



UPR COMPILATION OF GOVERNMENT PLEDGES – Algeria

What is the UPR?

The Universal Periodic Review (UPR) is a new UN human rights process which involves a review of the human rights records of all 192 UN Member States once every four years by the Human Rights Council, the UN's main Human Rights body. The stated objectives of this new mechanism include "the improvement of the human rights situation on the ground" and "[t]he fulfillment of the State's human rights obligations and commitments and assessment of positive developments and challenges faced by the State." (Human Rights Council Institution Building package (A/HRC/RES/5/1) at § 4(a) and (b)).

What are Alkarama's UPR Compilations and who are they for?

Alkarama has tried to make user-friendly compilations of the undertakings made by the Arab States examined under the Universal Periodic Review to try to make the UPR process meaningful in improving the human rights situation 'on the ground'. These compilations are designed to assist in the follow-up and monitoring of the Governments' undertakings and promises to the UN Human Rights Council.

Themes considered in this compilation for Algeria:

- A. General Human Rights policy
- B. International Human Rights conventions
 - (a) Ratifications/Accessions
 - (b) Measures taken to implement Human Rights instruments
 - (c) Mechanisms established to ensure the primacy of international human rights over domestic law
- C. National Human Rights protection mechanisms
 - (a) National oversight, monitoring and investigative bodies
 - (b) Coordination
- D. National Human Rights Institutions
- E. Freedom of expression, opinion, assembly and association
- F. Independence of media
- G. NGOs/Civil society
- H. Judicial system
- I. Transitional justice
- J. Torture and other cruel, inhuman or degrading treatment or punishment
- K. Conditions of detention
- L. Death penalty
- M. Universal Periodic Review process/Human Rights Council
- N. Special procedures of the Human Rights Council
- O. Protection of Human Rights while combating terrorism

Types of Government pledges (note, all made within the UPR process):

Affirmations: made by the State under Review during the 2008 UPR process

Voluntary Commitments: undertaken by Algeria to the UN HRC and the UN GA (made between 2006 and 2008)

Recommendations: made on 8 April 2008 by Member and Observer States on the HRC's UPR Working Group and accepted by Algeria

Source documents - UPR Documentation:

National report of Algeria (A/HRC/WG.6/1/DZA/1), dated 20 March 2008

Working Group report (A/HRC/8/29), dated 23 May 2008

Final Report of the Human Rights Council on its 8th session (A/HRC/8/52), dated 1st September 2008

Algerian voluntary pledges made in view of the 2006 Human Rights Council elections (emitted as verbal notes by the Permanent Mission of Algeria to the United Nations, New-York, 23 March 2006 (only available in French)

CHECKLIST OF GOVERNMENT PLEDGES MADE DURING THE UPR PROCESS 2008

A. General Human Rights policy:

	Affirmation(s) made by the State under Review during the 2008 UPR process	
	NIL	

	Voluntary commitment(s) undertaken by Algeria to the UN HRC and the UN GA (made between 2006 and 2008)	Source
1.	<input type="checkbox"/> <p><i>In case of election to the Council, Algeria will resolutely activate itself for the promotion and protection of human rights in advocating for the equal treatment of human rights of all human rights and for all States. It will focus on dialogue and consultation and recommend support for those who express this need to achieve universal human rights.</i></p> <p><u>Original version:</u></p> <p><i>En cas d'élection au Conseil, l'Algérie activera résolument pour la promotion et la protection des droits de l'homme en plaidant pour un traitement égal des droits de l'homme, de tous les droits de l'homme et pour tous les Etats. Elle privilégiera le dialogue et la concertation et recommandera l'accompagnement de ceux qui en expriment le besoin pour la réalisation des objectifs universels des droits de l'homme.</i></p>	Para. 3, Page 3, Algerian voluntary pledges made in view of the 2006 Human Rights Council elections
2.	<input type="checkbox"/> <p>Although the training of social workers has been accepted as an absolute necessity for over a decade, more must be done to consolidate and strengthen human rights training.</p>	Para. 109, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
3.	<input type="checkbox"/> <p>In line with the Civil Concord policy initiated in 1999, the Charter for Peace and National Reconciliation, approved by referendum in September 2005, is intended to resolve definitively and prevent any recurrence of the serious crisis experienced by Algeria.</p>	Para. 111, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
4.	<input type="checkbox"/> <p>With a view to ensuring enforcement of the implementing regulations for the Charter for Peace and National Reconciliation, a national mechanism has been established to provide reception, information and guidance facilities for citizens, and to process and follow up their claims.</p>	Para. 114, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
5.	<input type="checkbox"/> <p>Amendments and other changes will only be undertaken following prior consultation with actors and stakeholders in the areas in question.</p>	Para. 122, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
6.	<input type="checkbox"/> <p>Review existing legislation relevant to the enjoyment of human rights.</p>	Para. 121, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
7.	<input type="checkbox"/> <p>The process of legislative reform initiated by the Government in 1999 will be extended to updating of the legal instruments relating to democratic freedoms.</p>	Para. 118, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1

