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## Committee on Economic, Social and Cultural Rights

Forty-fourth session

Geneva, 3–21 May 2010

### **Implementation of the International Covenant on Economic, Social and Cultural Rights**

### **Consideration of reports submitted by States parties in accordance with article 16 of the International Covenant on Economic, Social and Cultural Rights**

### **Replies by the Government of Algeria to the list of issues (E/C.12/DZA/Q/4) to be taken up in connection with the consideration of the third and fourth periodic reports of Algeria (E/C.12/DZA/4) concerning the rights referred to in articles 1–15 of the International Covenant on Economic, Social and Cultural Rights\***

[12 January 2009]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

**1. What indicators and benchmarks has the State party adopted to assess the achievements made with regard to the rights recognized by the Covenant?**

1. The key indicators used by the Algerian Government to assess the achievements made with regard to the rights recognized by the Covenant include the following:

- (a) Life expectancy;
- (b) Infant mortality rate;
- (c) Employment rate;
- (d) School enrolment rate;
- (e) Health-care coverage ratios;
- (f) Housing occupancy rate;
- (g) Standard of living indicators (poverty rate, level of consumption, etc.).

2. The National Statistics Office provides the core data needed to calculate the aforementioned indicators.

3. Reports on human development, poverty, economic freedom, the Millennium Development Goals, etc. are also important tools for assessing achievements made. This information is used to draw up medium- and long-term forecasts for the different sectors (education, health, housing, etc.).

**2. Please provide information on measures taken by the State party to increase awareness of the provisions of the Covenant among the public at large and, in particular, among judges, teachers, police officers and other public authorities.**

4. Under the provisions of the Constitution, the State authorities have an obligation to train and educate judges and other law enforcement officers in the application of the international legal instruments ratified by Algeria from the moment a ratified convention is incorporated within the legal arsenal, where it is accorded a high position in the legal hierarchy in that it takes precedence over national law (Constitution, art. 113), which must necessarily be harmonized after each ratification.

5. The provision of training for judges and other law enforcement officers is an important element of the judicial reform programme. At the practical level, the measures taken by Algeria in this area involve the following actions:

(a) The texts of international and regional human rights conventions are published in the Official Gazette of the People's Democratic Republic of Algeria. Their ratification is also brought to the attention of the public at large through local media;

(b) The texts of international and regional human rights conventions are also made available online on the website of the Ministry of Justice ([www.mjustice.dz](http://www.mjustice.dz));

(c) A compendium of the principal international legal instruments has been published and made available free of charge to judges and other law enforcement officers;

(d) A module on civil liberties and human rights has been added to the training programme for judges run by the Judicial Training School;

(e) Short- and long-term training programmes on civil liberties and human rights have been organized in Algeria and abroad for judges already in office. In 2001, 2007 and 2009 a total of 126 judges participated in these training programmes;

(f) Seminars, one-day study courses, conferences and workshops addressing a range of human rights-related issues are organized for judges at regular intervals;

(g) The international days established in the various international legal instruments are celebrated each year by organizing round tables, seminars and conferences in court offices throughout the country. These well-publicized events help to promote a human rights culture in judicial circles, including among judges and court clerks of all ranks.

6. The same approach is rigorously applied in the case of officers and officials of the judicial police. Great importance is attached to the training of these officers and officials, who are placed under the guidance, oversight and supervision of prosecutors and investigating judges.

7. The training programme for these staff includes the following modules:

(a) Fundamental freedoms (freedom of movement, freedom of belief, right to vote, right to strike, etc.);

(b) Economic, social and cultural freedoms (housing, right to work, right to information, etc.);

(c) Legal safeguards affecting the judicial police and courts (supervision of police custody and pretrial detention, assistance of a lawyer, etc.).

**3. Please provide information on the major achievements of the National Consultative Commission on the Promotion and the Protection of Human Rights since its establishment in April 2002, especially regarding its defined roadmap. Please indicate how many annual reports on the work of the Commission have been published, to whom they have been distributed, and additional channels for information-sharing used by the Commission (e.g., web page with data on the number of visits). Please provide an assessment of the challenges and awareness-raising programmes carried out so far.**

8. Since its establishment, the National Consultative Commission on the Promotion and the Protection of Human Rights has given a new impetus to initiatives to protect and promote human rights.

9. As part of a comprehensive planning exercise, the National Consultative Commission has drawn up a national human rights action plan that documents and develops a strategy for the promotion and protection of human rights. Strengthening economic, social and cultural rights is one of the priorities established in this plan, which sets out, inter alia, the action to be taken in respect of:

(a) The right to health;

(b) The right to education;

(c) The right to work and to organize;

(d) The right to development;

(e) The right to participate in cultural life.

10. The document also looks at the situation of vulnerable persons, in particular the elderly, children with no family, disadvantaged women and persons with disabilities, and the actions planned include a programme which incorporates a gender perspective and which aims to review and enhance the various State mechanisms developed in pursuit of a fairer distribution of wealth and equal opportunities. A civil society partnership programme has also been drawn up for this purpose.

11. The National Consultative Commission has also defined a number of rights that are necessary for the consolidation of the rule of law with regard to, firstly, international conventions and, secondly, domestic legislation and its conformity with the conventions.

12. The principal rights thus defined include the right to life and the physical and moral integrity of the person, the right to information and freedom of expression, and the right to freedom of assembly and association.
13. As part of its mediation activities, the National Consultative Commission investigates numerous public grievances either in response to written submissions and direct complaints from citizens or on its own initiative. For this purpose, it has drawn up rules and procedures for consulting, coordinating and, where appropriate, cooperating with the authorities concerned by such grievances.
14. To support its work in the field of economic, social and cultural rights, in March 2008 the National Consultative Commission organized an international symposium on human rights and development and the role of national human rights institutions, which was attended by the national human rights institutions of Arab States. The minutes of the symposium fed into a report that has been widely distributed both nationally and internationally and can be consulted on the Commission's website.
15. In conjunction with the Ministry of Education, the National Consultative Commission has drawn up a human rights education programme that provides for teaching in this area at all levels of the education system (in primary, middle and secondary schools).
16. The National Consultative Commission has published an illustrated book on the Universal Declaration of Human Rights for those unable to read, in partnership with the Iqra Foundation, a non-governmental organization (NGO) in consultative status with the United Nations Economic and Social Council.
17. In May 2008, the National Consultative Commission made unannounced visits to around a hundred hospitals to investigate the situation with regard to the right to health. The report drawn up as a result of these visits was distributed to the public authorities to raise their awareness of all issues relating to the right to health. The report was also widely distributed among social actors of all kinds, including the media, civil society, universities, trade unions and researchers.
18. In the course of 2008 and 2009, the Commission visited many prisons throughout the country. These inspections resulted in the publication of a special report which is now publicly available.
19. As required under its statutes, the National Consultative Commission has produced two annual reports for submission to the President of Algeria. The two reports have been made public and have been distributed to the various public-sector authorities, embassies accredited to Algeria, the media, students and researchers, and numerous organizations, including civil society organizations (national and international NGOs). The reports are also available for consultation on the Commission's website.
20. In addition, to strengthen its efforts to raise awareness among society at large, the National Consultative Commission has organized several meetings on all aspects of human rights in which social actors from institutions of all categories (ministries, governmental organizations, universities, researchers, civil society, the media, etc.) were involved.
21. The workshops and symposiums organized by the Commission include the following:
  - (a) October 2008: a national seminar on persons deprived of their liberty, to mark the sixtieth anniversary of the Universal Declaration of Human Rights, which was celebrated in that year under the slogan "Dignity and justice for all of us";
  - (b) January 2009: an international conference on the implementation of the United Nations resolution calling for a moratorium on the death penalty, organized in partnership with the international NGO Penal Reform International;

(c) February 2009: an international symposium to address the issue of war crimes and crimes against humanity committed in Gaza, Palestine, which attracted prominent Western and Arab figures from a range of backgrounds;

(d) November 2009: a national conference on the rights of the child on the theme of “The Convention on the Rights of the Child in public policy”.

22. Lastly, mention should be made of the extensive human rights information, awareness-raising and public relations campaign that the President of the National Commission has spearheaded, making use of all media channels.

**4. Please provide more information on the impact of natural resource extraction on the enjoyment of economic, social and cultural rights of the population and, in particular, how the State party ensures that revenues gained from the exploitation of natural resources, such as oil and gas, are used to promote the realization of the rights of the population at large. What are the measures taken to ensure that the communities in which extraction takes place receive a fair share of these revenues?**

23. Algeria has improved its performance in this area, increasing the positive impacts of its macroeconomic stabilization policy and achieving more efficient exploitation of its resources.

24. The rollout of various development programmes, including the special economic recovery programme, the supplementary support programme for economic growth (2005–2009) and the special programmes for the High Plateaux and the South, worth an overall total of around US\$ 207 billion, has been a decisive factor in reviving economic growth. This growth has enabled the Government to significantly increase provision for the social needs of the population, particularly of people on low incomes and disadvantaged persons.

