country under review has taken regarding the issue of migration in the region.

25. Benin invited Algeria to further promote the dialogue initiated to consolidate peace with a view to making further progress with respect to sustainable development in the country, highlighting that without peace, progress is impossible.

26. Oman noted that Algeria has become a party to most international human rights instruments and welcomed the actions taken to combat poverty and improve health and education. Oman noted that Algeria is trying to combat poverty and to improve levels of health and education. Oman enquired if Algeria will be able to meet the MDGs by 2015.

27. China noted that Algeria, since its independence, has been committed to social development, social fairness and justice, and has been engaged in achieving progress in the area of economic and social rights, for instance with regard to the right to education - with 97 per cent enrolment in basic education - and fulfilling MDG 2. Despite being faced with the threats of terrorism, Algeria has also addressed issues rooted in underdevelopment, such as health care and unemployment. China wanted to know what progress has been made in implementing the national plan with respect to economic and social growth, and invited Algeria to share its successful experiences in this regard.

28. Italy recognized the positive steps with regard to the rights of the child but noted that corporal punishment remains widely accepted in society as a form of discipline. Italy thus recommended that Algeria take further measures to address violence against children, including corporal punishment. Italy also welcomed the steps towards the abolition of the death penalty by limiting the scope of offences punishable by death in the Criminal Code. Italy also commended the decision to co-sponsor the resolution for the moratorium on the use of the death penalty at the last General Assembly. Italy recommended the continuation of the moratorium on the death penalty.

29. The United Kingdom of Great Britain and Northern Ireland noted progress made in respect of the criminalization of torture, human rights training for police officers and improving standards in prisons, as well as the continued moratorium on the death penalty that has been in place since 1993. It recommended that the Government continue its work on the improvement of women's rights, including addressing cultural and social barriers, as well as legal ones. Noting that requests for visits by the Special Rapporteur on the question of torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Special Rapporteur on promotion and protection of human rights while countering terrorism have not been acted upon, the United Kingdom asked to provide further information on the status of these requests and recommended that the Government provide full cooperation with Special Rapporteurs.

30. France requested information on how Algeria plans to continue to promote the rights of women and equality, in particular in relation to employment in the private sector and family law. France further enquired if Algeria planned to reform the Code of the Press to strengthen freedom of

expression. It also requested information on, and noted it as a recommendation, whether Algeria plans to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

31. The Holy See noted that the Special Rapporteur on freedom of religion or belief raised concerns about the law adopted in 2006 on the practice of religions other than Islam, which limited the practice of other religions. It asked how the Government reconciles this law with the constitutional guarantee of freedom of belief. It further asked how the educational system treats the issue of human rights in general, the right of religious freedom in particular, and the increased pluralism of society. The Holy See recommended continuing a dialogue with minority religions.

32. Cuba welcomed the impressive measures, actions, programmes and laws aimed at the protection and promotion of all rights, in particular the right to development. Cuba recommended to the Algerian Government to continue and deepen its efforts in the area of economic, social and cultural rights, especially with regard to health care.

33. In reply to the first set of interventions, the Minister stated that Algeria was keen to share its experiences, in a multilateral context, with the fight against terrorism. With regard to freedom of expression, he noted that various stakeholders were working on the status of journalists. Remarkable initiatives, he added, were taken in the field of national solidarity to combat poverty. Another member of the delegation of Algeria stated that terrorism was also combated through political debate and national dialogue, especially in order to reveal the underlying causes of this phenomenon. Another member of the delegation underlined that corporal punishment was formally prohibited in the school environment and that all educational partners, and child health workers, must declare all cases of violence against children. With regard to migration, it was stated that a draft law on the strengthening of migrants' rights was currently being discussed.

34. The Democratic Republic of the Congo highlighted efforts undertaken regarding the combat against poverty and the advancement of women, the right to education, health and housing rights, employment and the adoption of a policy of national solidarity. The Democratic Republic of the Congo urged the Government to pursue the difficult process of peace and national reconciliation and asked for further information on the number of reports already submitted by the CNCPPDH since its establishment, and its impact on the promotion of human rights. Regarding the guarantees of the freedoms of opinion and expression, the Democratic Republic of the Congo enquired about press violations as provided by law. Lastly, it wanted to know whether perpetrators of crimes of terrorism are tried by special tribunals or the ordinary courts.

35. Jordan noted Algeria's steps to modify legislation and consolidate national institutions to promote human rights. Algeria has given priority to the respect of cultural diversity, highlighting Algeria's political will to face related challenges. Jordan recommended Algeria to pursue the path towards national reconciliation and welcomed efforts made in this regard.