		Recommendation(s) made (on 8 April 2008) by Member and Observer States of the HRC's UPR Working Group & accepted by Algeria	
		NIL	

B. International Human Rights conventions:

(a) Ratifications:

		Affirmation(s) made by the State under Review during the 2008 UPR process	Source
8.	<input type="checkbox"/>	<p>It was in 1989, however, with the introduction of multiparty democracy, that Algeria took a qualitative leap forward in terms of governance. It completed that process, which has now become irreversible, by acceding to the international human rights instruments. Algeria is now a party to the following instruments:</p> <ul style="list-style-type: none"> • The International Covenant on Economic, Social and Cultural Rights • The International Covenant on Civil and Political Rights • Optional Protocol No. 1 to the International Covenant on Civil and Political Rights <p>(...)</p> <ul style="list-style-type: none"> • The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment <p>(...)</p>	Para. 11, Page 5, Algerian National report, A/HRC/WG.6/1/DZA/1
9.	<input type="checkbox"/>	<p>Algeria is also a party to the following regional human rights instruments:</p> <ul style="list-style-type: none"> • The African Charter on Human and Peoples' Rights • The African Court on Human and Peoples' Rights, and • The Arab Charter on Human Rights 	Para. 13, Page 6, Algerian National report, A/HRC/WG.6/1/DZA/1
10.	<input type="checkbox"/>	<p>(...) With regard to human rights, Algeria has adopted the principle of universality and an increasing engagement in the ratification of international instruments. In addition to being a party to the African Charter on Human and Peoples' Rights and to the Arab Charter on Human Rights, Algeria recently (...) and signed the International Convention on the Protection of All Persons from Enforced Disappearance (February 2007) (...).</p>	Para. 6, Page 3, Working Group report, A/HRC/8/29

		Voluntary Commitment(s) undertaken by Algeria to the UN HRC and the UN GA (made between 2006 and 2008)	
11.	<input type="checkbox"/>	The process of ratification of the Convention for the Protection of All Persons from Enforced Disappearances required numerous consultations, but it should be achieved in due course	Para. 67, Page 11, Working Group report, A/HRC/8/29

		Recommendation(s) made (on 8 April 2008) by Member and Observer States of the HRC's UPR Working Group & accepted by Algeria	
		NIL	

(b) Measures taken to implement international human rights instruments:

	Affirmation(s)	Source
12.	<input type="checkbox"/> Algeria has made the declaration recognizing the competence of the Committee on the Elimination of Racial Discrimination (article 14 of the Convention), the Human Rights Committee (article 41 of the International Covenant on Civil and Political Rights) and the Committee against Torture (article 22 of the Convention) to receive, consider and rule on Communications from individuals who claim that the State party is failing to comply with the provisions of the aforementioned three universal treaties.	Para. 12, Page 5, Algerian National report, A/HRC/WG.6/1/DZA/1

	Voluntary Commitment(s)	
	NIL	
	Accepted recommendation(s)	
	NIL	

(c) Mechanisms established to ensure the primacy of international human rights over domestic law:

	Affirmation(s)	
	NIL	
	Voluntary Commitment(s)	
	NIL	
	Accepted recommendation(s)	
	NIL	

