

## ADVANCE QUESTIONS TO ALGERIA

### CANADA

- Les Algériens jouissent d'une grande liberté d'expression, n'hésitant pas à critiquer le gouvernement, les forces armées et le président. L'accès à l'internet et la réception de chaînes de télévision étrangères sont libres. La presse écrite est légalement libre, bien que sujette à une certaine autocensure, vu que les journalistes peuvent être condamnés pour diffamation. La télévision et la radio sont contrôlées totalement par les autorités. L'attitude des autorités algériennes à l'endroit des organisations des droits de l'homme continue de se décrier, mais les autorités restent extrêmement sensibles à tout commentaire négatif, surtout provenant de l'étranger. *SVP disposez le cadre juridique dans votre pays pour promouvoir et protéger le droit de la liberté d'opinion et d'expression.*
- Depuis près de deux ans, et surtout durant les derniers mois, la liberté de religion semble être sur la sellette. Les églises chrétiennes (catholique, protestante, évangélique) ont subi de nombreuses attaques de la part du ministère de l'Intérieur, qui a pris notamment plusieurs mesures d'expulsion apparemment arbitraires. *SVP disposez le cadre juridique dans votre pays pour promouvoir et protéger le droit de la liberté de pensée, conscience et religion. SVP expliquez pourquoi ces mesures ont été prises par le Ministère de l'Intérieur et s'ils sont en accord avec le cadre juridique décrit.*

### DENMARK

- While acknowledging and welcoming a great degree of freedom of the news media in Algeria, it has been noted that the editor-in-chief and one of the journalists of the daily newspaper El Watan has recently been sentenced two months of imprisonment and a fine of one mill. Dinars. In view of the many protests from local and foreign journalists, parliamentarians and human rights organizations in this case, does Algeria plan to provide further information about the case?

### FINLAND

- We acknowledge that the Government of Algeria has made commitments to protect children from violence, including by drafting the bill on child protection<sup>1</sup> and by developing, in collaboration with UNICEF, a National Plan of Action for women and children affected by violence<sup>2</sup>. With regard to the

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<sup>1</sup> Concluding observations adopted by the Committee on the Rights of the Child (CRC/C/15/Add.269, paragraph 12) and the national report for the universal periodic review submitted by the Government of Algeria, page 14.

<sup>2</sup> UNICEF - Info by country at [http://www.unicef.org/infobycountry/algeria\\_478.html](http://www.unicef.org/infobycountry/algeria_478.html) (28 March 2008).

United Nations study on violence against children<sup>3</sup>, which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Algeria. In particular, we would greatly appreciate if the Government of Algeria could share with us good practices to prevent and respond to violence against children<sup>4</sup>.

## **GERMANY**

- In view of the request of several Special Procedures mandate holders (notably the Rapporteurs on extrajudicial, summary and arbitrary executions, on torture, and the WG on enforced or involuntary disappearances) to visit Algeria, Germany would like to inquire about the GoA's plans to enable these mechanisms to visit Algeria.
- What is the GoA undertaking to effectively ensure that suspects are not held in secret detention and are not subject to torture or other cruel ill-treatment?

## **IRELAND**

- What measures have been taken to ensure full enjoyment of the freedoms of expression, assembly and association, with particular regard to the right to protest?
- What measures have been taken to promote the role of human rights defenders, through education and inclusion in decision-making, in particular amongst national authorities, law enforcement officials and security officers?
- What measures have been put in place to support the work of human rights defenders?

## **ITALY**

- The Committee on the Rights of the Child (CRC), while recognizing the positive steps undertaken by the Algerian Government to improve the protection and the promotion of the rights of the child, reported that corporal punishment remains widely accepted in society as a form of discipline and called on Algerian authorities to adopt legislation explicitly prohibiting corporal punishment. Have you started to consider how to address this issue?

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<sup>3</sup> Report of the independent expert for the United Nations study on violence against children (A/61/299).

<sup>4</sup> Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnote 70).

- Considering the importance of full collaboration with UN human rights mechanisms, is the Algerian Government planning to give a positive response to the requests for visits forwarded by special procedures in the near future?

