

**CIVICUS joint UPR submission Algeria, Annex: Assessment of implementation of civic space recommendations under the 3<sup>rd</sup> cycle**

<b>Recommendation</b>	<b>Position</b>	<b>Full list of themes</b>	<b>Assessment/comments on level of implementation</b>
<b><i>Theme: A28 Cooperation with other international mechanisms and institutions</i></b>			
129.111 Reform the association law 12-06 of 2012 to provide a clear and unambiguous legal foundation for the work of civil society organizations, including with regard to cooperation with international partners (Germany); <b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6	Supported	A28 Cooperation with other international mechanisms and institutions  D7 Right to participation in public affairs and right to vote  D43 Freedom of opinion and expression  D45 Freedom of association  H1 Human rights defenders  <b>Affected persons:</b>  - general  - media  - persons deprived of their liberty	Status: Not implemented  Source: 2.2 - 2.3
<b><i>Theme: A41 Constitutional and legislative framework</i></b>			
129.35 Continue incorporating international human rights norms into the national legislation (Uzbekistan); <b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework  <b>Affected persons:</b>  - general	Status: Not Implemented  Source: 2.2-2.3
129.36 Continue to align its legislation with the new constitution and with the provisions of international human rights instruments (Namibia); <b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework  <b>Affected persons:</b>  - general	Status : Not Implemented  Source: 3.2-3.7
129.37 Expedite the amendment of previous legislation that is not in line with the amended Constitution of 7 February 2016 and its human rights guarantees (Ethiopia); <b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7	Supported	A41 Constitutional and legislative framework  <b>Affected persons:</b>  - general	Status: Not Implemented  Source: 4.3-5.3