C. National Human Rights protection mechanisms:**(a) National oversight and monitoring bodies:**

	Affirmation(s)	Source
13.	<input type="checkbox"/> Institutional mechanisms: On 9 October 2001, the President of the Republic set up the National Advisory Committee on the Promotion and Protection of Human Rights (CNCPPDH) , which has 44 members, including 16 women, and is based on the principle of sociological and institutional pluralism. <input type="checkbox"/> An advisory body on human rights monitoring, early warning and assessment, the Committee is an independent institution whose mandate consists in examining situations involving human rights violations that it has detected or that have been brought to its attention, undertaking any action it deems appropriate in that regard, fostering awareness, information and social communication for the promotion of human rights, and issuing opinions aimed at improving national legislation. The Committee prepares an annual report on the human rights situation for submission to the President of the Republic.	Para. 24 and 25, Page 7, Algerian National report, A/HRC/WG.6/1/DZA/1 & Para. 7, Pages 3 and 4, Working Group report, A/HRC/8/29

	Voluntary commitment(s)	Source
14.	<input type="checkbox"/> Legislation will be drafted for the establishment of bodies concerned with ethics and codes of conduct.	Para. 122, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1

	Accepted recommendation(s)	
	NIL	

(b) Coordination:

	Affirmation(s)	
	NIL	
	Voluntary commitment(s)	
	NIL	
	Accepted recommendation(s)	
	NIL	

D. National Human Rights Institutions:

		Affirmation(s) made by Algeria during the 2008 UPR process	Source
15.	<input type="checkbox"/>	At present, the Algerian State was engaged in the accomplishment of two major initiatives: first, the consolidation of internal peace after the long period of violence started in 1990s, and, second, to continue with institutional and structural reform...	Para. 6, Page 3, Working Group report, A/HRC/8/29
16.	<input type="checkbox"/>	Political mechanisms: These mechanisms centre on the Parliament , which is the institutional embodiment of the democratic dimension of the Algerian State and of the pluralist character of Algerian political activity. More specifically, human rights issues are dealt with by the standing committees set up for that purpose by the two chambers.	Para. 21, Page 7, Algerian National report, A/HRC/WG.6/1/DZA/1

	Voluntary commitment(s)	
	NIL	
	Accepted Recommendation(s)	
	NIL	

E. Freedom of expression, opinion, association and assembly:

		Affirmation(s)	Source
17.	<input type="checkbox"/>	The Algerian Constitution attaches importance to freedom of association for the defence of human rights. Article 32 guarantees the individual or collective defence of human rights and article 41 defines the area of application: freedom of expression, association and assembly. Freedom of association includes protection of the rights of certain categories of persons such as women, children, the sick, people with disabilities, consumers and users of public services.	Para. 27, Page 8, Algerian National report, A/HRC/WG.6/1/DZA/1
18.	<input type="checkbox"/>	Non-discrimination is a principle with constitutional status. Any legislative text containing a discriminatory provision is liable to censure by the Constitutional Council. Non-discrimination applies to the equality of citizens before the law (article 29 of the Constitution); this principle is reflected in the basic legal codes and in organizational and ordinary laws, freedom of conscience, freedom of opinion and expression, freedom of association and assembly, access to elected and public office and to administrative and judicial functions, access to social security and retirement benefits, and access to	Para. 30, Page 8, Algerian National report, A/HRC/WG.6/1/DZA/1

		executive and managerial functions in public-sector economic enterprises, for which qualifications and merit are the sole criteria.	
19.	<input type="checkbox"/>	(...) Freedom of association is guaranteed through the registration of a simple declaration. Registration can be refused only in the event that one of the founding members of an organization has been criminally convicted, or on the ground of incompatibility with the institutional system and human rights.	Para. 17, Page 5, Working Group report, A/HRC/8/29
20.	<input type="checkbox"/>	(...) With regard to freedom of expression, he noted that various stakeholders were working on the status of journalists...	Para. 33, Page 7, Working Group report, A/HRC/8/29
21.	<input type="checkbox"/>	(...) Article 32 of the Algerian Constitution guarantees the individual or collective defence of human rights and article 41 defines the area of application: freedom of expression, association and assembly. Modalities are fixed and exercise regulated, e.g. deadlines to deposit requests for assemblies and meetings, like the meetings held in 2007 on national and municipal elections (...)	Para. 67, Page 11, Working Group report, A/HRC/8/29