25. The upturn in economic growth and the implementation of support measures and specific programmes targeting the poorest segments of the population have enabled the Government to contain poverty levels, reduce unemployment, improve household living conditions and increase sources of revenue.

26. The Government has plans to:

(a) Build more than a million homes, particularly low-rent housing and rural dwellings;

(b) Develop basic infrastructure;

(c) Create 2 million jobs;

(d) Improve access to basic social services (access to safe drinking water and sanitation, electricity and gas, health care, etc.).

**5. Please indicate whether the State party considers signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

27. The ratification process for the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights is currently under consideration.

**6. Please explain to what extent the State party takes into account its obligations vis-à-vis the Covenant when it carries out trade, investment or economic agreements, as well as negotiations with international financial institutions. Please indicate the impact of these agreements on environmental protection and on the overall enjoyment of economic, social and cultural rights of the population.**

28. In the 1990s, Algeria was in a difficult financial position. IMF/World Bank loans became necessary to enable the restructuring of the national economy through the adoption of internal business recovery plans.

29. Despite these difficulties, Algeria introduced a series of support mechanisms, including, in 1994, a national unemployment benefit fund, to help workers who lost their jobs in downsizing operations.

30. In addition, throughout that decade the country's highest authorities required a guarantee that employment levels would be maintained and no jobs would be lost, unless provided for under the prevailing legislation, before approving any full or partial privatization.

31. Furthermore, on 20 November 2003, the State Holdings Council adopted a resolution recommending that all measures of this kind should help to secure the continuation of the company's core activity, the preservation of jobs, the optimization of the existing production tools and their alignment with international standards, the protection of real estate assets and the settlement of the company's debt.

**7. Please indicate concrete results of the anti-corruption bill adopted in 2006 and indicate what is preventing the national anti-corruption body under the direction of the presidency from being established.**

32. Since its publication in the Official Gazette, Act No. 06-01 of 6 February 2006 on the prevention of corruption has yielded the following concrete results:

**1. Regulatory measures**

33. Promulgation of the regulations implementing the Act:

(a) Presidential Decree No. 06-413 of 22 November 2006, establishing the composition, organization and operating procedures of the national anti-corruption body (Official Gazette No. 74 of 22 November 2006);

(b) Presidential Decree No. 06-414 of 22 November 2006, establishing the procedure to be adopted for the declaration of assets (Official Gazette No. 74 of 22 November 2006);

(c) Presidential Decree No. 06-415 of 22 November 2006, establishing the procedure for the declaration of assets to be followed by public officials other than those covered by article 6 of the anti-corruption law;

(d) Order of 2 April 2007, establishing the list of officials required to file a declaration of assets.

**2. Administrative measures**

34. Administrative measures adopted pursuant to article 6 of the Act have resulted in declarations of assets being filed with the First President of the Supreme Court by all persons subject to the legal filing requirement (the Head of State, Prime Minister, members of the Government, ambassadors, consuls and *wali*). Details of the declarations were published in the Official Gazette.

**3. Judicial measures**

35. Since its entry into force, the criminal courts have heard numerous cases involving offences under the anti-corruption law.

36. As a result:

- 680 cases were prosecuted in 2006
- 861 cases, of a total of 1,054 taken to court, were prosecuted in 2007

**8. Please provide updated information on the results of the State party's programme of rural rehabilitation agreed in 2004 and launched in 2005 to encourage the return of internally displaced persons.**

37. This programme was designed and implemented to encourage the development of the rural environment and thus strengthen the country's socio-economic development.

38. Funding and a large number of loans have been extended to farmers and farm managers (male and female) since the rollout of the national agricultural and rural development plan.

39. This financial assistance has benefited all areas of agricultural activity, helping deliver attendant improvements in agricultural production and, by extension, in rural households' standard of living.

40. These subsidies are granted through:

1. The National Agricultural Investment Development Fund, regulated by Executive Decree No. 05-413 of 25 October 2005, establishing the operating procedures for account No. 302-067, earmarked for the National Agricultural Investment Development Fund. As of 30 September 2008, the fund had provided financial assistance for an aggregate amount of 3,690,863,946 Algerian dinar (DA) to a total of 353,331 projects benefiting 264,000 farmers, including 6,112 women, in the following areas of activity: beekeeping, tending fruit trees, feed crops, poultry farming, irrigation (sprinkler kits), rejuvenation pruning of olive trees, etc.

2. The Fund for Rural Development and Land Development by Concessions, regulated by Executive Decree No. 03-145 of 29 March 2003, establishing the operating procedures for account No. 302-111, earmarked for the Fund for Rural Development and Land Development by Concessions. A total of 22,640 farms, accounting for 2.04 per cent of the total number of productive farms in Algeria, have been created under the programme for land development by concessions.

3. The Fund for Combating Desertification and the Development of Grazing Lands and the Steppe, regulated by Executive Decree No. 02-248 of 23 July 2002, establishing the operating procedures for account No. 302-109, earmarked for the Fund for Combating Desertification and the Development of Grazing Lands and the Steppe. In the 24 *wilaya* (provinces) and 440 municipalities located in the steppe, agricultural and pre-Saharan regions of Algeria, more than 800 projects benefiting 147,919 households have benefited from aid under the anti-desertification and grazing land development programme.

4. In August 2006, the Department of Agriculture and Rural Development introduced a system of interest-free loans known as *Rfig* credits which farmers are eligible to receive for a period of one year, extendable for a further six months.

These loans take the form of seasonal credits paid to farmers for a period of up to a year and a half to support rural households in their agricultural and rural activities.

**9. Please explain what concrete measures have been taken to effectively provide greater recognition of the identity and cultural pluralism of the Berber populations.**

41. The Algerian Government employs all available means to encourage and promote a flourishing Amazigh culture, which is an integral part of Algeria's cultural identity.

42. Initiatives undertaken to this end include:

**In the field of theatre:**

- Organizing Amazigh theatre festivals in several *wilayas*
- Extending financial assistance to associations involved in theatrical productions, to enable them to stage plays in the Amazigh language or concerning Amazigh culture

**In the field of music:**

- Organizing an annual festival of Amazigh music and songs in Tamanrasset
- Organizing regular events celebrating the work of Amazigh artists
- Including performances by Amazigh singers and musicians, who are free to tour throughout Algeria, in all cultural events organized by public-sector bodies
- Extending State support to associations working to protect and promote the Amazigh musical heritage
- Recording the many diverse forms of the Amazigh musical heritage (Kabylia, Chaoui, etc.), to ensure its preservation

43. As part of its efforts to safeguard the intangible cultural heritage of the Amazigh, the Algerian Government successfully nominated the Ahellil chants for inscription on the representative list of masterpieces of the oral and intangible cultural heritage of humanity.

**In the field of cinema:**

- The Amazigh film festival, currently in its sixth year, is now an established institution benefiting from State funding.
- A number of films have been produced in the Amazigh language thanks to State subsidies, including *Baya's Mountain*, directed by Azzedine Meddour, and *Machaho*, directed by Belkacem Hadjadj. In addition, as part of the programme of events organized to celebrate Algiers' year as Arab Capital of Culture in 2007, several Amazigh-language films were produced and funded from the budget for this event.
- Cultural associations active in the field of film regularly organize events to showcase Amazigh-language films or raise the profile of the Amazigh culture.

**In the field of literature:**

- In accordance with their right to freedom of expression, authors are free to write and express themselves in the language that they choose and in which they are most comfortable. Algerian literature is represented by authors writing in Arabic, French and Amazigh.
- The State has established a fund to help ensure the continuing production of high-quality cultural materials, including Amazigh literature.
- The State assists associations which organize tributes to men and women of letters and Amazigh poetry readings, and which publish traditional Berber stories.
- The State also helps fund a number of conferences and symposiums on Amazigh culture.

44. The State endeavours to incorporate the artistic dimension of the Amazigh culture in all events organized in other countries to promote Algerian culture overseas.

**10. Please comment on allegations that certain categories of asylum-seekers, including persons with refugee status, do not have access to asylum procedures and**



**risk being detained as undocumented migrants and are consequently forced to leave the country.**

45. The right of asylum is a constitutional right. Articles 68 and 69 of the Algerian Constitution state:

Article 68: No one can be extradited except by virtue of, and pursuant to, the extradition law.

Article 69: No political refugee who has been officially granted asylum may ever be returned or extradited.

46. The Algerian Office for the Protection of Refugees and Stateless Persons (BAPRA) was established in the Ministry of Foreign Affairs under Decree No. 63-274 of 25 July 1963 laying down procedures for the application of the Convention relating to the Status of Refugees, of 28 July 1951. It is mandated to:

- Provide refugees and stateless persons with legal and administrative protection
- Grant refugee status
- Issue, after investigation, documents requested by refugees
- Authenticate certificates and documents submitted to it

47. The decree also provides for the establishment of an appeals board, with a view to enabling asylum-seekers to resubmit applications and seek review of adverse decisions.

