

**Universal Periodic Review  
(13<sup>th</sup> session, 21 May - 1 June 2012)**

**Contribution of UNESCO**

**ALGERIA**

**I. Background and framework**

**1. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

**A. Table**

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	24/12/1968	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989	Not ratified			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	24/06/1974			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	15/03/2004			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	Not ratified			Right to take part in cultural life

## II. Promotion and protection of human rights on the ground

### 1. Right to education<sup>1</sup>

#### A. Normative Framework

##### i. Constitutional framework

1. The Algerian Constitution of 1996 establishes at article 53 the Right to Education. It recognizes the right to a free and compulsory education under the conditions set by law. The State organizes the educational system, and should ensure in particular the equal access to education and vocational training. Article 65 of the Constitution establishes “The law sanctions the duty of parents in the education and protection of their children (...)”

##### ii. Legislative framework

2. The *Order n° 76-35 of 16 April 1976*, organized the education and training in Algeria. The *Education Act No. 08-04 of January 23, 2008*, which updates, among other things, the Ordinance, through Articles 10 to 15, guarantees the right to education and free education, compulsory education for all girls and all boys aged 6 to 16 years, the period may be extended for two years for students with handicaps; The law penalizes parents or guardians who withdraw their children from studies before the legal age of school dropouts, that is 16 years. Article 34 provides that "the teaching of Tamazight language is introduced in the education system to respond to the request made in the national territory". In addition, article 85 establishes the opening of adjustments class with the aim of taking care students with difficulties or who suffered delays.

3. Concerning the protection of handicaps, a legal provision was adopted to protect vulnerable persons. *Law No. 02-09 of May 8, 2002* dedicates all rights provided in this area by international instruments. Article 3 stipulates that one purpose of the protection and promotion of persons with disabilities is "to ensure compulsory education and vocational training for handicapped children and adolescents." Article 4 says that the achievement of this goal "is a national obligation." Articles 14 to 22 deal specifically with education, vocational training, physical therapy and rehabilitation of persons with disabilities.

4. Law No. 99-05 of April 4, 1999 intended to establish the basic provisions for higher education. It was supplemented by Law No.08-06 of 23 February 2008.

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<sup>1</sup> Sources:

- Constitution of Algeria 1996. : <http://www.algeria-un.org/default.asp?doc=-const> (English version)
- The Education Act No. 08-04 of January 23, 2008: [http://www.joradp.dz/JO2000/2008/004/F\\_Pag.htm](http://www.joradp.dz/JO2000/2008/004/F_Pag.htm) (French version)
- Law No. 02-09 of May 8, 2002: [http://www.joradp.dz/JO2000/2002/034/F\\_Pag.htm](http://www.joradp.dz/JO2000/2002/034/F_Pag.htm) (French version)
- Report of the Algerian government to UNESCO dated 27 August 2006 as part of the seventh consultation of Member States on the implementation of the Convention against Discrimination in Education. (French version)

5. Law No. 08-07 concerning the general law governing vocational education and training was adopted on 23 February 23 2008.

## **B. Policy measures**

6. As part of the educational reform, new elements have been incorporated into the programs, namely: Education for human rights, education on population, health education, global education and environmental education.

7. Since the start of the school year 2000/2001, an education allowance of \$ 2000 dinars is assigned for each school year for each child in order to help families to cover schooling expenses. In 2005, 3 million children benefitted from this allowance, for a budget of 6 million dinars.

8. A special effort was made by the State for the densification and the development of school canteens and for increasing funding for their operation. This has seriously increased the number of beneficiaries.

9. In Algeria, teachers have seen their situation improve steadily due to the increase in their salary. In addition, the Education Act developed as part of educational reform, has increased their prestige, by recognizing their moral, social and economic development, enabling them to live and work in dignity. This contributes significantly to make of the teaching profession an attractive position in the hierarchy of public service.

## **C. Cooperation**

10. The Algerian government has submitted to UNESCO a report dated 27 August 2006 as part of the seventh consultation of Member States, on the implementation of the *Convention against Discrimination in Education (1960)*.

11. Algeria has not submitted to the UNESCO any report concerning the implementation of the 1974 *UNESCO Recommendation concerning education for international understanding, cooperation and peace and education relating to human rights and fundamental freedoms* in the context of the fourth consultation of Member States (covering the period 2005-2008).

## **2. Freedom of opinion and expression**

### **A. Achievements, best practices, challenges and constraints**

#### **i. Legislative framework**

12. The Algerian Constitution, revised in 1996, stipulates in its Article 36 that “the freedom of conscience and freedom of opinion are inviolable”. The rights to freedom of expression, association and assembly are guaranteed in its Article 41. However the political climate in the country contributes to weakening the full enjoyment of these rights and dissident voices are frequently restricted in all mediums in Algeria.

13. The current Constitution does not expressly mention freedom of information and the right to access to information was not included in the Algerian law of 20 February 2006 to prevent and fight against corruption.

14. The Press Law still criminalizes Press writings, cartoons, and speech that insult or offend the president, the parliament, the judiciary, or the armed forces.

15. Internet access in Algeria is provided by private Internet Service Providers. There are no major restrictions reported on public access to Internet. A vast majority of private users access the Internet via the cybercafés in the cities.

16. Although the Information Code was amended in 1998 to allow for private broadcasting, until today the government has maintained its monopoly over national TV and radio broadcasting and no licenses have yet been granted to private broadcasters.

17. In September 2011, the Council of Ministers approved a draft legislation which will suppress the imprisonment of press professionals once it is passed.

18. Self-censorship is practiced because of the widely used defamation law.

**ii. Media self-regulatory system**

19. There is no self-regulating mechanism among the media organizations in Algeria (absence of an independent broadcast regulation body, state monopoly over broadcast media and no independent council on ethics and deontology) although some associations of journalists are being created locally in certain parts of Algeria.

**B. Capacity-building and technical assistance provided and/or recommended by UNESCO**

20. UNESCO collaborates with Algeria to promote the rights to freedom of expression and information through its annual celebration of the World Press Freedom Day at regional level.

21. Among other activities, UNESCO works to improve journalism curricula in the Algerian journalism schools to meet the international standards.

22. UNESCO also encourages the development of diversity in media content, and the representation of a society's different groups and interests, including the voices of women and youth by training journalists on gender perspective and civil society groups to monitor media content.

**III. Recommendations**

**1. Right to education**

23. Algeria should be encouraged to submit a report to UNESCO as part of the eighth consultation of Member States on measures taken for the implementation of the Convention and Recommendation on the fight against Discrimination in the field of education (covering the period 2006-2011).

**2. Freedom of opinion and expression**

24. There are several opportunities for developing and protecting freedom of expression and information in Algeria. UNESCO recommends:

- a. to introduce provisions in the existing legislation to guarantee freedom of information;
- b. to remove press offenses from the penal and the information code;
- c. to improve the safety of journalists;
- d. to create an independent audio-visual regulation body;
- e. to allow private broadcasters and grant licenses;
- f. to improve the quality of journalism education.