36. Mauritania welcomed that obstacles such as terrorism have not prevented progress in the promotion and protection of human rights. It wanted to know what measures have been taken within the 2004 plan to reinforce achievements in the area of education and health, and regarding the protection of the rights of the children.

37. Mexico noted the progress Algeria has made, in areas such as the eradication of poverty, the right to work and to education, and the development of an infrastructure for public services. With regard to Algeria's process of legal reform to adapt national legislation to international instruments, Mexico encouraged Algeria to revise the regulations on the state of emergency in force since 1992, expressing its understanding that the state of emergency could be lifted in the near future. Mexico

also asked whether the process of legal reform will address the issue of enforced disappearances. Recognizing the challenge to combat terrorism, it requested information about measures to address this issue and recommended that Algeria take into account observations made by the Human Rights Committee as well as by the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism. Mexico also requested more details on legislative measures aimed at advancing gender equality and recommended to adopt measures for withdrawing reservations to articles 2 and 16 of CEDAW. Mexico requested information on the role of the CNCPPDH to address issues on the communication between civil society and the Government and recommended an exchange of respective experiences at the international level.

38. The Republic of Korea welcomed the reform of the family laws concerning equal treatment of men and women, as well as efforts to elevate the status of children within the juvenile justice system. It also noted achievements with regard to the right to education, such as the high level of school enrolment, which has reached 97 per cent according to UNICEF, and the guarantee of compulsory and free education for all children between ages 6 and 16. The Republic of Korea expected that the Government pay closer attention to the recommendations made by various delegations to improve the situation of human rights.

39. While noting Algeria's efforts to combat terrorism, Saudi Arabia called on the Government to make further efforts in regard to tolerance and reconciliation. It also welcomed the promotion of women's rights and requested information on measures adopted in this regard.

40. Madagascar, keeping in mind constraints and challenges, as well as Algeria's efforts to achieve the MDGs, asked for more details on the process already undertaken in these two areas, and how these will be further addressed in the future.

41. Pakistan referred to the fact that Algeria has dealt firmly with terrorism and pursued a policy of national reconciliation. Pakistan asked about the Algerian people's views on the peace process and national reconciliation, as well as measures to reinforce human rights advocacy in Algeria.

42. With regard to the establishment of a National Children Commission in 2004, Malaysia requested information on how this Commission functions in receiving, examining and processing complaints from children, different from that of the juvenile court. Malaysia also requested more details about measures adopted to promote employment and ensure a social safety net to protect the concerns of the most vulnerable groups of population.

43. Lebanon congratulated the Government on efforts made to apply the Charter for National Peace and Reconciliation and to establish appropriate mechanisms to protect human rights, covering a range of rights. Lebanon enquired about prospects to achieve the MDGs by 2015 in the fields of health and education.

44. Germany expressed interest in learning about plans to enable several special procedures mandate holders to visit Algeria, including the Special Rapporteur on extrajudicial, summary and arbitrary executions, the Special Rapporteur on the question of torture, and the Working Group on Enforced or Involuntary Disappearances. It expressed its support to the respective recommendation of the United Kingdom. Germany also referred to information concerning cases of suspects detained for months or years without notification to the judiciary and without any possibility to communicate with their family or lawyers, as highlighted in both the compilation and stakeholders' summary reports, as well as to reports of torture or ill-treatment. It wanted to know how the Government was planning to address these problems and recommended to ensure that reported cases are addressed without delay.

45. Canada requested information on issues related to the amendment of the Family Code, as well as on the issue of impunity. Canada recommended that Algeria review its Family Code to remedy provisions, which still represent discrimination against women regarding the issues of divorce and rape witnesses. It also recommended that Algeria lift its reservations to CEDAW. Concerning impunity, Canada expressed concern that the Charter on National Peace and Reconciliation would end investigations on the disappearance of 10,000 persons. Canada recommended that Algeria review the Charter in line with the recommendations of the Human Rights Committee to make sure that those who violated human rights be judged and prosecuted according to international standards, and to make sure that those who criticized the Government are not subjected to criminal prosecution.

46. Belarus noted the serious work done to guarantee economic and social rights, highlighting the access to free education and medical care, as well as social protection and pension rights. Regarding the rights of women, it welcomed the establishment of a post of a minister delegate for family and women's affairs and a national council on family and women's affairs.

47. The Russian Federation expressed interest about combating terrorism, as noted in the national report. Noting that many citizens have been under threat, the Russian Federation requested more information as to how human rights are ensured while combating terrorism.