48. As part of its activities, the Algerian Office for the Protection of Refugees and Stateless Persons cooperates with the country office of the United Nations High Commissioner for Refugees in Algiers. This cooperation is based on information exchange and coordination in processing asylum applications in accordance with article 35 of the Convention relating to the Status of Refugees.

**11. Please provide detailed and updated information on the situation of internally displaced persons and the special measures taken by the State party to protect their economic, social and cultural rights.**

49. The various development programmes launched by Algeria (economic recovery programme, economic growth programme, special programme for High Plateaux regions, supplementary programme for the regions of the South, etc.) are aimed mainly at promoting and protecting the economic, social and cultural rights of the Algerian people.

50. Despite the difficult times Algeria went through in the 1990s, no significant mass population movements were recorded and therefore no specific measure has been taken in that regard.

**12. Please indicate how the State party is carrying out awareness-raising campaigns aimed at the elimination of stereotypes associated with the traditional roles of men and women in the family and in society.**

51. A number of measures have been implemented within institutions and voluntary organizations to promote a non-stereotypical and positive image of men and women.

52. As part of these efforts, Algeria organized, in collaboration with the African Union and the Economic Commission for Africa, a subregional seminar on human rights education from 17 to 20 March 2007. The main focus was on the importance of ensuring that human rights and, in particular, women's rights were an integral part of education and that children, from a very early age, were made aware of universal rights and the virtues of tolerance and respect.

53. New elements have been incorporated into the curricula, including human rights education, population studies, health education, global citizenship education and environmental studies. The principles taught relate to the universal values of peace, tolerance, mutual respect, mutual assistance and solidarity, etc.

54. Although, in the past, school books contained images that made reference to discriminatory stereotypes, today's textbooks teach children about gender equality.

55. Continuing its efforts to improve the image of women through educational and awareness-raising activities and actions aimed particularly at children, Algeria organized, under the patronage of the President of the Republic, the first international children's fair, from 3 to 10 November 2008.

56. The fair, organized under the slogan "Education, citizenship and environment", was aimed at young children and teenagers with a view to teaching them the values of equality and equity. With the help of professionals, they were introduced to the notions of citizenship and civics and taught about respecting difference in others and being tolerant and caring towards them.

57. Thanks to the combined efforts of all partners, there has been a noticeable improvement in attitudes towards, and representations of, the image and roles of men and women in the family and society.

58. As part of the national strategy to combat violence against women, a communications, education, social mobilization and advocacy programme has been implemented with the aim of changing behaviour and preventing and combating violence against women and, in particular, girls.

59. Various awareness-raising initiatives are under way with the participation of government representatives and members of civil society organizations (such as CIDDEF, RAFD, Rachda, Femmes en communication, Réseau Wassila and Fondation Boucebci), the media (radio, television and the press), writers and theatre artists, etc. These initiatives include awareness-raising campaigns, press articles, guides (on harassment and rape) for victims and those working with victims, meetings, the production of posters and leaflets and children's drawing competitions on the subject of gender equality.

60. The priority aim of the strategy for the advancement and integration of women is to step up efforts to implement awareness campaigns involving institutions, civil society and the media in order to change the stereotypical image of the role of men and women in society and, in particular, their responsibilities in the family and society in general.

**13. Please indicate the specific measures adopted to increase women's participation in public and political life, including the number and percentage of women who have been appointed to the judiciary and to the public service.**

61. Women's participation in public life and the right to vote and to be elected are guaranteed by the Constitution and codified by Ordinance No. 97-07 of 6 March 1997, establishing the Act on the Organization of Elections (arts. 5, 6 and 8).

62. Women's political rights have been further strengthened following revision of the Constitution (12 November 2008). Article 31 bis of Act No. 08-19 of 15 November 2008 revising the Constitution states that "the State will strive to promote the political rights of women by widening their representation in elected assemblies".

63. By improving opportunities for women's access to elected bodies, the revised Constitution seeks to extend women's representation and to remove the obstacles to their full development that prevent their effective participation in political life.

64. As part of the process of promoting women's participation, the following key strategic areas have been identified: awareness-raising, training and the involvement of political parties in discussions on the contribution of women to politics. This theme was central to the International Forum of Women Parliamentarians organized by the Algerian Parliament in June 2006. This gathering created a space for dialogue, debate and exchange of experience among Algerian and international women parliamentarians.

65. Within the judicial system, women in particular are encouraged to become judges. There is no discriminatory treatment of any kind; skills and qualifications are the only criteria for appointing male or female judges. Selection of male and female candidates is through competitive examination, a totally transparent process.

66. The profession is becoming increasingly attractive for women, as evidenced by the ever-growing number of female candidates in the recruitment competitions organized by the Ministry of Justice.

67. The figures for students graduating from the Judicial Training School speak for themselves: the number of women rose from 65 female judges in 2003 to 151 in 2009, as against 67 male judges in 2003 and 149 in 2009.

68. The following statistics show the increase in participation by women in the judiciary (courts and central administration).

<i>Category</i>	<i>Total</i>	<i>Number of women</i>	<i>Percentage</i>
Senior managers	200	28	16
Judges	3 338	1 439	37
Court clerks	11 316	7 059	63
General staff	5 342	2 112	40

69. As regards the participation of women in the public service, there are 454,293 female officials, or 28.3 per cent of total staff.

70. These figures break down as follows:

- The national education sector is the largest employer with 206,890 female staff, i.e. half the total number of female public officials (45.5 per cent)
- The health sector is the second-largest employer with 81,919 female staff, or 18 per cent of all female public officials

71. The remainder of female public officials are employed in the following areas:

- Ministry of the Interior and local government: 51,363 female staff, or 11.3 per cent of the total number of female public officials
- Higher education: 30,636 female staff, or 6.7 per cent of the total number of female public officials
- Ministry of Finance: 17,239 female staff, or 3.8 per cent of the total number of female public officials
- Vocational education and training: 12,166 female staff, or 2.7 per cent of the total number of female public officials
- Other areas: 54,080 female staff, or 11.9 per cent of the total number of female public officials

**14. In light of the information provided by the State party, what are the human and financial resources allocated to remedy the problem of illiteracy, especially among Algerian females living in rural areas?**

72. The National Office for Adult Literacy and Education has 48 branches throughout the country, with 12,000 public-sector staff responsible for literacy training and 11,573 posts for activities related to literacy programmes such as helping people into work. The budget allocated for 2009 is DA 2,316,000.

73. The aim is to reach all illiterate persons, but those aged between 15 and 49 years have been identified as the priority group. Particular attention is paid to women and rural populations.

74. The following table shows the change in the illiteracy rate (population aged 10 years and over):

<i>Sex/Year</i>	<i>1998 (per cent)</i>	<i>2008 (per cent)</i>
Male	23.65	15.5
Female	40.27	28.9
<b>Total</b>	<b>31.9</b>	<b>22.1</b>

75. It is clear that the illiteracy rate is declining.

**15. Please provide additional information on the status of women in the State party with regard to marriage and divorce, polygamy, and offences related to domestic violence, including marital rape.**

76. With respect to this question, further clarification is required regarding “marital rape”.

77. According to current domestic legislation and case law, “marital rape” is not considered illegal, since rape between spouses is not recognized. The only sexual offence for which a spouse may be charged is that of indecent assault, with or without violence.

78. Other aspects of this question on marriage, divorce and polygamy have been dealt with in Algeria’s report (paras. 68–76).

**16. In light of the advances made towards equality under the law, such as successfully establishing the equality of men and women under the Nationality Code, please comment on allegations that in family matters and access to property women still face discrimination, in particular regarding inheritance, ownership and housing.**

79. In accordance with the constitutional principle of equality of citizens before the law, Algerian legislation permits an adult woman — provided she has full legal capacity — to dispose of property through acquisition and alienation, and to engage in trade without her father’s or her husband’s authorization.

80. For example, article 8 of the Commercial Code states that: “A woman engaging in trade is personally responsible for acts undertaken for the purposes of that trade. Transactions in which she disposes of her personal property for the purposes of her trade have full effect with regard to third parties.”

81. In general, the status of women regarding access to, or disposal of, their property is based on the inviolable principle of separation of property, which is expressly laid down in Algerian legislation, in particular article 37 (1) of the Family Code, which states: “Each spouse shall keep his or her own property ...”

82. With respect to inheritance, it is true that women are not treated on the same basis as men regarding the share to which they are entitled; this difference of treatment is based on Islamic law and particularly the immutable provisions of the Holy Koran. However, the practice whereby a man (father or husband) may make gifts inter vivos (especially to a wife or daughter) is becoming more common.

**17. Please provide accurate information on how the State party's efforts for the advancement of women have been formalized and have contributed to strengthening gender equality. Please also indicate which agencies are mandated to work towards this goal and the financial and human resources allocated to them.**

83. Clear political will has resulted in very significant progress being made in respect of the status of women and the advancement of their rights.

84. The State has continued to work for the advancement and integration of women in all areas through the development of an action plan (2009–2014).

85. The recently revised Constitution identifies a new challenge: encouraging the advancement of women in the political arena by reiterating the principle of equality of opportunity and by promoting their full participation in public decision-making.