		Voluntary commitment(s)	
		NIL	
		Accepted recommendation(s)	
		NIL	

F. Independence of media:

		Affirmation(s)	Source
22.	<input type="checkbox"/>	Freedom of opinion and freedom of expression are essential tools for human rights oversight and protection and act as a counterbalancing force. The Information Act , No. 90-07, guarantees their exercise. There are currently 52 daily newspapers, only 6 of which are produced by the public sector, with an average circulation of some 1.7 million copies per day. There are 98 weeklies, with an average circulation of more than 2.3 million copies, and 43 other fortnightly or monthly periodicals with a circulation of 275,000 copies.	Para. 26, Page 7, Algerian National report, A/HRC/WG.6/1/DZA/1
23.	<input type="checkbox"/>	Freedom of the press is guaranteed by the existence of numerous daily, weekly and other periodical publications with a circulation of approximately 4.5 million copies. Regarding defamation, the judiciary has dealt with 200 cases in the last six years, and found journalists guilty in 26 cases only. Following the appeal, sentences were transformed into fines or acquittal. The President of the Republic exercised his right to pardon on two occasions...	Para. 17, Page 5, Working Group report, A/HRC/8/29
24.	<input type="checkbox"/>	(...) Article 41 [of the Algerian Constitution] also favours the modernization of communication, pluralism of the media scene, creating regional TV stations and promoting competition between TV programmes and channels. Furthermore, journalists were invited to create their own associations and unions (...)	Para. 67, Page 11, Working Group report, A/HRC/8/29

		Voluntary commitment(s)	
		NIL	

		Accepted recommendation(s)	
		NIL	

G. NGOs/Civil Society:

		Affirmation(s) made by Algeria during the 2008 UPR process	Source
25.	<input type="checkbox"/>	Civil society with an active day-to-day presence at grass-roots level was consulted , and its views have been reflected on many of the subjects addressed in this report.	Para. 2, Page 4, Algerian National report, A/HRC/WG.6/1/DZA/1
26.	<input type="checkbox"/>	The public authorities that support the promotion and development of civil society organizations by providing them with places to meet and grants and by facilitating their activities through simplified accreditation procedures can neither replace those organizations nor take over the spheres of social activity that are rightfully theirs.	Para. 108, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1

		Voluntary commitment(s)	
		NIL	
		Accepted recommendation(s)	
		NIL	

H. Judicial system:

		Affirmation(s)	Source
27.	<input type="checkbox"/>	Access to the law and the justice system is guaranteed by: <ul style="list-style-type: none"> Administration of justice on the basis of two-tier proceedings; the judicial system is composed of lower courts (193), appeal courts (36) and a Supreme Court, and the administrative justice system comprises administrative courts and a State Council. A Jurisdiction Court has been established to settle conflicts of jurisdiction between the two sets of courts. Fixing the boundaries of judicial districts in line with the principle of ensuring public access to justice through the establishment of courts and divisions. A revised system of legal aid giving all citizens access to the justice system irrespective of their social status. The following have access to legal aid as a matter of law: minors, parties applying for maintenance, mothers in child custody matters, and workers in matters pertaining to occupational accidents or illness. 	Para. 32, Page 8, Algerian National report, A/HRC/WG.6/1/DZA/1
28.	<input type="checkbox"/>	Furthermore, the following are entitled to the assistance of a legal representative free of charge : all minors before a juvenile court; on request, accused persons appearing before an investigating judge or a court ruling on major offences (<i>délits</i>); on request, persons filing an appeal to be heard by the Criminal Division of the Supreme Court when the sentence exceeds a five-year term of imprisonment; defendants suffering from a disability that may adversely affect their defence; on request, accused persons appearing before a criminal court.	Para. 33, Page 9, Algerian National report, A/HRC/WG.6/1/DZA/1
29.	<input type="checkbox"/>	Fair trial standards in Algeria are consistent with those laid down in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The following constitutional principles should be mentioned in this	Para. 34, Page 9, Algerian National report, A/HRC/WG.6/1/DZA/1

		<p>connection:</p> <ul style="list-style-type: none"> • Equality before the law without any form of discrimination • The presumption that all persons are innocent until proved guilty by a duly constituted court and by due process of law • All offences and penalties to be defined by law; no law can have retroactive effect unless such effect is favourable to the person being prosecuted • The lawfulness of prosecution, arrest and detention • Court decisions must be reasoned and delivered in public • Protection of society and civil liberties and safeguarding of fundamental rights by the judiciary • Protection of defendants against all forms of judicial abuse or irregularities • Recognition of the right to present a defence, which is guaranteed in criminal proceedings 	
30.	<input type="checkbox"/>	These principles are applied under the terms of the Code of Civil Procedure and the Code of Criminal Procedure.	Para. 35, Page 9, Algerian National report, A/HRC/WG.6/1/DZA/1
31.	<input type="checkbox"/>	(...) Immediately after the beginning of his mandate, the President started a substantial and wide-ranging reform of the judicial system with a view, inter alia, to reinforcing the independence of the judiciary , reforming the penitentiary system and strengthening the principle of presumption of innocence. Notably, two organic laws, on the status of judges, and on the Supreme Council of the Judiciary, were promulgated.	Para. 8, Page 4, Working Group report, A/HRC/8/29

