

**Algeria's Review in the Working Group**  
**Monday 14 April 2008, 9 am – 12 am**  
**Analytical Summary**

**The Troika**

The Troika members were Uruguay, Philippines and Senegal. None of these states took the floor.

**Presentation by Algeria**

*Speaking time: 25 min.*

*Presentation made by the Minister of Foreign Affairs of Algeria, Mr. Mourad Medelci. Members of the delegation that took the floor: Mr. Mohamed Kamel Rezzag Bara, Mrs. Zineb Driss, Mr. Lazhar Soualem, Mrs. Leila Boumghar, Mr. Larbi Djacta, Mr. Said Chabane, Mrs. Ouahida Bouregha, Mr. Abdelwahab Hamed, Mrs. Selma Malika Hendel, Mrs. Saida Kies.*

Mr. Mourad Medelci affirmed at the outset that the report was prepared in collaboration with all the segments of society that expressed an interest in taking part in the exercise. The legislative measures undertaken by the state include:

- the ratification of two international human rights conventions since 2003
- the modification of the Family Code on 27 February 2005, rendering null and void the Algerian reservation on Article 9.2 of the CEDAW

- the constitutional reform which gave Amazigh the status of national language

In addition, Algeria a national human rights body, the National Consultative Commission for the Promotion and Protection of Human Rights, whose main tasks are monitoring, early warning, assessment, information and awareness-raising. In April 1999, Algeria also undertook a judicial system reform, which resulted in, *inter alia*, the aforementioned modification of the Family Code. The responses to the previously submitted questions are the following:

- A national strategy to combat **violence against women** was launched in cooperation with civil society, which led to the creation of the National Council for the Family and Women in 2006.
- Initiatives to improve human rights situations of **children** have been also implemented.
- Since September 1993, Algeria has been *de facto* an abolitionist state in regard to **death penalty**.
- **Torture** as well as cruel, inhuman or degrading treatment are prohibited by law.
- some requests for **visits submitted by mandate holders** are pending due to delicate political situations in the aftermath of the establishment of national reconciliation institution.
- Contrary to some states' claim, there is no **secret detention centre** in Algeria.
- Even in its fight against **terrorism** in 1990, the state intended to conform to its international commitments and protect human rights.
- Regarding **freedom of religion**, the specific set of rules applicable to Islam was also extended to other religions in 2006.
- The **press** in Algeria is one of the freest in its geographical region.
- Almost 1,000 **NGOs** operate in different fields of activity at the national level. The government places restrictions on their activities only when those organizations are involved in crimes.
- No one can enjoy **immunity** on the grounds of the defense of human rights.
- **National reconciliation** plans have aimed at taking care of the victims of terrorism.

Overall, the Prime Minister stressed exclusively what the state has achieved so far and did not mention neither challenges nor any negative aspect of human rights situations.

## **Interactive dialogue**

### **Number of countries that took the floor**

40 states took the floor, of which member states are 23 (Djibouti, Mali, France, Cuba, Jordan, Mexico, Republic of Korea, Saudi Arabia, Madagascar, Pakistan, Malaysia, Germany, Canada, Russia, Azerbaijan, Egypt, Belgium, Slovenia, South Africa, Cameroon, Netherlands, Nigeria and Indonesia) and non-member states are 17 (Sudan, Benin, Holy See, Palestine, Democratic Republic of Congo, Mauritania, Lebanon, Belarus, Syria, DPRK, Tunisia, United Arab Emirates, Iraq, Sweden, Latvia, Brazil and Cote d'Ivoire.)

### **Questions/issues raised**

#### **Arbitrary Detention**

- any plan to eliminate torture in detention centers (Germany)

*Responses from the delegation*

Algeria responded to Germany that torture is prohibited in penal code.

#### **Civil Society**

- measures taken concerning human rights advocacy (Pakistan), Civil society's involvement in the preparation of the national reports (Belgium) Civil society's contribution in institution building (Cote d'Ivoire)

*Responses from the delegation*

Algeria responded in general terms that civil society is an essential part of democracy and that consultation with civil society is carried out in the form of meetings.

#### **Enforced Disappearances**

- Algerian approach to the issue + Ratification of the Convention (France)

*Responses from the delegation*

Algeria responded to the question of France that it will ratify the relevant convention soon.

#### **Freedom of Expression**

- Reform plan (France, Brazil, Netherlands), Provisions of domestic law (Democratic Republic of Congo), Modality of prosecution (Democratic Republic of Congo), the aim of legal measures taken so far (Belgium)

*Responses from the delegation*

Algeria responded to the question of France and others that it is currently drafting a legal document to further ensure and clarify the rights of journalists. Concerning the other questions, the state explained some improvements in legal matters.