86. The Government is committed, through three lines of action, to:

(a) Placing the advancement of women at the heart of government policy in the period 2010–2014. This means encouraging greater involvement by women in politics with the goal of working towards legal equality for women and men;

(b) Taking and supporting action to promote equality. This involves supporting specific programmes and projects regarding access to women's human rights, combating gender-based violence and stakeholder capacity-building. These measures target both partners and direct beneficiaries, paying particular attention to women's participation in their own advancement;

(c) Mainstreaming gender in all sectoral policies. This mainly involves building gender tools into the preparation, implementation, follow-up and assessment of strategies and programmes developed as part of the national strategy for the advancement and integration of women.

Practical measures to empower women, protect their rights and strengthen gender equality include the following:

- Amending the Constitution on 15 November 2008 to introduce new provisions strengthening women's political rights
- Withdrawing the reservation to article 9, paragraph 2, of the United Nations Convention on the Elimination of All Forms of Discrimination against Women
- Establishing an advisory council on the family and women
- Developing a national strategy for the advancement and integration of women
- Developing a national strategy for combating violence against women
- Developing a communication strategy on violence against women
- Encouraging the active participation of rural women within the framework of the rural and agricultural recovery programme (2009–2014)
- Joining the programme to enhance gender equality in the Euro-Mediterranean region (2008–2011)

- Signing the joint programme for gender equality and women's empowerment in Algeria for the period 2009–2011

87. At the institutional level, three bodies are tasked with monitoring and enhancing gender equality:

- The Ministry of National Solidarity, the Family and the National Community Abroad
- The Office of the Deputy Minister for the Family and the Status of Women
- The National Council for the Family and Women
- The National Consultative Commission for the Promotion and Protection of Human Rights

88. The National Council for the Family and Women was established by Executive Decree No. 06-421 of 22 November 2006. It brings together representatives of ministries and associations, as well as professionals, researchers and other experts in the field.

**18. Please indicate which rights are still subject to derogation under the state of emergency in place since 1992 and the specific grounds for such derogation.**

89. The state of emergency was declared in accordance with the Algerian Constitution and the International Covenant on Civil and Political Rights. The Secretary-General of the United Nations was duly informed.

90. The state of emergency will be lifted when the conditions that led to its imposition no longer exist. The State is responsible for the security of persons and property and for ensuring the proper functioning of public services and institutions, and it therefore takes all necessary steps to ensure public order and security and continues to work with determination to prosecute and punish terrorist crimes.

91. The state of emergency imposes no restrictions on the exercise of personal, collective or political freedoms. It has been eased and all the measures taken in this context have been gradually lifted.

**19. Please provide detailed and updated information on the unemployment rate disaggregated by age group and sex, and, especially, unemployment among those under 30 years of age. Further, please provide additional information on the progress achieved and challenges encountered in the implementation of the national strategy against unemployment started since early 2000, in particular to increase employment opportunities for young adults and women. Please also provide information on the technical and vocational courses offered with a view to reducing unemployment.**

92. The survey carried out by the National Statistics Office in 2008 shows that 35 per cent of people in employment are permanent employees, 31 per cent are non-permanent employees and apprentices and 29 per cent are employers or self-employed.

93. Unemployment has declined significantly, falling from 27.3 per cent in 2001 to 11.3 per cent in 2008.

94. An analysis of the unemployed population shows that 75 per cent are under 30 years of age and almost 88 per cent are under 35 years of age.

**Change in the main employment indicators**

<i>Indicators</i>	<i>2001</i>	<i>2008</i>	<i>Change</i>
Economically active population	8 568 221	10 315 000	+20%
People in employment	6 228 772	9 146 000	+47%
Unemployed population	2 339 449	1 169 000	-50%
Unemployment rate	27.3%	11.3%	

95. The period 2000–2008 saw the implementation of the economic recovery programme (2001–2004) and the complementary economic growth support programme (2005–2009), as well as the special programmes for the High Plateaux and the South.

96. According to information provided by the National Development and Investment Agency, 51,456 investments were recorded in the period 2002–2008, with the potential to create more than 843,000 jobs.

97. A total of 3,100,000 jobs — i.e. 49.5 per cent — were created within the framework of temporary employment mechanisms.

98. An analysis of jobs created in the period 1999–2008 reveals the following:

- 49.4 per cent of jobs were created within the framework of State job-creation schemes, with budgets of DA 53.5 billion for the period 1999–2003 and DA 140.2 billion for the period 2004–2008, that is to say DA 193.7 billion for the period 1999–2008
- 39.8 per cent were created in the private sector

99. In agriculture, average annual job creation rose from 60,632 jobs during the period 1999–2003 to 117,831 jobs (+94 per cent) during the period 2004–2008.

100. State job-creation schemes, run respectively by the National Youth Employment Support Agency (ANSEJ) in the case of young entrepreneurs and the National Unemployment Insurance Fund (CNAC) in the case of unemployed entrepreneurs aged between 35 and 50 years, led to the creation of 99,859 microenterprises by the end of 2008. These microenterprises have created nearly 272,545 long-term jobs.

101. In terms of net job creation, which is the difference in the total number of jobs at two points in time, figures from the Office of the Commissioner General for Planning indicate that 3,507,000 jobs were created during the period 2000–2008, i.e. a net average of nearly 390,000 jobs per year.

102. An action plan to promote employment and fight unemployment has been prepared and adopted by the Government. This action plan, which came into effect on 1 June 2008, is a comprehensive and coherent initiative based on an economic approach to fighting unemployment.

103. It is designed to promote productive investment which will generate jobs, boost national output and upgrade human resources by promoting training, modernizing labour market management and enhancing the performance of the National Employment Agency.

104. An initial assessment of the action plan to promote employment and fight unemployment carried out 12 months after it began to be implemented reveals the following:

**A. Legislation:** Two measures to encourage recruitment of young first-time job-seekers were introduced into the 2008 Supplementary Finance Act, namely:

(a) Reduction in the rate of social security contributions within the framework of the scheme to help job-seekers find work (art. 60);

(b) Incentives for master craftsmen within the framework of the scheme to help job-seekers find work (art. 61).

105. On 6 July 2008, the Inter-ministerial Council agreed a number of measures to support job creation which have removed the main constraints holding back funding of projects for young entrepreneurs (ANSEJ), unemployed entrepreneurs aged between 35 and 50 years (CNAC) and microcredits (ANGEM). These measures include:

(a) Automatic financing by banks for all microcredit projects approved by *wilaya* commissions made up of representatives of different sectors and which are now one-stop shops for the submission of applications;

(b) Revised agreements between banks, ANSEJ and the Guarantee Fund. As part of this, the Guarantee Fund capital has been raised to DA 40 billion.

**B. Results:** Entrepreneurship development support initiatives encouraging the creation of jobs by young entrepreneurs (ANSEJ) and unemployed entrepreneurs aged between 35 and 50 years (CNAC) resulted in the creation of 13,189 projects that directly generated 37,354 jobs in 2008.

106. Implementation of the above-mentioned measures provided an impetus to microenterprises and more than 10,206 projects generating 27,908 jobs were set up under the ANSEJ and CNAC mechanisms in the first half of 2009, in other words more than 77 per cent of the total for the whole of 2008. This shows the effectiveness of the measures taken and suggests that nearly 40,000 microenterprises will be created annually during the period 2010–2014.

107. In total, the two main thrusts of the action plan to promote employment and fight unemployment enabled 364,000 job-seekers to find work in 2008.

108. In the first half of 2009, the same measures enabled 250,182 job-seekers to find work, in other words 69 per cent of the 2008 total.

**20. Please provide detailed statistical data on the number of persons with disabilities in full-time and part-time employment.**

109. The State has adopted several legislative and regulatory measures to encourage the employment of persons with disabilities and to facilitate their integration into the socio-economic life of the country.

110. These measures include:

(a) Salaries and other emoluments paid to persons with disabilities are free of income tax and excluded from the calculation of lump-sum payments (1992 Finance Act, art. 35);

(b) Enterprises attached to approved associations for persons with disabilities and dependent bodies are permanently exempt from income tax (1993 Finance Act, art. 4 (3));

(c) Enterprises attached to approved associations for persons with disabilities and dependent bodies are permanently exempt from corporation tax (1993 Finance Act, art. 112);

(d) There is a reduction of 50 per cent on employers' social security contributions for the recruitment of persons with disabilities or for employees with disabilities (1996 Finance Act, art. 163).



**21. Please provide information on work in the informal economy of the State party, including its extent and the measures taken to enable workers to move out of the informal economy.**

111. According to the National Statistics Office, 1 million people are employed in the informal sector. This sector is divided into two categories: the informal commercial sector and the informal domestic sector. The latter mostly concerns domestic work, traditionally a female occupation.

