

ALGERIA

Date of admission to UN: 8 October 1962.

TREATIES AND REPORTS TO TREATY BODIES

Land and People: Algeria has not submitted a core document for use by the treaty bodies.

Economic, Social and Cultural Rights

Signed: 10 December 1968; ratified: 12 September 1989.

Algeria's second periodic report was due 20 June 1996.

Reservations and Declarations: Article 1; paragraph 3 of article 1; article 8; paragraphs 3 and 4 of article 13.

Civil and Political Rights

Signed: 10 December 1968; ratified: 12 September 1989.

Algeria's second periodic report was due 11 December 1995.

Reservations and Declarations: Articles 1; article 22; paragraph 4 of article 23; declaration under article 41.

Optional Protocol: Acceded: 12 September 1989.

Racial Discrimination

Signed: 9 December 1966; ratified: 14 February 1972.

Algeria's 13th periodic report was due 15 March 1997.

Reservations and Declarations: Declaration under article 14.

Algeria's 11th and 12th periodic reports were submitted as one document (CERD/C/280/Add.3) which was considered by the Committee at its August 1997 session. The report prepared by the government contains information related to articles 13 through 27 of the Convention. It notes that, under the Constitution, the Convention is an integral part of domestic law and is considered superior to domestic legislation; it may be invoked before the courts. The government also notes that the Constitutional Council has twice criticized actions by the President (in 1989 and 1995) for introducing a clause into the Elections Bill forbidding candidates to stand for election as President if they or their spouses were not of "original" Algerian nationality. The report includes demographic information and states that practices constituting racial discrimination are unknown in Algeria. The report refers, without providing details, to constitutional and legal provisions upholding non-discrimination, as well as to civil codes in areas such as commercial affairs, investment, medical ethics and elections. In response to the Committee's decision in 1995 to consider the situation in Algeria under special procedures, and the Committee's expression of concern about the level of violence in Algeria and its impact on implementation of article 5 (non-discrimination in civil and political rights), the government report states that the assassination of foreigners and others is not based on race or prejudice but carried out by terrorist groups seeking to cut off Algeria from the rest of the world.

The Committee's concluding observations and comments (CERD/C/304/Add.33) expressed appreciation for the effort made by the government to implement the Convention under adverse circumstances and also welcomed the fact that the provisions of the Convention have been incorporated into national law and take precedence over domestic laws. The Committee also welcomed: establishment of the National Cultural Council in 1990, the National Human Rights

Observatory and the Office of the High Commissioner on Amazighe Status; the restructuring of the Amazigh language to make instruction possible in schools and universities; and, the fact that education at all levels and health care are free.

The principal subjects of concern identified by the Committee included: insufficiency of information on the ethnic composition of the population; lack of information on judicial, administrative or other measures to give effect to the provisions of the Convention; the failure of the government to incorporate the prohibition of "racial discrimination" in domestic law; the failure to fulfil all the requirements of paragraphs (a) and (b) of article 4 of the Convention, making it a punishable offence to disseminate ideas based on racial superiority and prohibiting organizations that promote or incite racial discrimination; the lack of information on the actual status of enjoyment of civil, cultural, economic, political and social rights by members of various ethnic groups; lack of comprehensive information on instances of complaints alleging acts of racial discrimination and on compensation paid to victims; and, lack of information in the report to facilitate an evaluation of the extent and impact of programmes related to human rights training of judges and law enforcement officials and human rights education at the university level.

The Committee recommended that the government:

- ▶ describe in its next report all legislative, judicial, administrative or other measures giving effect to the Convention;
- ▶ incorporate into domestic legislation a prohibition of racial discrimination;
- ▶ provide in its next report information on the composition of the population in Algeria and social indicators reflecting the situation of ethnic groups, including the Berbers;
- ▶ comply fully with obligations under article 4 (as above) and declare illegal and prohibit any organization which promotes or incites racial discrimination;
- ▶ develop adequate indicators and other means to monitor the economic and social conditions of ethnic groups;
- ▶ provide in its next report fuller information on the protection of the rights to work, housing and education from discrimination on grounds of ethnic origin;
- ▶ include in the next report information on complaints and court cases related to acts of racial discrimination and the right of individuals to seek reparation for damages suffered; and,
- ▶ continue and strengthen human rights training activities for judges, lawyers and magistrates and place special emphasis on education and sensitization programmes about the Convention and provide the same kind training to law enforcement officials and members of the armed forces.

Discrimination against Women

Acceded: 22 May 1996.

Algeria's initial report was due 21 June 1997.

Reservations and Declarations: Article 2; paragraph 2 of article 9; paragraph 4 of article 15; article 16; paragraph 1 of article 29.

Torture

Signed: 26 November 1985; ratified: 12 September 1989.

Algeria's third periodic report is due 11 October 1998.

Reservations and Declarations: Declaration under articles 21 and 22.