		Voluntary Commitment(s)	Source
32.	<input type="checkbox"/>	<p>[...T]he Ministry of Justice, which initiated a wide-ranging reform process in 2003, intends to deepen those reforms [the update of the legal instruments relating to democratic freedoms] by:</p> <ul style="list-style-type: none"> • Updating legislation. 	Para. 119, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
33.	<input type="checkbox"/>	<ul style="list-style-type: none"> • Strengthening human resources. 	Para. 119, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
34.	<input type="checkbox"/>	<ul style="list-style-type: none"> • Reforming the prison system. 	Para. 119, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
35.	<input type="checkbox"/>	<ul style="list-style-type: none"> • Modernising the justice system. 	Para. 119, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
36.	<input type="checkbox"/>	The Ministry of Justice has developed a timetable for the establishment of one tribunal for each Daira.	Para. 123, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1
37.	<input type="checkbox"/>	Ministry of Justice has developed a timetable for the establishment of (...) one court for each Wilaya.	Para. 123, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1

38.	<input type="checkbox"/>	By 2009, the Ministry of Justice intends to increase by one half the current number of judges in office , which is roughly 3,337.	Para. 123, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
39.	<input type="checkbox"/>	The legal framework governing the work of other persons involved in the administration of justice, particularly lawyers , must likewise be reformed .	Para. 124, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
40.	<input type="checkbox"/>	Regulations on the profession of lawyer are being drafted.	Para. 124, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
41.	<input type="checkbox"/>	With regards to the prison system, efforts are under way to relieve prison overcrowding	Para. 124, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
42.	<input type="checkbox"/>	With regards to the prison system, efforts are under way to close certain outdated [prisons] facilities .	Para. 124, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
43.	<input type="checkbox"/>	With regards to the prison system, efforts are under way to build 81 new prisons .	Para. 124, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
44.	<input type="checkbox"/>	Changes will also be made to the status of lawyers.	Para. 122, Page 20, Algerian National report A/HRC/WG.6/1/DZA/1
45.	<input type="checkbox"/>	The review of the Criminal Code and the Code of Criminal procedure , which have already been amended a number of times in recent years, will continue to be a priority, with a view to adapting them to changes in the country and bringing them into line with the international instruments ratified by Algeria .	Para.120, Page 20, Algerian National report, A/HRC/WG.6/1/DZA/1

		Accepted recommendation(s)	Source
46.	<input type="checkbox"/>	Recommends that steps be taken to guarantee the rights of detainees, including immediate access to a lawyer, information to families on detentions, and ensuring that judicial authorities are informed of all detentions. (United Kingdom)	Para. 69, Page 12, Working Group report, A/HRC/8/29

I. Transitional justice:

		Affirmation(s)	Source
47.	<input type="checkbox"/>	In line with the Civil Concord policy initiated in 1999, the Charter for Peace and National Reconciliation , approved by referendum in September 2005, is intended to resolve definitively and prevent any recurrence of the serious crisis experienced by Algeria.	Para. 111, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
48.	<input type="checkbox"/>	The Algerian people's massive support for the Charter for Peace and National Reconciliation (Order No. 06-01 of 28 February 2006) constitutes a democratic attempt to put an end to a situation which has not been without consequences for society as a whole. It has led to the promulgation of presidential decrees dealing with the specific situations of the victims of that national tragedy .	Para. 112, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
49.	<input type="checkbox"/>	Those presidential decrees include: No. 06-93 of 28 February 2006 concerning compensation for the victims of the national tragedy; No. 06-94 of 28 February 2006 concerning State assistance for families left destitute because a family member was implicated in terrorism; No. 06-95 of 28 February 2006 concerning the	Para. 113, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1