## **LATVIA**

- According to the information of the Office of the UN High Commissioner for Human Rights 59 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering the cooperation of Algeria with the special procedures (visits of Special Rapporteur on freedom of religion or belief in 2002, Special Rapporteur on violence against women in 2007) - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

## **NETHERLANDS**

- In which way is Algeria considering to further strengthen the rule of law and human rights, and could abolishing the state of emergency - which is maintained since 1992 - be part of such measures?
- In which way will Algeria further improve the position of women and will an amendment of the family code of 2005 be part of such a measure; thus granting the same rights to both genders in cases of divorce and inheritance?
- In its national report, Algeria mentions law no. 90-07 regarding the liberty of expression. Could Algeria elaborate on its considerations for enacting this law and could Algeria give more information about the frequency with which its judiciary actually used it?

## **PORTUGAL**

- Portugal attaches great importance to the complete abolition of the death penalty and in this regard we welcome the position adopted by Algeria regarding the UNGA death penalty Resolution. Bearing in mind that a de-facto moratorium has been in place since 1993, and that the changes in the Penal Code in 2000 limiting the scope of the use of the death penalty were another important development, we would like to know if Algeria envisages a complete abolition of the death penalty in a near future?

## **ROMANIA**

- Nous tenons à féliciter le Gouvernement d'Algérie pour la création de la Commission Nationale Consultative de Promotion et de Protection des Droits de l'Homme qui est une étape essentielle pour la consolidation institutionnelle du cadre nationale visant la protection et la promotion des droits de l'homme. Nous aimerions savoir comment les autorités algériennes envisagent-elles de renforcer la transparence de ses activités ?

- Le rôle de la société civile est un élément central pour garantir la pleine jouissance et dissémination des informations sur les droits de l'homme. Nous aimerions savoir quelle a été la procédure appliquée à niveau national afin d'en impliquer les représentants de la société civile et lesquels dans la rédaction du rapport national pour l'Examen périodique universel (EPU)?
- Dans sa contribution lors des élections des membres du Conseil des Droits de l'Homme de 2006, l'Algérie en a mis en évidence son remarquable dynamisme. Y a-t-il l'intention d'adopter des nouvelles mesures destinées à encourager davantage les activités des ONG nationales? Est-ce que le Gouvernement d'Algérie a l'intention de discuter avec ceux-ci et de les impliquer dans l'application du rapport final de l'EPU? Comment les autorités ont intégré la perspective de genre dans le processus national de consultation pour l'EPU?

## **SWEDEN**

- The constitution of Algeria protects the physical integrity of individuals. Algeria is a party to the Convention against Torture, and has recognised the Convention's provisions for individual complaints. Civil society organisations have noted, however, continuing reports of torture and other maltreatment in places of detention, particularly in connection with Algerian authorities' work against terrorism. Could the government of Algeria elaborate on the measures it is taking to eliminate the commitment by state agents of torture and other cruel, inhuman or degrading treatment or punishment?
- Civil society organisations have reported that women in Algeria continue to face widespread domestic and other violence in addition to some legal and social discrimination. In its concluding observations from its latest consideration in 2007 of Algeria, the Human Rights Committee issued a number of recommendations to Algeria to address the problem. In its national report to the 2008 Universal Periodic Review, the government of Algeria stated that a solution to the problem must include public information work as well as institutional measures including review of legislation in the area. Could the government of Algeria elaborate on the measures it is taking to eliminate violence and discrimination against women, including with regard to the possibility of criminalising domestic violence?

## **UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

- Could you please give us further information about the extent to which civil society was involved in the preparation of your national report?
- We welcome Algeria's public declaration of plans to remove the death penalty from the statute book. Could you update us on progress in doing so, and when you plan to remove it?

- We welcome progress made in respect of women's rights, particularly in the area of divorce law. Do you intend to further amend the family code to make domestic violence, including marital rape, an offence?
- Could you please inform us why the Special Rapporteurs on torture, on extrajudicial, summary or arbitrary executions and the Working Group on enforced or involuntary disappearances have not been able to visit and conduct investigations within Algeria despite their requests to do so?
- Could you please tell us more about the existence of a national human rights institution in Algeria, and whether it complies with the Paris Principles?

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