112. Communal people's assemblies are developing local markets in order to provide legal trading areas.

113. With respect to undeclared employees, during 2008 and the first half of 2009:

- 12,819 inspections were carried out by the Labour Inspectorate
- 16,031 cases of employees not declared for social security purposes were recorded
- 4,195 reports of offences were filed and referred to the courts

**22. Please indicate how the minimum wage is determined and the basis to determine whether it is sufficient to provide workers and their families with an adequate standard of living. Please also indicate the measures taken by the State party to periodically increase the minimum wage.**

114. Article 87 of Act No. 90-11 of 21 April 1990, as amended and supplemented, on working conditions, establishes the rules to be followed by public authorities in setting the guaranteed national minimum wage applicable to all sectors.

115. Three main indicators are taken into account when setting the minimum wage:

- Recorded average national productivity
- Consumer price index (rate of inflation)
- Overall economic situation

116. The minimum wage is set in consultation with the most representative national employers' and workers' organizations. Tripartite meetings bringing together representatives of government, employers' organizations and the Algerian Workers' General Union (UGTA) provide a framework for consultation and social dialogue and allow economic and social issues to be addressed jointly and with complete transparency.

117. Between 1991 and 2006, 12 tripartite meetings were organized. They addressed major issues of national concern such as:

- National economic reform and recovery implementation programme
- Social housing
- Medicines
- Occupational medicine
- Preservation of purchasing power
- Fiscal reform
- Reduction of the retirement age
- General statute of the civil service
- Protection of national production
- Debt claims against the State

- Exchange rate losses
- Enhancement of the economic environment for businesses
- Improvement of the social safety net
- Implementation of a support programme for small and medium-sized enterprises/industries
- Renewed investment for economic recovery

118. All these subjects were discussed and resulted in different measures, both legal and operational, reflecting the concerns of employers and labour, as well as those of the Government.

### Guaranteed national minimum wage, 1992–2007

1992	1994	1997	1998		01/01/2001	01/01/2004	01/01/2007
			January	September			
2 500	4 000	4 800	5 400	6 000	8 000	10 000	12 000

The thirteenth tripartite meeting, held in December 2009, decided to increase the minimum wage by 25 per cent, from DA 12,000 to DA 15,000. This decision will take effect from 1 January 2010.

**23. Please indicate the steps that have been taken in practice to implement article 341 bis of the Criminal Code (amendment of 10 November 2004) to ensure protection against sexual harassment in the workplace. Please also provide information on the steps being taken to address the problem of “moral harassment” in the workplace.**

119. Victims of sexual harassment may file a complaint with an agency of the judicial police (police or gendarmerie), a public prosecutor’s office or an investigating judge by becoming a civil party to a criminal action, subject to the submission of evidence (in any form, including testimony, recordings of telephone conversations, etc.). Penalties include imprisonment and fines. The penalties are heavier in the case of a second or subsequent offence.

120. The steps to be taken in order to give effect to article 341 bis of the Criminal Code are set out in the Code of Criminal Procedure. A sexual harassment proceeding culminates, after a preliminary investigation or judicial inquiry, in a decision by a criminal court, which must rule on both the criminal charges brought by the prosecution against the offender and the civil action for damages brought by the victim, without prejudice to any disciplinary sanctions to which the offender may be subject. The offender may, of course, be either male or female.

121. With regard to “moral harassment”, the concept has not been defined and current Algerian legislation contains no provisions in respect of it.

**24. Please provide information on the underlying reasons and outcome of the protests and strikes that have taken place since 2005 and also explain in which cases and under which circumstances the right to strike is restricted.**

#### 1. Principal reasons for work stoppages

Principal reasons	2005	2006	2007	2008
1. Remuneration	13	4	4	5

<i>Principal reasons</i>	2005	2006	2007	2008
Including:				
delays in payment of wages	9	-	-	-
2. Labour relations	2	2	1	2
3. Social protection	1	1	1	-
4. Protests against management	-	2	1	
5. General working conditions	-		1	-
6. Other reasons	-	1	-	-

## 2. Working environment

### (a) Work stoppages

	2005	2006	2007	2008
Number of strikes	23	10	8	7
Number of strikers	16 873	44 800	10 730	34 864
Total number of workers	27 207	492 661	103 571	998 478
Strike participation rate	62.02%	9.1%	10.36%	3.49%
Workdays lost	45 017	46 580	31 878	100 855

### (b) Average length of work stoppages

	2005	2006	2007	2008
Average length of work stoppages	2.6	1	2.9	2.8

122. When the strike involves indispensable activities, the complete interruption of which would be likely to jeopardize the continuity of essential public services, vital economic activities, the provision of supplies to the public or the protection of existing facilities and property, a continued minimum level of service is ensured through negotiations, agreements or collective bargaining agreements, particularly in the following areas:

1. Hospital consultation, emergency and pharmacy services;
2. Services related to the production, transport and distribution of electricity, gas, petroleum products and water;
3. Services of the Central Bank and public banks responsible for financial relations with other countries;
4. Services relating to the production, pipeline transport, loading and shipping of oil;
5. Transport safety services (meteorological offices, maritime and railway signalling services, including railway crossing guards);
6. Burial and cemetery services;
7. Court clerk services;
8. Government departments services responsible for the diplomatic activities of the State.

**25. Please indicate what measures the State party has taken to guarantee greater autonomy for trade unions and their members. Please comment on allegations that workers' rights are respected in law but hindered in practice by administrative delays.**

123. Article 56 of the Constitution gives all citizens the right to organize.

124. It is this article that underpins Act No. 90-14 of 2 June 1990, as amended and supplemented, concerning the exercise of the right to organize.

125. Employees and employers in the same line of work, field or sector have the right to form trade union organizations to protect their moral and material interests. They also have the right to establish unions or freely and voluntarily to join existing unions, the only requirement being that they must comply with the laws in force and the statutes of the union.

*Article 15* (Act No. 90-14): Except as provided by law, no person or entity shall interfere with the operation of a trade union.

*Article 28* (Act No. 90-14): A trade union may be dissolved voluntarily or by court order.

*Article 49* (Act No. 90-14): The unions that are most representative of workers at the national level shall receive subsidies from the State.

126. The implementation of this law has led to significant progress in the social dialogue.

127. Currently, in the labour sphere there are:

- 57 trade unions covering more than 2.5 million workers and various occupations
- 23 employers' organizations

128. Under Act No. 90-14 concerning the exercise of the right to organize, all persons, whether workers or employers, may establish a labour organization, subject to compliance with the relevant legal requirements.

129. The establishment of a union is recognized after its constituent documents have been filed with the appropriate public authority and a registration receipt has been issued, which must occur within 30 days after the documents are filed.

130. The 30-day deadline is binding on the public authority.

131. When the legal requirements for the establishment of a trade union have not been met, the union must be so notified by the authority within one month so that it may take the necessary action to comply with the law. If the union fails to do so or does not respond to the authority's notice, its application remains pending until the applicable legal requirements have been met.

**26. Please provide further information on unemployment insurance and information about workers benefiting from it.**

132. Unemployment insurance and early retirement benefits are financed by contributions paid by employers and workers in all sectors, including those in the public sector and public institutions (article 4 of Legislative Decree No. 94-09 of 26 May 1994 on preservation of employment and protection for workers who lose their jobs).

133. The unemployment insurance scheme is administered and managed by an independent national fund (article 30, paragraph 1, of Legislative Decree No. 94-11 of 26 May 1994, as amended and supplemented, establishing unemployment insurance for workers who lose their jobs and/or are laid off for economic reasons).

134. Unemployment benefit is calculated on the basis of a reference salary equal to half the sum of the average gross monthly wage and the national guaranteed minimum wage (article 13 of Legislative Decree No. 94-11).

135. Unemployment benefits are payable for a maximum of 36 months (article 3 of Executive Decree No. 94-189 of 6 July 1994 establishing the duration of unemployment benefit and the procedures for calculating it).

136. Unemployment benefits are determined on the basis of a declining scale of rates applied to the reference wage as follows:

- 100 per cent of the reference wage during the first quarter of the insurance period
- 80 per cent of the reference wage during the second quarter of the insurance period
- 60 per cent of the reference wage during the third quarter of the insurance period
- 50 per cent of the reference wage during the fourth quarter of the insurance period (article 2 of Executive Decree No. 94-189)

137. To be eligible for unemployment benefit, a worker must have been:

- Affiliated with the social security system for a cumulative period of at least three years
- A regular employee of the organization concerned before being made redundant
- Affiliated with, and up to date in his or her contributions to the unemployment insurance scheme for at least six months before termination of the employment contract (article 6 of Legislative Decree No. 94-11)

138. As at 31 December 2007, under the scheme to protect employees from losing their jobs through no fault of their own, the National Unemployment Insurance Fund had recorded the following statistics on unemployment benefits:

Number of applications submitted to the Fund:	204,899
Number of applications approved:	193,283
Number of benefit claims paid out:	190,687
Benefits exhausted:	180,291

**27. Please indicate in detail the steps that the State party has taken to incorporate specific provisions in national legislation which criminalize and punish domestic violence, including marital rape. Please provide follow-up and updated information on the national centres for girls and women's shelters available for victims of domestic violence or in a situation of distress created under Executive Decree No. 04-182.**

139. Domestic violence, which includes physical, sexual and psychological violence, is unconditionally prohibited and punished under Algerian law.