		declaration provided for in article 13 of the Order on implementation of the Charter for Peace and National Reconciliation; and No. 06-124 of 27 March 2006 concerning reintegration or compensation procedures for individuals dismissed on administrative grounds having to do with the national tragedy.	
50.	<input type="checkbox"/>	With a view to ensuring enforcement of the implementing regulations for the Charter for Peace and National Reconciliation, a national mechanism has been established to provide reception, information and guidance facilities for citizens, and to process and follow up their claims.	Para. 114, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
51.	<input type="checkbox"/>	Apart from providing for psychological care and accommodation and reintegration assistance for dismissed workers, as well as the redemption of their social security contributions, the State has budgeted 15,681,600,000 dinars, or US\$ 201,000,000, for compensation purposes.	Para. 115, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
52.	<input type="checkbox"/>	In addition, 16,648 claims for compensation have been registered with Wilaya (departmental) commissions, leading to the settlement of 6,749 claims and the award of 4,248,105,299.79 dinars in compensation.	Para. 116, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
53.	<input type="checkbox"/>	Lastly, following a review of the cases of dismissed individuals, as of 26 March 2007, 1,599,697,200.37 dinars had been allocated for the redemption of social security contributions.	Para. 117, Page 19, Algerian National report, A/HRC/WG.6/1/DZA/1
54.	<input type="checkbox"/>	The damage caused by terrorism over a period of nearly 10 years is incalculable. The loss of human life, destruction of schools, factories, health-care centres, infrastructure, and job losses are all violations of human rights. The turning point of the struggle against terrorism was marked by the adoption of the "Civil Concord" initiative in 1999, adopted by referendum. In 2006, the massive popular support for the Charter for Peace and National Reconciliation (Order No. 06-01 of 28 February 2006) has led to the promulgation of presidential decrees dealing with specific situations, including compensation for the victims of the national tragedy; State assistance for families left destitute because a family member was implicated in terrorism; reintegration or compensation procedures for individuals dismissed on administrative grounds having to do with the national tragedy.	Para. 18, Page 5, Working Group report, A/HRC/8/29

	Voluntary commitment(s)	
	NIL	
	Accepted recommendation(s)	
	NIL	

J. Torture and other cruel, inhuman or degrading treatment or punishment:

	Affirmation(s)	Source
55.	<input type="checkbox"/> The Constitution explicitly affirms the principle of protection of physical integrity . Respect for this principle is guaranteed by two clauses (articles 34 and 35). Furthermore, acts of torture perpetrated by law enforcement officers are punishable under articles 263 bis, 263 ter and 263 quater of the Criminal Code.	Para. 36, Page 9, Algerian National report, A/HRC/WG.6/1/DZA/1

56.	<input type="checkbox"/>	New rules of a preventive nature have been incorporated in the Code of Criminal Procedure. They are applicable, inter alia, during the preliminary inquiry conducted by judicial police officers and prescribe procedures for ensuring humane treatment of suspects during police custody and guaranteeing respect for their physical integrity. A medical examination is mandatory in all cases on expiry of the time limit for police custody article 51 bis 1, paragraph 2, and article 52, paragraph 6, of the Code of Criminal Procedure).	Para. 37, Page 9, Algerian National report, A/HRC/WG.6/1/DZA/1
57.	<input type="checkbox"/>	With regard to torture, the Minister stated that this and similar practices are prohibited by the fundamental law in all places and circumstances. He also firmly denied the existence of secret detention centres in the country.	Para. 12, Page 4, Working Group report, A/HRC/8/29

		Voluntary commitment(s)	
		NIL	

		Accepted recommendation(s)	Source
58.	<input type="checkbox"/>	That Algeria implement measures to protect detainees from torture , cruel, inhuman or degrading treatment and ensure that all cases of persons detained are brought to the attention of the judiciary without delay (Germany)	Para. 69, Page 13, Working Group report, A/HRC/8/29
59.	<input type="checkbox"/>	That Algeria take measures for the prevention of torture and other cruel, inhuman and degrading treatment (Sweden)	Para. 69, Page 13, Working Group report, A/HRC/8/29