48. The Islamic Republic of Iran invited Algeria to elaborate on achievements concerning the fight against poverty and efforts to promote the right to health and education, and to explain to what extent the MDGs will be met by 2015. It also wanted to know how Algeria dealt with the issue of migration at the regional and international level. Lastly, Iran enquired about concrete measures taken to promote employment and to implement protective programmes with regard to the most vulnerable segments of society.

49. The Syrian Arab Republic noted Algeria's efforts in promoting the rights to education, food, labour, the rights of children, women, as well as the right to development. It enquired about measures to promote the rights of women and encouraged to continue its efforts to ensure the right to education.

50. The Democratic People Republic of Korea welcomed achievements in the realization of civil, political and economic, social and cultural rights and invited Algeria to share its strategy to reach the MDGs, noting that this is an issue of great interest to developing countries.

51. Azerbaijan noted Algeria's efforts and policies adopted after 1989 with the objective to develop and consolidate democracy and defend and promote human rights. Azerbaijan noted the establishment of a national council for family and women's affairs, as well as the adoption of a national strategy to fight violence against women. Azerbaijan requested information on measures to reduce poverty in rural areas, as well as on efforts to regularize migration, particularly internal migration.

52. With reference to a growing problem of recent years, Egypt referred to issues faced by Algeria, Egypt and other developing countries, namely immigration and emigration, in the context of ICRMW. Since Algeria has ratified the Convention, Egypt wanted to hear Algeria's views on the situation and on its impact on the enjoyment of rights of migrant workers.

53. Tunisia welcomed the achievements made in regard to education, health and labour, as well as civil and political rights. Tunisia noted Algeria's policy of national civil reconciliation, as well as challenges faced resulting from extremism and terrorism. Tunisia requested information on how the country was combating these phenomena.

54. The United Arab Emirates welcomed the efforts made in the fields of health, education and the reduction of poverty, and invited Algeria to describe these efforts more closely.

55. Belgium welcomed Algeria's initiatives in regard to the protection of rights of children and women. Belgium requested information on the methodology followed to consult with civil society on the preparation of the national report, whether it was inclusive, and details on criteria applied in case of selection. Belgium also expressed regret concerning the deteriorating situation of the freedom of religion and belief and referred to the controversial 2006 Ordinance determining the conditions and rules for the exercise of religions other than Islam. Belgium requested information regarding the motives behind these legislative and judicial measures and recommended that Algeria respect freedom of religion and belief, revise the text of the 2006 Ordinance, and suspend its application in the meantime.

56. Slovenia asked the following questions which could lead to recommendations: what steps Algeria was taking to establish a legal framework to prevent and protect children from being trafficked for sexual and other exploitation, and to define 'trafficking' as a special criminal offence under domestic law; what has been done to integrate a gender perspective during consultations and in the national report, including in the outcome of and follow-up to the review; what steps were taken towards the withdrawal of Algeria's reservations to articles 2 and 16 of CEDAW, which Slovenia considered contrary to the object and purpose of the Convention.

57. Iraq noted that Algeria has signed and ratified most international human rights instruments, and that it has made great progress regarding the balance between fighting violence and protecting human rights. It asked whether Algeria could provide more information about national mechanisms which maintain and preserve human rights and further asked about the role of national reconciliation in containing waves of violence.

58. South Africa highlighted Algeria's Charter on Peace and National Reconciliation aimed at national reconciliation, healing and peace within the society, as well as providing compensation to victims of past suffering. It asked for further information on measures that have been implemented to eradicate poverty in the context of achieving the MDGs by 2015, and on programmes aimed at addressing issues of unemployment and progress achieved since the implementation of such measures.

59. Cameroon noted Algeria's contribution to the voluntary funds, as well as the moratorium on the death penalty. Cameroon noted that efforts made by Algeria would be even more evident if cooperation with human rights mechanisms was more fluid, and requested information on further measures to be adopted.

60. Sweden asked the following questions, which might also be used as recommendations. Regarding reports of torture and other ill-treatment in places of detention, what active measures Algeria was taking for its prevention; and what legal measures were under consideration in regard to violence against women, especially concerning the criminalization of domestic violence.

61. Latvia noted Algeria's cooperation with special procedures and noted that Algeria has invited and received a number of mandate-holders in recent years. Latvia enquired if Algeria would consider extending a standing invitation.

62. Brazil asked how Algeria assessed the implementation of civil and political rights, especially the freedom of expression and religion, and what concrete measures were implemented to ensure the social and political advancement of women. Brazil recommended to Algeria to consider facilitating visits of special procedures of the human rights system.