140. Domestic violence is violence committed within a family unit in the broad sense of the term: members of the family unit may be related by blood or by affinity.

141. Victims of domestic violence committed between husbands and wives, or between lineal ascendant and descendant kin (violence against children in particular), or between collateral kin (sisters, aunts and uncles, etc.), or between persons related by affinity, are protected by law.

(a) Physical domestic violence is punishable under the Criminal Code by imprisonment, including life imprisonment, and additional penalties may be imposed (when the violence results in disability, for example).

142. Physical violence comprises the following offences:

- Assault resulting in total unfitness for work or permanent disability (mutilation, loss of the use of a limb)
- Assault of a parent, grandparent or other ascendant
- Assault by a parent, grandparent or other ascendant, or other person having authority over a child or custody of a minor under 16 years of age
- Administration of substances harmful to health by an ascendant, descendant, spouse or heir of the victim or a person having authority over or custody of the victim
- Involuntary manslaughter or unintentional injury resulting from carelessness, recklessness, inattention or negligence
- Illegal confinement
- Exposure and neglect of children and incompetent persons

143. Psychological domestic violence is punishable in the same terms under the Criminal Code.

144. The following are offences of psychological violence:

- Insults
- Threats
- Abandonment of the family

(b) Sexual domestic violence is also punishable in the same terms under the Criminal Code.

145. The following are offences of sexual violence:

- Indecent assault
- Indecent assault of a minor under 16 years of age of either sex; rape
- Incest (sexual relations between lineal kin, siblings, etc.)
- Adultery
- Aiding and abetting prostitution and solicitation (penalties increase when the perpetrator is the husband, father, mother or guardian of the victim)

146. The above list of offences is obviously not exhaustive, but it is clear that — from the standpoint of both criminal prosecution and civil compensation for damages — all forms of domestic violence are covered by Algerian law, which has undergone and continues to undergo profound changes aimed at bringing it into conformity with the relevant provisions of the international legal instruments to which Algeria is a party.

147. Several centres specializing in assistance for women who have been victims of some form of violence or are in distress have been opened, including the following:

(a) Two national centres providing shelter and support for women and girls who have been victims of violence or are in distress (at Bou Ismaïl in the *wilaya* of Tipaza and in the *wilaya* of Tlemcen);

(b) Three *Diar Errahma* (residential care facilities) in Algiers, Constantine and Oran;

(c) A telephone hotline (toll-free: 15 27) is now in service;

(d) Multidisciplinary counselling centres offering psychological, legal and social support and guidance;

(e) Local outreach, counselling and support centres.

148. From 1999 to October 2008, the Bou Ismaïl Centre admitted a total of 1,511 women and girls, 1,399 of whom were socially reintegrated.

**28. Please provide information on coordination among the various government departments in relation to domestic violence and the human and financial resources allocated to combating it. In this regard, please also provide further information on mandatory training of police, prosecutors and judges, and legal remedies available to victims.**

149. In order to consolidate the efforts of the various institutions and civil society groups engaged in combating this phenomenon and to address concerns about violence against women — a vulnerable population group — a national strategy to prevent violence against women was developed. The strategy spans the period 2007–2011.

150. The strategy is a multisectoral initiative launched by the Government with support from the United Nations Population Fund with the aim of promoting gender equity and equality in the public and private spheres.

151. It encompasses strategic initiatives and approaches of various stakeholders, including the health and education sectors and the media, and provides for collaboration with civil society through counselling centres that provide support for women who have been victims of violence. International organizations (including the United Nations Development Programme and the European Union) are partners in the implementation of the strategy.

152. The strategy's principal aim is to contribute to sustainable human development and the enjoyment of human rights, equality between men and women, and the elimination of all forms of discrimination and violence against women throughout their lives. It envisages:

(a) Putting in place systems and means for providing physical, psychological, social and legal support to women subjected to gender-based violence at any stage of their lives;

(b) Informing and raising awareness in society and social institutions, including families, schools and the media;

(c) Empowering families and communities and facilitating the social and economic integration and reintegration of women survivors of violence;

(d) Building coalitions to support the changes needed to stem various forms of discrimination and violence and to ensure equality of rights in the design and implementation of policies, programmes and laws, including international conventions.

153. With regard to the training provided to judges on the remedies available to victims of violence, investigating judges, criminal court judges and public prosecutors receive in-service training whenever necessary at the Judicial Training School on criminal procedure, which includes the remedies available to victims, and through workshops, conferences and seminars organized by the courts.

154. As for trainee judges, they receive basic training in a three-year programme that covers all areas of criminal procedure, including remedies available to victims.

**29. Please provide statistical data on battered or abused women, women or children expelled from their homes as a result of domestic violence, including cases of sexual, verbal and physical violence.**

155. Statistical data on court cases having to do with some form of violence against women are provided below:

2007:	17,732
2008:	14,580
2009 (first 6 months):	6,868

**30. Please provide the most recent statistics on the incidence of poverty throughout the country, disaggregated according to sex, age group, minorities, urban and rural areas.**

156. The resumption of economic growth, coupled with the implementation of support measures and specific programmes targeting the poorest population groups, has helped to reduce poverty and improve the living conditions of households.

157. The poverty rate in Algeria declined significantly over the period 2000–2005. The overall rate dropped from 14.1 per cent in 1995 to 12.1 per cent in 2000 and 5.7 per cent in 2005. The proportion of the total population living on less than one purchasing power parity (PPP) dollar per person per day is under 0.6 per cent.

**31. Please indicate what measures have been taken or are envisaged to improve the housing conditions of internally displaced persons who have lost their homes due to the various natural disasters, including the earthquake of 2003, which particularly affected five northern provinces.**

158. Measures taken by the State to assist victims of the 2003 earthquake in Boumerdes:

Damage caused by the earthquake:

1,391 deaths, 3,444 injuries

95,243 homes damaged, including 10,886 completely destroyed

890 infrastructure elements damaged, including 64 completely destroyed

Reconstruction of the *wilaya* of Boumerdes (as at 30 April 2006)

- 90 km of roadways
- 88 km of drains
- 351 km of drinking-water supply lines
- 195 km of electricity lines
- 100 primary schools (at each site) = 6,000 classrooms
- 86,510 homes repaired
- 8,482 homes reconstructed
- Cooperative housing reconstructed
- 728 public facilities repaired and reinforced
- 97 prefabricated schools constructed
- 58 public facilities constructed
- Support provided to affected families
- Rent assistance provided
- Other solidarity measures



Total value of support provided by the State: DA 78,969,887,000 (\$1 billion), including DA 8 billion (\$111 million) from the Special Solidarity Fund.

**32. Please provide concrete information on the number of individuals and families dwelling in slums without adequate housing and access to potable water and sanitation services. Please also provide specific information on forced evictions and homelessness in the State party.**

159. The following data are from the general population and housing census of April 2008:

- Number of slum dwellings: 234,000
- Number of people living in slum dwellings estimated on the basis of one household per dwelling: 1,204,000
- Proportion of the total population living in slums: 3.55 per cent

160. Addressing the problem of substandard housing is a priority for the Government, which is focusing its efforts in two areas:

- Provision of housing for persons in need
- Enforcement of the law against anyone who attempts to perpetuate the existence of substandard housing, which detracts from a sound urban environment

161. Regarding the supply of housing over the past five years, as at June 2009 nearly 920,000 units had been provided, 58 per cent of them in urban areas and 42 per cent in rural areas. By the end of the current year, the number will total nearly 1.05 million units.

**33. Please indicate the measures taken to address the nutrition situation of children under five. Please explain the initiatives to raise awareness of the importance of breastfeeding in preventing infant malnutrition.**

#### **A. Nutritional deficiency control programme**

162. A programme to prevent and control nutritional deficiencies, with a nutritional surveillance system (99 sentinel sites for nutritional surveillance: 2 per *wilaya* in the north and 4 per *wilaya* in the south), was established in 1994.

163. The programme strategy is based on:

- Detection and management of cases of malnutrition in children under 5 years of age
- Surveillance and monitoring of cases (national data)
- Training of staff (health education on dietary diversification and promotion of breastfeeding)
- Dissemination of information to the public
- Multisectoral activities (involving the agricultural, industrial, commercial and other sectors)

#### **B. Promotion of breastfeeding**

Breastfeeding is promoted through:

- A communication strategy (awareness campaigns, posters, brochures, films, etc.)
- A committee established in 1996 for the Baby-Friendly Hospital Initiative

- The participation of 104 health-care facilities in the Baby-Friendly Hospital Initiative
- Production of a multisectoral reference guide (International Code of Marketing of Breast-milk Substitutes)

**34. Please provide information on the measures taken to guarantee that, as stipulated in the national health policy, sub-Saharan immigrants have access to public health in practice, without fearing arrest or deportation.**

164. The national health system provides equal rights to health and equal access for individuals and families, without distinction, to all health facilities in order to receive appropriate emergency treatment and essential preventive and curative care, as well as treatment for migrant workers and members of their families, regardless of their situation with respect to residence or employment, on an equal footing with Algerian nationals.