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>129.113 Amend the law on associations to remove undue restrictions on civil society organizations (United States of America);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.2 – 2.3</p>
<p>129.114 Revise or repeal legislation on associations and elaborate a new organic law on associations in conformity with international human rights norms (France);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status : Not Implemented</p> <p>Source: 2.2 – 2.3</p>
<p>129.117 Create a secure and enabling environment for civil society, notably by amending the Law 12-06 of 12 January 2012 to bring it into conformity with its Constitution and international obligations (Switzerland);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status : Not Implemented</p> <p>Source: 2.2 – 2.3</p>
<p>129.99 Amend administrative and other regulations and practices in order to implement the constitutional provisions regarding freedom of the press and clarify the law on defamation and its application so as to ensure freedom of opinion and expression (Sweden);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p><b>Affected persons:</b></p> <p>- media</p>	<p>Status: Not Implemented</p> <p>Source : 4.3 – 4.5</p>
<p>129.105 Take urgent measures to amend criminal legislation which criminalizes freedom of expression and opinion online and in different social media (Argentina);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p><b>Affected persons:</b></p> <p>- media</p>	<p>Status: Not Implemented</p> <p>Source: 4.4 – 4.7</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>129.94 Strengthen efforts to bring national legislation into line with the Constitution and with its international human rights obligations, especially with regard to the right to freedoms of assembly, expression and association (Italy);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 4.4 – 4.7</p>
<p>129.106 Bring its legislation into line with the new Constitution to ensure the full exercise of freedom of expression, association and assembly (Spain);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- media</p>	<p>Status: Not Implemented</p> <p>Source: 2.2.2.4, 4.4-4.4, 5.5-5.5</p>
<p>129.107 Align its domestic legislation to international standards so as to fully respect the right to freedom of peaceful assembly and association, in line with the International Covenant on Civil and Political Rights, as well as remove any obstacles to the exercise of the right to freedom of opinion and expression (Brazil);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p> <p>- media</p>	<p>Status: Not Implemented</p> <p>Source: 2.2.2.4, 4.4-4.4, 5.5-5.5</p>
<p>129.98 Guarantee the effective exercise of freedom of expression, assembly and association, by reforming its legislation, notably so as not to hamper the legitimate work of non-governmental organizations and human rights defenders (Luxembourg);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>H1 Human rights defenders</p> <p><b>Affected persons:</b></p> <p>- human rights defenders</p>	<p>Status: Not Implemented</p> <p>Source: 5.3 – 5.4</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>129.108 Eliminate obstacles and restrictions to freedom of assembly and peaceful protest, and adopt a law that guarantees the free enjoyment of these freedoms, in conformity with the International Covenant on Civil and Political Rights (Mexico);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D44 Right to peaceful assembly</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 5.3 – 5.6</p>
<p>129.112 Review the application of the associations law from 2012 so as to ensure that it strengthens the right to freedom of association, and conduct the legislative consolidation of the law accordingly (Slovenia);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.2-2.5</p>
<p>129.96 Take further measures to guarantee the rights to expression, assembly, association and belief (Australia);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>D42 Freedom of thought, conscience and religion</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.2 – 2.4</p>
<p><b>Theme: D43 Freedom of opinion and expression</b></p>			
<p>129.95 Implement freedom of association, expression, assembly and peaceful demonstration in accordance with the International Covenant on Civil and Political Rights (Kenya);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.6-2.10, 4.7-4.16, 5.5-5.11</p>
<p>129.102 Complete the procedures related to the establishment of the independent regulatory authority for the broadcast media (Tunisia);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p>A46 National Plans of Action on Human Rights (or specific areas)</p> <p><b>Affected persons:</b></p> <p>- media</p>	<p>Status: Not Implemented</p> <p>Source: 2.6-2.10, 4.7-4.16, 5.5-5.11</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<b>Theme: D44 Right to peaceful assembly</b>			
<p>129.109 Take steps to ensure its obligations under the International Covenant on Civil and Political Rights are upheld when it comes to articles 21 and 22 regarding the right of peaceful assembly and the right to freedom of association (Norway);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.6-2.10, 5.5-5.10</p>
<p>129.110 Avoid applying severe restrictions on freedom of assembly and prohibiting peaceful demonstrations, and take the necessary measures to make procedures for the registration of non-governmental organizations more flexible and to ensure that they can carry out their work without undue interference (Uruguay);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7</p>	Supported	<p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.6-2.10, 5.5-5.10</p>
<p>129.116 Take measures to foster a safe, respectful, enabling environment for civil society, including through the removal of legal and policy measures, which unwarrantedly limit the right to association (Zambia);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 6</p>	Supported	<p>D44 Right to peaceful assembly</p> <p>D45 Freedom of association</p> <p><b>Affected persons:</b></p> <p>- general</p>	<p>Status: Not Implemented</p> <p>Source: 2.6-2.10, 5.5-5.10</p>
<b>Theme: H1 Human rights defenders</b>			<p>Status: Not Implemented</p> <p>Source: 1.3, 3.1</p>
<p>129.118 Create and maintain a safe and enabling environment suitable for civil society and human rights defenders (Republic of Korea);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 7</p>			
<b>Theme: A24 Cooperation with special procedures</b>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>129.100 Lift restrictions on the registration of associations and freedom of assembly, decriminalize defamation, adopt a framework to protect journalists from intimidation and harassment, and implement the best practices on peaceful assembly put forward by the Special Rapporteur to ensure compliance with the International Covenant on Civil and Political Rights (Ireland);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 47</p>	Supported/Noted	<p>A24 Cooperation with special procedures</p> <p>A41 Constitutional and legislative framework</p> <p>D43 Freedom of opinion and expression</p> <p>D44 Right to peaceful assembly</p> <p><b>Affected persons:</b></p> <p>- media</p>	<p>Status: Not Implemented</p> <p>Source: 2.6-2.10, 5.5-5.10</p>
<p><b>Theme: A41 Constitutional and legislative framework</b></p>			
<p>129.103 Amend penal code articles that punish peaceful free expression with prison terms, to conform to Algeria's Constitution (United States of America);</p> <p><b>Source of position:</b> A/HRC/36/13/Add.1 - Para. 47</p>	Supported/Noted	<p>A41 Constitutional and legislative framework</p> <p>D26 Conditions of detention</p> <p>D43 Freedom of opinion and expression</p> <p><b>Affected persons:</b></p> <p>- persons deprived of their liberty</p>	<p>Status: Not Implemented</p> <p>Source: 4.6</p>