#### **Freedom of Religion**

- How will Algeria address the situation in which religions other than Islam are repressed, contrary to the constitutional provisions? (Holy See)

*Responses from the delegation*

Algeria responded to the question of Holy See that the same rights are given to every religion.

### **Migration Issue**

- Algerian approach (Mali, Iran, Indonesia), regularization of internal migrants (Azerbaijan), Algerian experience (Egypt)

*Responses from the delegation*

Algeria responded to the question of Mali that it is currently developing a bill of law to ensure immigrants more humane conditions.

### **Millennium Development Goals (MDGs)**

- Any achievement (Sudan, Nigeria), Legal status (Lebanon), concrete measures taken (DPRK)

*Responses from the delegation*

Algeria responded in general terms that the MDGs will be achieved by 2015.

### **Poverty Reduction**

- the situations (Iran, South Africa), Measures taken (Azerbaijan, United Arab Emirates)

*Responses from the delegation*

Algeria did not explain about any specific situation, but said in relation to unemployment that it is pursuing national development plans.

### **Rights of Women and Children**

- Current approach and further reform plan (Benin, France, Mexico, Saudi Arabia, Madagascar, Syria), Measures taken to prevent child trafficking (Slovenia), Gender perspective in the national reports (Slovenia), Obstacles to ensuring them (Brazil)

*Responses from the delegation*

Algeria responded to the question of Benin and others that different legislative measure have been taken including criminalization of rape and violence in penal code.

### **Mandate-holders visits**

- Any plans to welcome them (Germany, Latvia),

*Responses from the delegation*

Algeria responded that it has never prevented any visits, but it had to suspend them due to delicate political situations. In addition, Mandate-holders should not be coming to deal with exceptional issues or anecdotal problems.

### **Terrorism**

- Measures taken by Algeria (Mexico, Tunisia), Release of state of emergency (Mexico), People's reaction to the national reconciliation plan (Pakistan), how human rights protection is ensured in the fight against terrorism (Russia, Nigeria), the role of the reconciliation committee (Iraq)

*Responses from the delegation*

Conceding that striking a balance between security and democracy is difficult, Algeria reiterated its determination to continue to combat terrorism. But no specific question was addressed.

### **Unemployment**

- any improvement so far (South Africa), Algerian approach (Indonesia)

*Responses from the delegation*

Algeria responded these two questions that it injected public fund to promote job creation in labor market.

### **Main Recommendations**

#### **Women's Rights**

- Slovenia requested Algeria to lift its reservations on Articles in the CEDAW.
- Sweden urged Algeria to elaborate concrete measures to prevent torture and criminalize violence against women.
- Netherlands and Canada recommended that the Family Code give the same rights to both sexes.

#### **ESCRs**

- Sudan recommended that Algeria share its experiences in the ESCRs so that other countries can learn from them, and further improve girls' education.
- Cuba recommended that Algeria continue its efforts in ESCRs, especially concerning health care.

#### **Others**

- France recommended that Algeria ratify the Convention on Enforced Disappearances.
- Jordan called on Algeria to pursue their path toward national conciliation.
- Canada urged Algeria to review its policy on impunity.
- Belgium expressed its view that freedom of religion and expression should be ensured.

### **Concluding statement ( about 2 minutes)**

The Prime Minister took the floor and stated that the state is open to dialog, and thus that the recommendations it received today will be seriously considered by the government.

### **States that made solely welcoming statements**

- Mauritania and Belarus

### **Human Rights mentioned in the NGOs reports but not raised during the review**

- Human Rights Defenders; Arbitrary Detention; Torture; Extra Judiciary, Summary and Arbitrary Executions.

### **Human Rights mentioned during the review but on which (the SuR) did not give a response**

- Algeria did not address each of the questions posed as detailed above, but at least mentioned all of them in its response.

## **Speaking times**

### Of Algeria

- Opening statement: 25 min.
- Responses during the interactive dialogue: 19 min + 18 min.
- Concluding remarks: 8 min.

### Of other States

- Slovenia, representing the EU, spoke for considerably longer than 3 minutes as usual. No other state spoke significantly longer/shorter than 2/3 minutes.

*Disclaimer: this summary is by no means exhaustive as it is just an indication of the discussion that took place during the review and should therefore not be quoted as an official document of the UPR process.*