165. The legal basis for these provisions is Act No. 85-05 of 16 February 1985 concerning the comprehensive, coherent and universal protection and promotion of health.

166. It is worth noting here that Algeria has ratified, by Presidential Decree No. 04-441 of 29 December 2004, the International Convention on the Rights of All Migrant Workers and Members of Their Families.

**35. Please provide updated information on the public programmes and policies to address the lack of access to potable water and sanitation, particularly in rural areas.**

167. The national water resources development strategy aims to:

(a) Increase the availability of conventional water resources in order to meet domestic, industrial and agricultural water needs;

(b) Renovate and expand the drinking-water supply and distribution infrastructure in order to minimize losses and improve the quality of service;

(c) Renovate and expand the sanitation and wastewater treatment infrastructure in order to conserve and reuse limited water resources;

(d) Modernize and expand the farming operations developed to support the food security strategy;

(e) Reform the legal, institutional and organizational framework to ensure sound water governance and improved management indicators.

168. Huge investments have been made over the last two decades in the area of drinking water and sanitation, which has helped to increase the proportion of the national population connected to the drinking-water supply system to over 93 per cent and the proportion connected to the sanitation system to over 86 per cent.

169. The development of seawater desalination plants will ensure a stable water supply for large cities and make it possible to re-route water from dams in the northern part of the country to areas with drinking-water shortages.

170. The seawater desalination programme provides for the construction of 13 plants with varying production capacities (the largest, in Oran, will have a capacity of 500,000 m<sup>3</sup>/day). The plants will eventually produce 2.26 million m<sup>3</sup>/day. The first two plants under this programme (in Arzew and Algiers) were put into service in 2005 and 2008.

**36. Please provide information on the results of the reforms to address the challenges in health services in the State party. In particular, please indicate the impact of these reforms on rural areas.**

171. Executive Decree No. 07-140 of 19 May 2007 introduced a new health map, which reorganized the health-care system on the basis of public hospitals and polyclinics with the status of local public health-care establishments. In this way, a total of 257 local public health-care establishments were set up.

172. The objective is to ensure the qualitative improvement of basic services by optimizing the technical facilities of local public establishments with the incorporation of basic specialties and to provide the conditions for different levels of health care. The decree also ensured the financial autonomy of the establishments in order to provide more equitable distribution of financial resources for local health-care services. This should also improve accessibility to health care for people living in rural or remote areas.

**37. Please indicate the achievements of the State party's strategy to combat HIV/AIDS and the prevention efforts targeted at young people, vulnerable groups and most-at-risk populations such as women of reproductive age. What measures are being taken to ensure coordination among relevant partners?**

173. Algeria is one of the countries that has a low epidemiological profile, with a seroprevalence rate in the region of 0.1 per cent.

174. Since the first case was diagnosed in 1985, the National Monitoring Laboratory has confirmed that, as at 31 December 2007, a total of 837 people had AIDS and 2,910 people were HIV-positive.

175. The number of HIV-infected women is 1,081, and the number of women with AIDS is 273 (giving a male-to-female ratio of 3:2).

176. The predominant form of transmission is heterosexual (45.29 per cent). Women of childbearing age are becoming increasingly infected (accounting for one third of all cases) and in practice are particularly vulnerable, as are young persons.

177. A special effort is therefore being made to prevent transmission from mother to child (1.82 per cent) during birth, and to reduce the exposure to risk of young persons as part of reproductive health and school and university health programmes run jointly with associations.

178. Some 54 anonymous, free-of-charge screening centres have been opened throughout the country's *wilayas*.

179. Institutional care facilities were considerably expanded during the 1990s, with measures that included the creation of the National Blood Agency, responsible for the safety of blood transfusions and the introduction of mandatory controls of blood donations and blood by-products throughout the country; the creation of six referral centres for the treatment of HIV/AIDS; and the supply of antiretroviral drugs free of charge in the referral centres.

180. The sectoral plans for the period 2007–2011 cover four areas of activity:

- (a) Prevention among vulnerable groups;
- (b) Care for persons living with HIV/AIDS;
- (c) Mobilization of associations and communities;
- (d) Greater awareness of epidemiological trends through seroprevalence and behavioural surveys.

181. The following are some of the activities that take place every year in this area:

- A ministerial circular on raising the awareness of all schoolchildren is sent to heads of schools, at all levels, to mark World AIDS Day (1 December).

- The national education sector participates in World AIDS Day by giving a class to raise awareness and help prevent the spread of AIDS. All schools in Algeria took part – a total of 24,673 schools, all levels combined, and a total number of 8,147,237 pupils.
- Information days on combating AIDS were held, attended by heads of middle and secondary schools, primary school inspectors and school and career counsellors.

**38. Please provide updated information on the results of education in the Amazigh language indicating the percentage of Berber students that benefit from it. Please indicate whether teaching of Amazigh history and civilization is also included.**

182. With regard to measures taken to promote the Amazigh language, following the revision of the Constitution of 22 April 2002, the Amazigh language is now a national language.

183. The national training and linguistic centre for the teaching of Tamazight (CNPLET) was established by Executive Decree No. 03-470 of 2 December 2003; its main purpose is to assist the Ministry of Education with scientific research on the language and teaching of Tamazight.

184. In this connection, the Education Act (Act No. 08-04 of 23 January 2008) states in its preamble that Algerian schools must promote the three fundamental values of Algerian identity: Islamism, Arabism and “Amazighness” in terms of language, culture and heritage. Close attention shall be paid to Amazighness, the enhancement of which shall be included in efforts to promote national culture.

185. The Act also states that schools must increase the awareness of pupils — whatever their mother tongue or place of residence — of their links to the Amazigh language, for example by teaching them about the ancient history of Algeria (and the Maghreb), including its geography and toponymy.

186. The aim is to strengthen and promote all aspects of Amazighness (including language, culture, historical and anthropological background) in the curriculum, once it has been phased in, with appropriate teaching and research tools provided for the study of the Amazigh national language.

187. The State will supply the necessary human, practical and organizational resources to gradually meet demand throughout the country.

188. The Amazigh national language is promoted and taught at all levels (primary, middle and secondary).

189. Teaching of the Amazigh national language started in the first year of middle school for the school year 2003/04 and in the fourth year of primary school for 2006/07, and the study of Tamazight was introduced into the *baccalaur áat* examination in June 2008.

**Levels of teaching**

190. The State has currently established five levels of teaching for the Amazigh national language:

Level 1: pupils in the fourth and fifth year of primary school

Level 2: pupils in the first and second year of middle school

Level 3: pupils in the third and fourth year of middle school

Level 4: pupils in the first year of secondary school

Level 5: pupils in the second and third year of secondary school

191. At primary level, the Amazigh national language is taught in 768 schools, distributed over four *wilayas*, to 41,634 pupils, as shown in the table below.

<i>Wilaya</i>	<i>No. of schools</i>	<i>No. of pupils</i>
Batna	97	4 152
Bejaia	227	13 720
Bouira	68	4 468
Tizi-Ouzou	376	19 294
<b>Total</b>	<b>768</b>	<b>41 634</b>

192. At middle-school level, the Amazigh national language is taught in 282 schools, distributed over 12 *wilayas*, to 110,993 pupils, as shown in the table below.

<i>Wilaya</i>	<i>No. of schools</i>	<i>No. of pupils</i>
Oum El Bouagui	5	2 105
Batna	20	7 365
Béjaia	87	22 864
Biskra	1	91
Bouira	33	17 379
Tamanrasset	3	712
Tizi-Ouzou	114	55 580
Alger centre	2	45
Séif	7	1 862
Boum érd ès	7	2 741
Khenchela	1	230
Ghardaia	02	19
<b>Total</b>	<b>282</b>	<b>110 993</b>

193. At secondary level, the Amazigh national language is taught in 63 schools, distributed over five *wilayas*, to 13,724 pupils, as shown in the table below.

<i>Wilaya</i>	<i>No. of schools where the Amazigh national language is taught</i>	<i>No. of teaching divisions</i>			<i>No. of pupils</i>
		<i>1st year</i>	<i>2nd year</i>	<i>3rd year</i>	
Alger centre	2	1	1	1	18
Boum érd ès	1	10	8	7	766
Bouira	7	25	28	3	1 501
Béjaia	20	520	25	45	4 085
Tizi-Ouzou	34	138	82	21	7 354
<b>Total</b>	<b>64</b>	<b>694</b>	<b>144</b>	<b>77</b>	<b>13 724</b>

194. The Amazigh national language is taught by secondary-school teachers who have a degree in the Amazigh language and are graduates of Tizi-Ouzou University, and by primary and middle-school teachers who have the *baccalauréat* and have completed a three-year residential course at the teacher training institute of Ben Aknoun.

195. In some remote areas, where there are not enough specialized teachers, the Amazigh national language is taught by supply teachers.