63. The Netherlands recommended the updating of legislation regarding the situation of women, such as the Family Code in the areas of divorce, testimony and inheritance. In relation to Law No. 90-07 on freedom of expression, it recommended the drafting of a follow-up report with a view to further strengthening domestic laws on freedom of expression. Finally, it recommended further cooperation with special procedures.

64. Nigeria requested the delegation to provide more information on steps aimed at the realization of economic, social and cultural rights as a means of achieving MDGs by 2015. It also enquired about Algeria's strategy for addressing the phenomenon of terrorism while preserving civil liberties, constraints in this regard, and international assistance available. By way of recommendation, it encouraged Algeria to continue to promote women's rights and poverty reduction.

65. Indonesia welcomed provisions in the Constitution on compulsory education for all between the ages of 6 and 16 years. Indonesia sought clarification regarding steps to address the issues of migration at the regional and international level, as well as on measures adopted to promote employment, implement a social safety net, and uphold solidarity particularly towards the most vulnerable groups.

66. Côte d'Ivoire welcomed the adoption of the Charter on Peace and National Reconciliation, which has proved that final peace could be achieved in the country. It invited Algeria to share its experience in consolidating civil efforts in institution-building and constitutional efforts in this regard.

67. In a reply to the numerous questions, the Minister stated that, should information contained in the national report be insufficient, Algeria would be eager to continue the dialogue with the Working Group. Algeria was confident to respect the year 2015 deadline of the Millennium Development Goals, as recognized by international organizations such as the World Bank. The process of ratification of the Convention for the Protection of All Persons from Enforced Disappearance required numerous consultations, but it should be achieved in due course. With regard to requests for visits by special procedures mandate holders, Algeria will never reject such requests, but it will insist that the contents of these visits be factual and not related to anecdotal or occasional events. Article 32 of the Algerian Constitution guarantees the individual or collective defence of human rights and article 41 defines the area of application: freedom of expression, association and assembly. Modalities are fixed and exercise regulated, e.g. deadlines to deposit requests for assemblies and meetings, like the meetings held in 2007 on national and municipal elections. Article 41 also favours the modernization of communication, pluralism of the media scene, creating regional TV stations and promoting competition between TV programmes and channels. Furthermore, journalists were invited to create their own associations and unions. Women rights were reinforced in 2007 through increased protection in the field of economic and social rights, like the suppression of certain obstacles in the work environment, assistance to women in danger, and criminalization of marital violence. While marital rape is covered by the Criminal Code, the law tends not to interfere with marital life. On torture, ill-treatment and custody, the representative of Algeria stated that inspections are systematically made by the office of the Attorney - General (Parquet), and by the International Committee of the Red Cross (ICRC) since the agreement of cooperation it concluded with the Ministry of Justice. Regular inspections concern legal aspects, but also conditions of detention. Around 30 cases of ill-treatment have been reported in the last years, all of which have been investigated and prosecuted.

68. The preparation of the national report was carried out in accordance with the guidelines of Human Rights Council resolution 5/1. Following preliminary consultations and comments on the draft, civil society provided original contributions on women, children and disabled persons.

Ultimately, this process of consultation has reinforced the links between the institutions and the civil society. Finally, much progress has been made on employment. In the 1980s, as a result of structural adjustment programmes, 400,000 jobs were lost and unemployment reached 70 per cent of the manpower. Also owing to the improvement of the security situation, prospects are now much better, especially in the sector of construction, both private and public. In the future, the building of large public infrastructures should allow the creation of 2 million jobs.

## **II. CONCLUSIONS AND/OR RECOMMENDATIONS**

**69. The recommendations formulated during the interactive dialogue have been examined by Algeria and the recommendations listed below enjoy the support of Algeria:**

- 1. The establishment of an international round table to discuss the interrelation between security and fundamental freedoms (Kuwait).**
- 2. That Algeria share its experience in the fight against terrorism and pursue its efforts to combat poverty and promote economic, social and cultural rights with a view to achieving the Millennium Development Goals by 2015 (Sudan).**
- 3. That Algeria take appropriate measures to address violence against children; recommends the continuation of the moratorium on death penalty (Italy).**
- 4. That the State strengthen its efforts to protect women's rights, including by addressing cultural and social barriers, as well as legal ones; recommends that Algeria cooperate with special procedures mandate holders; recommends that steps be taken to guarantee the rights of detainees, including immediate access to a lawyer, information to families on detentions, and ensuring that judicial authorities are informed of all detentions (United Kingdom).**
- 5. That Algeria take steps to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France).**
- 6. That Algeria continue a dialogue with minority religions (The Holy See).**
- 7. That Algeria continue and strengthen its efforts in the field of economic, social and cultural rights, in particular in the field of health (Cuba).**
- 8. That Algeria pursue the peace process and national reconciliation (Democratic Republic of Congo).**
- 9. That Algeria continue the path along national reconciliation (Jordan).**
- 10. That the State take into account the observations made by the Human Rights Committee and the Special Rapporteur on the promotion and protection of human rights while countering terrorism; recommends that Algeria consider withdrawing its reservation to article 2 of CEDAW; recommends an exchange of respective experiences at the international level on the issue of communication between Governments and civil societies; encourages Algeria to review the impact that the state of emergency has on the enjoyment of human rights (Mexico).**
- 11. That Algeria continue giving priority to tolerance and reconciliation (Saudi Arabia).**