K. Conditions of detention:

		Affirmation(s)	Source
60.	<input type="checkbox"/>	Pursuant to a protocol agreement signed with the Ministry of Justice, the International Committee of the Red Cross (ICRC) has visited 76 prisons since 1999 and has interviewed more than 66,000 detainees without witnesses. Since 2003 it has also been entitled to make unannounced visits to custody facilities in police stations and those run by gendarmerie units throughout the national territory.	Para. 40, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1
61.	<input type="checkbox"/>	The prison system is open to inspection by external civil society representatives , as attested by the regular visits by the National Advisory Committee on the Promotion and Protection of Human Rights, many Algerian and foreign non-governmental organizations, ambassadors accredited to Algeria, and experts from the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), and the French, Italian and other prison administration authorities.	Para. 41, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1
62.	<input type="checkbox"/>	Moreover, in 2007 alone the Ministry of Justice issued 56 permits to the press , a fact that confirms the non-existence of secret detention centres.	Para. 42, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1
63.	<input type="checkbox"/>	Taking into account trends in international human rights law and pursuant to the recommendations of the National Commission on Reform of the System of Justice, the new law establishing a code on the organization of prisons and the social reintegration of detainees, dated 6 February 2005, placed emphasis on the treatment of prisoners and the humanization of conditions of detention.	Para. 43, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1

64.	<input type="checkbox"/>	<p>In this context, the Ministry of Justice has taken a number of measures aimed at:</p> <ul style="list-style-type: none"> • Development of reception capacity to reduce the existing deficit through the construction of eighty-one (81) new prisons during the period 2005-2009, with a view to making prisons conform to international standards and eliminating prison overcrowding • Upgrading medical facilities by providing doctors, social workers, psychologists and dentists for prisons • Consolidation of prisoners' social relations with the outside world • Improvement of re-education and reintegration programmes for prisoners (literacy training, education, vocational training) • Providing prisons with sports and recreational equipment. 	Para. 44, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1
65.	<input type="checkbox"/>	<p>Prisoners are entitled to submit applications and complaints which must be followed up by the prison director and the judge responsible for enforcement of penalties. Pregnant and nursing female prisoners receive preferential treatment in respect of food, health care and care of new born children.</p> <p>Lastly, in the context of the modernization of prisons, a computerized system for managing prisoners' files has been introduced</p>	Para. 45, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1
66.	<input type="checkbox"/>	<p>(...) On torture, ill-treatment and custody, the representative of Algeria stated that inspections are systematically made by the office of the Attorney - General (Parquet), and by the International Committee of the Red Cross (ICRC) since the agreement of cooperation it concluded with the Ministry of Justice. Regular inspections concern legal aspects, but also conditions of detention. Around 30 cases of ill-treatment have been reported in the last years, all of which have been investigated and prosecuted.</p>	Para. 67, Page 11, Working Group report, A/HRC/8/29
67.	<input type="checkbox"/>	<p>Every prison has a register in which the identity of each remand or convicted prisoner and his or her identity number and date of incarceration are entered. The register is kept by a registrar and is signed and initialled by the competent judicial authority.</p>	Para. 38, Page 9, Algerian National report, A/HRC/WG.6/1/DZA/1
68.	<input type="checkbox"/>	<p>In the event of any infringement or negligence in keeping the registers, the prison governor is liable to prosecution, and any official who detains a citizen without a court order or without informing the court is liable to the penalties prescribed by the Criminal Code.</p>	Para. 39, Page 10, Algerian National report, A/HRC/WG.6/1/DZA/1

		Voluntary commitment(s)	
		NIL	
		Accepted recommendation(s)	
		NIL	

L. Death Penalty:

		Affirmation(s)	Source
69.	<input type="checkbox"/>	Since September 1993, Algeria has observed a moratorium on enforcement of the death penalty . The death penalty is not imposed on minors aged under 18, pregnant women or mothers of children aged under twenty-four (24) months. Amendments to the Criminal Code since 2000 have abolished the death penalty for numerous offences (drugs, money laundering, counterfeiting, economic management, etc.).	Para. 46, Page 11, Algerian National report, A/HRC/WG.6/1/DZA/1
70.	<input type="checkbox"/>	Since September 1993, Algeria has been observing a moratorium on death penalty and, since then, capital punishment is transformed into prison sentences. During the last session of the General Assembly, Algeria assumed co-authorship of the resolution on the moratorium and ultimately voted for the text proposed by the European Union.	Para. 11, Page 4, Working Group report, A/HRC/8/29