### Training

196. Teachers of the Amazigh national language are trained at teacher training institutes. The table below shows the number of students since 2004 and the number of graduates (including those expected to graduate in 2009, 2010 and 2011).

<i>Year of training</i>	<i>No. of students</i>	<i>No. of graduates</i>
2004/05	35	28 in 2006
2005/06	14	13 in 2008
2006/07	13	12 expected in 2009
2007/08	36	35 expected in 2010
2008/09	18	18 expected in 2011
2009/10	Training provided by ENS institutions	

The *wilayas* concerned are: Alger, Boumédès, Bouira, Bǧaia, Batna, Biskra, Khenchela, Tamanrasset, Oum El Bouagui, Sǧif and Tizi-Ouzou.

### Syllabuses and textbooks

197. The middle-school syllabus for the Amazigh national language is designed to build on the primary syllabus.

198. A new syllabus and a new textbook have been prepared for pupils in the first year of middle school, starting in the school year 2008/09.

### Number of hours taught

199. Three hours a week are assigned to the teaching of the Amazigh national language (three one-hour lessons, or four 45-minute lessons).

**39. Please indicate the effective measures in place to address the quality of education in the State party and the different challenges, including student-to-teacher ratios, inadequate teacher training, and infrastructure gaps.**

### Teaching

(a) Weekly remedial classes have been introduced in order to help pupils with problems to improve their weak points, fill the gaps in their knowledge and catch up;

(b) Curricula have been abridged;

(c) Pupil support sessions have been introduced, in particular for pupils preparing for exams, in order to help them improve their academic performance;

(d) Legislation prohibits the expulsion of pupils under 17 years of age in compulsory education.

### Teacher training

(a) Advanced training and refresher courses to update teachers' skills, taking into account the wide variety of training methods and possibilities for improvement (distance education, using new technological tools, short courses, sandwich courses);

(b) Priority given, in the plan to update teachers' skills, to primary school teachers most in need of training;

(c) Improving the skills of the inspectors who supervise the teachers.

**40. Please provide further information on the measures that are being taken to address the high rates of school dropout, in particular in the most deprived communities and regions.**

**Action to promote enrolment**

Various measures have been introduced to promote the enrolment and attendance of pupils in schools, particularly children from disadvantaged families. These measures include:

- School bursaries, to help children's parents pay for their boarding fees (full or half board)
- Expansion of school canteens

<i>School year</i>	<i>Pupils receiving meals</i>	<i>Rate</i>
2006/07	2 505 450	61%
2007/08	2 719 727	67.75%

- Educational solidarity measures: school textbooks and supplies are provided free of charge to more than 3,384,207 pupils, by means of a direct grant for children from disadvantaged families. By way of example, 2,333,000 pupils were provided with school clothing in the school year 2008/09.
- Special schooling allowance: this has increased from DA 2,000 to DA 3,000 for each schoolchild from a low-income family.
- School transport: 3,829 buses are used to transport more than 700,000 pupils.

**Boarding (full or half board)**

The number of pupils boarding (full or half board) is as follows:

- Middle school

**Half board**

<i>School year</i>	<i>Pupils</i>	<i>Girls</i>
2006/07	246 823	128 182
2007/08	406 295	210 211

**Full board**

<i>School year</i>	<i>Pupils</i>	<i>Girls</i>
2006/07	25 472	11 977
2007/08	34 905	17 002

- Secondary school

**Half board**

<i>School year</i>	<i>Pupils</i>	<i>Girls</i>
2006/07	135 169	82 010
2007/08	219 106	132 094

**Full board**

<i>School year</i>	<i>Pupils</i>	<i>Girls</i>
2006/07	33 050	18 594
2007/08	38 125	22 407

**41. Please provide information on the institutional infrastructure to promote popular participation and access to cultural life, especially at the community level throughout the State party.**

200. Algeria is actively pursuing a policy of decentralization of cultural events and facilities in order to increase citizens' access to, and bring them into closer contact with, cultural creations and productions. A sizeable budget has been assigned to investment in the culture sector. The aim of this investment is to establish a proper network of the facilities that are essential for the development of culture and for the well-being of citizens.

**Institutions in the field of arts and literature**

**Theatres**

Algerian National Theatre

Oran Regional Theatre

Constantine Regional Theatre

Annaba Regional Theatre

Bejaia Regional Theatre

Sidi-Bel-Abbès Regional Theatre

Tizi-Ouzou Regional Theatre

Skikda Regional Theatre

Souk-Ahras Regional Theatre

Ain-Beida Regional Theatre (Oum El Bouaghi wilaya)

Saida Regional Theatre

Mascara Regional Theatre

Guelma Regional Theatre

Eight theatres are in the process of being set up in Bechar, Naama, Djelfa, Mostaganem, Biskra, El Eulma, Ouargla, and Khenchela.

**Cinema**

Algerian Cinematography Centre

National Cinematography and Audio-visual Centre

Nineteen art house cinemas, 13 of which are being restored

**Books and public libraries**

Algerian National Library

201. In addition, the Algerian Government is setting up a network of public reading libraries, spread throughout the country, in order to facilitate access to reading and



information for the entire population. It is planned to build a total of 413 libraries, 15 of which will be in the principal towns of the *wilayas* and 158 in the municipalities.

#### **Cultural institutions**

Palais de la Culture  
 Algerian Cultural Centre in France  
 Algerian Agency for the Promotion of Culture  
 Office Riadh El Feth  
 National Office for Culture and Information

#### **Cultural centres**

The network of cultural centres had a total of 38 centres at the end of 2008, in 38 big towns in the various *wilayas*.

Location:

1. Adrar
2. Laghouat
3. Oum El Bouaghi
4. Bejaia
5. Batna
6. Biskra
7. Bechar
8. Tamanrasset
9. Tebessa
10. Tlemcen
11. Tizi Ouzou
12. Djelfa
13. Setif
14. Saida
15. Annaba
16. Guelma
17. Constantine
18. Medea
19. M'sila
20. Mascara
21. Ouargla
22. Oran
23. El Bayadh
24. Bordj bou Arreridj

25. Boumerdes
26. Tissemsilt
27. El Oued
28. Khenchela
29. Ain Temouchent
30. Mostaganem
31. Jijel
32. Illizi
33. Naama
34. Ain Defla
35. Mila
36. Bouira (2008)
37. Sidi Bel Abbes (2008)
38. Tiaret (2008)

202. When the 12 new cultural centres are set up in those *wilayas* that do not yet have one, under the five-year programme for 2009–2014, the network will be complete.

**Institutions responsible for cultural heritage**

Office of Tassili National Park

Office of Ahaggar National Park

Office for the Protection and Promotion of the M'Zab Valley

Palais des Rais Art and Cultural Centre ("Bastion 23")

National Gallery of Fine Arts (Algiers)

Bardo National Museum (Algiers)

National Museum of Antiquities (Algiers)

Zabana National Museum (Oran)

Cirta National Museum (Constantine)

National Museum of Popular Arts and Traditions (Algiers)

S aïf National Museum

Nacer Eddine Dinet Bou-Saada National Museum (M'sila)

National Museum of Modern and Contemporary Art

National Museum of illuminated miniatures and calligraphy

National Maritime Museum

National Manuscript Centre

National Centre for Prehistoric, Anthropological and Historical Research

National Centre for Archeological Research

National Office for Management and Use of Protected Cultural Artefacts

**Institutions responsible for artistic training in the arts**

National Academy of Music

Academy of Fine Arts

Academy of the Performing and Audio-visual Arts

**1. Regional institutes for music studies**

Algiers

Oran

Bouira

Batna

Tipaza

Bechar

Tlemcen

Relizane

Bejaia

Annaba

Constantine

**2. Regional institutes for the study of fine arts**

Azazga

Oran Mostaganem

Constantine

Batna

Tlemcen

Sidi Bel Abbès

Annaba

Séif

**42. Please provide additional information on the steps taken towards the recognition of the Amazigh language as an official language.**

203. In April 2002 both chambers of the Algerian Parliament approved the amendment of article 3 of the Constitution, confirming the Amazigh language as a national language. Article 3 bis provides that “Tamazight is also a national language, which the State shall endeavour to promote and develop, in all the linguistic varieties used throughout the national territory”.

204. This decision of the Algerian Parliament reaffirms Algeria’s respect for the cultural rights and cultural diversity of the Algerian people.

205. All the sectors concerned have been actively implementing this principle. The education system has taken on responsibility for teaching the language, and the cultural sector encourages and facilitates promotion of the language, including through the production of films and plays. The media enable free expression and dissemination of the national culture in all its various forms.

**43. Please provide updated information on the access to print and broadcast media for the Amazigh culture. Please also provide updated information on the creation of broadcast channels in the Amazigh language.**

206. In March 2009, Algerian Television launched Channel 4 (satellite Tamazight TV). All programmes broadcast by the channel are in the Amazigh language, in all its various forms.

207. In addition to regional Amazigh radio stations, there is a national channel (Channel 2) broadcasting in the Amazigh language. The national terrestrial television network broadcasts a news bulletin every day at 6 p.m. in the Amazigh language.

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