

ALGERIA

CRC OPTIONAL PROTOCOL (ARMED CONFLICT)

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Declaration:

In accordance with article 3 of the second Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and with a view to concluding the procedures for the ratification thereof, I have the honour to transmit to you the following Declaration on behalf of the Government of the People's Democratic Republic of Algeria:

By virtue of Order No. 74-103 dated 15 November 1974 containing the National Service Act, Algerian youths who have reached the age of 19 years may be recruited for National Service.

In application of Order No. 06-02 dated 18 February 2006 containing the General Military Service Personnel Act, Presidential Decree No. 08-134 dated 6 May 2008 specifies the conditions for the recruitment of officers serving in the Algerian Army under which the minimum age for the recruitment of persons in this category shall be 18 years.

The same legislative provision shall apply to enlisted military personnel, primarily non-commissioned officers, and is extended to private soldiers by virtue of internal regulations since 1969 (Order No. 69-90 dated 31 October 1969 containing the Act on Non-Commissioned Officers Serving in the National People's Army).

Furthermore, all the guarantees relating to the voluntary recruitment of those concerned and which, in the case of minors, require the permission of the persons legally responsible for them as well as adequate knowledge of the obligations inherent in military service are contained in the Algerian legal texts. Those texts, in addition to establishing the free and uncoerced nature of recruitment in the ranks of the National People's Army, are also applicable to holders of the baccalaureat who have reached the age of 17 years and who, by virtue of article 14 of Presidential Decree No. 08-134 dated 8 May 2008, must obtain the permission of their parents or legal guardian.

It is worth mentioning that the military schools that are scheduled to be established in Algeria do not fall within the scope of article 3 of the second Optional Protocol because the students of such establishments are under the administration or tutelage of the armed forces which are exempt from the obligation to raise the minimum age of voluntary recruitment (article 3, paragraph 5, of the Optional Protocol).