		Voluntary commitment(s)	
		NIL	
		Accepted recommendation(s)	
		NIL	

M. Universal Periodic Review process/Human Rights Council:

		Affirmation(s)	
		NIL	

		Voluntary Commitment(s)	Source
71.	<input type="checkbox"/>	With regard to the three recommendations that Algeria had been unable to accept because they were contrary to the Constitution, the Charter for Peace and National Reconciliation and the principle of non-discrimination with regard to religious worship, the delegation said it was conceivable that Algeria had not been explicit enough in its report to dispel any possible misunderstandings. However, it remained open to debate and would reply to any questions member States and non-governmental organizations might wish to ask.	Para. 501, Page 169, Report of the Human Rights Council on its 8 th Session, A/HRC/8/52

		Accepted recommendation(s)	
		NIL	

N. Special Procedures of the Human Rights Council:

		Affirmation(s)	
		NIL	

		Voluntary commitment(s)	Source
72.	<input type="checkbox"/>	The issue of visits by special procedures mandate-holders may be reconsidered , bearing in mind the statutory right of each country to decide about the appropriateness of such visits.	Para. 13, Page 4, Working Group report, A/HRC/8/29

73.	<input type="checkbox"/>	Algeria was currently considering the possibility of extending new invitations to other special procedures mandate holders.	Para. 500, Page 169, Report of the Human Rights Council on its 8 th Session, A/HRC/8/52
74.	<input type="checkbox"/>	With regard to requests for visits by special procedures mandate holders, Algeria will never reject such requests , but it will insist that the contents of these visits be factual and not related to anecdotal or occasional events.	Para. 67, Page 11, Working Group report, A/HRC/8/29

		Accepted recommendation(s)	Source
75.	<input type="checkbox"/>	(...) recommends that Algeria cooperate with special procedures mandate holders (United Kingdom)	Para. 69, Page 12, Working Group report, A/HRC/8/29
76.	<input type="checkbox"/>	(...) expresses support for the recommendation of United Kingdom regarding cooperation with special procedures mandate holders (Germany)	Para. 69, Page 13, Working Group report, A/HRC/8/29
77.	<input type="checkbox"/>	That Algeria consider facilitating visits by human rights mandate holders (Brazil)	Para. 69, Page 13, Working Group report, A/HRC/8/29

O. Protection of Human Rights while combating terrorism:

		Affirmation(s)	Source
78.	<input type="checkbox"/>	The declaration of state of emergency was a step taken in the fight against terrorism and it will be revoked once the conditions that led to it will cease to exist. However, in spite of the state of emergency, democratic life went on steadily: regular elections were held, political parties and association continued their work, the press was free and citizens were allowed to travel with no restrictions. The Minister noted that Algeria has been calling, for more than two decades, for the signing, under the United Nations tutelage, of an international convention on terrorism, which would include a definition of this phenomenon.	Para. 14, Page 4, Working Group report, A/HRC/8/29
79.	<input type="checkbox"/>	In reply to the first set of interventions, the Minister stated that Algeria was keen to share its experiences , in a multilateral context, with the fight against terrorism...	Para. 33, Page 7, Working Group report, A/HRC/8/29
80.	<input type="checkbox"/>	...Another member of the delegation of Algeria stated that terrorism was also combated through political debate and national dialogue , especially in order to reveal the underlying causes of this phenomenon...	Para. 33, Page 7, Working Group report, A/HRC/8/29

		Voluntary commitment(s)	
		NIL	

		Accepted recommendation(s)	Source
81.	<input type="checkbox"/>	The establishment of an international round table to discuss the interrelation between security and fundamental freedoms (Kuwait)	Para. 69, Page 12, Working Group report, A/HRC/8/29
82.	<input type="checkbox"/>	That Algeria share its experience in the fight against terrorism (...) (Sudan)	Para. 69, Page 12, Working Group report, A/HRC/8/29

83.	<input type="checkbox"/>	<p>That the State take into account the observations made by the Human Rights Committee and the Special Rapporteur on the promotion and protection of human rights while countering terrorism; recommends that Algeria consider withdrawing its reservation to article 2 of CEDAW; recommends an exchange of respective experiences at the international level on the issue of communication between Governments and civil societies; encourages Algeria to review the impact that the state of emergency has on the enjoyment of human rights. (Mexico)</p>	<p>Para. 69, Page 12, Working Group report, A/HRC/8/29</p>
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