12. That Algeria implement measures to protect detainees from torture, cruel, inhuman or degrading treatment and ensure that all cases of persons detained are brought to the attention of the judiciary without delay; expresses support for the recommendation of United Kingdom regarding cooperation with special procedures mandate holders (Germany).
13. That Algeria pursue its efforts in the area of the right to education (Syrian Arab Republic).
14. That Algeria take steps to adopt a legal framework to protect children from trafficking and to define trafficking as a criminal offence under domestic law; recommends that Algeria integrate the gender perspective in the follow-up process to the UPR (Slovenia).
15. That Algeria take measures for the prevention of torture and other cruel, inhuman and degrading treatment; recommends the review of domestic legislation to criminalize domestic violence (Sweden).
16. That Algeria consider facilitating visits by human rights mandate holders (Brazil).
17. That Algeria take initiatives to strengthen gender mainstreaming and women's rights. It also recommended that the State pursue its efforts to combat poverty (Nigeria).

With respect to special procedures, Algeria will consider the requests for visits of mandate-holders keeping in mind its statutory right to determine the appropriateness of such visits.

70. Other recommendations noted in the report in paragraphs 45, 55, 56, last sentence, and 63 above did not enjoy the support of Algeria.

71. All conclusions and/or recommendations contained in this report reflect the position of the submitting state(s) and/or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

## **Annex**

### **Composition of the delegation**

The delegation of Algeria was headed by H.E. Mourad Medelci, Minister for Foreign Affairs, and composed of 23 members:

- S.E. Idriss Jazaïry, Ambassadeur, Représentant Permanent ;
- M. Mohamed Kamel Rezzag Bara, Conseiller de M. le Président de la République ;
- M. Lazhar Soualem, Directeur des Droits de l'Homme, du Développement durable et des Affaires sociales et culturelles internationales, Ministère des Affaires étrangères ;
- M. Mohammed Bessedik, Ministre Conseiller, Représentant Permanent adjoint, Mission permanente d'Algérie à Genève ;
- M. Larbi Djacta, Représentant Permanent adjoint, Mission permanente d'Algérie à Genève ;
- M. Abdelwahab Hamed, Magistrat, Conseiller au Cabinet du Ministre de la Justice ;
- M. Abdenour Tilmantine, Directeur au Ministère de la Solidarité nationale ;
- M. Said Chabane, Conseiller au Cabinet du Ministre de la Communication ;
- Mme Leila Boumghar, Conseiller au Cabinet du Ministre de l'Education nationale ;
- M. Khiati Adelkaderamir, Conseiller au Cabinet du Ministre des Affaires religieuses ;
- Mme Ouahida Boureghda, Conseiller au Cabinet de Mme la Ministre déléguée chargée de la Famille et de la Condition féminine ;
- M. Abdelkader Semid, Conseiller au Cabinet du Ministre de la Santé, de la Population et de la Réforme hospitalière ;
- Mme Saida Kies, Inspectrice au Ministère du Travail, de l'Emploi et de la Sécurité sociale ;
- M. Lotfi Marzeli, Sous-Directeur au Ministère de l'Intérieur et des Collectivités locales ;
- Mme Zineb Driss, Sous-Directrice au Ministre de la Justice ;
- M. Abdelali Lakhdari, Commandement de la Gendarmerie nationale ;
- M. Salah Eddine Toudert, Direction générale de la Sûreté nationale ;
- M. Mahfoud Smati, Haut Conseiller islamique ;
- Mme Ratiba Rougab, membre du Conseil National de la Famille et de la Femme ;
- M. Mohamed Chabane, Conseiller diplomatique près la Mission permanente d'Algérie à Genève ;
- M. El-Hacène El Bey, Conseiller diplomatique près la Mission permanente d'Algérie à Genève ;
- Mme Selma Malika Hendel, Secrétaire diplomatique près la Mission permanente d'Algérie à Genève.