

Peoples' Democratic Republic of Algeria

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African Charter on Human and Peoples' Rights

Third and fourth periodic reports

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Introduction.....

Algeria signed the African Charter on Human and Peoples' Rights on 10 April 1984 and ratified it on 1 March 1987. It presented its initial report at the 19th session of the African Commission in Ouagadougou, and its periodic report at the 29th session held in Tripoli in May 2001.

Algeria also ratified, on 3 June 2003, the Protocol establishing the African Court on Human and People's rights and, on 8 July 2003, the African Charter on the Rights and Welfare of the Child.

At the presentation of Algeria's two reports on the implementation of the Charter's provisions, its delegation unveiled its political and economic reform programme, initiated pursuant to the Constitution of 23 February 1989, for the establishment of new institutions based on political pluralism, separation of powers, independence of the judiciary, freedom of expression and the option to embrace a market economy. The delegation also highlighted the Algerian authorities' efforts to expedite the process of adhering to the various international human rights instruments.

Since the presentation of its second report, the Algerian public authorities have pursued their efforts to consolidate the rule of law, democratic pluralism and promote and protect human rights despite the consequences of a decade of terrorism. Thus, fresh elections have been held, the already existing human rights promotion mechanisms have been strengthened, and certain aspects of economic, social and cultural legislation adapted to new realities. Justice, education and the various missions of the state are being deeply reformed by the relevant national commissions made up of professionals and independent personalities. The recommendations of these commissions have since been guiding the actions of public authorities. Further, the establishment of associations, which is increasingly encouraged, has experienced a remarkable development.

This consolidated report covers the 3rd and 4th reporting periods. It is divided into two parts: Part one, entitled "Background information", describes the present political structure of the country and the established framework for the promotion and protection of human rights; part two provides information on the substantive provisions of the Charter in respect of which measures have been taken to address the concerns raised by members of the African Commission following the presentation of Algeria's periodic report.

Part one: Background information

Since its independence in 1962, Algeria has been striving to establish a state based on the respect for human rights and fundamental freedoms, participation of the citizenry, and the country's various Constitutions have enshrined the relevant universal principles. However, it was thanks to the advent of the multiparty system that Algeria was able to speed up the process of adhering to international human rights legal instruments. Since then, the country has presented reports in compliance with its international commitments.

A – The Land and people

Below are some statistical data on a number of indicators about Algeria:

Surface area:per capita income: US\$external debt: US\$15.5 billion (02/2006), unemployment rate:15 % (03/2006), inflation :1.6 % (03/2006), official language: Arabic, local languages: Arabic, Tamazight, religion: Islam, life expectancy: 72.5 years (2000), infant mortality rate: 51.1 per thousand in 2002, maternal mortality rate: maternal deaths per 100,000 births, total fertility rate: 2.54 (2000), children under 5:; youth aged 5 to 24: 23% adults aged 25 to 59: 38%, persons aged 60 and above: 7%, rural population: 12,943,686, i.e. 41.7%, urban population: 18,096,326, i.e. 58%.

Political Structure

At independence, Algeria was faced with many challenges: the return of refugees, the social and moral support for dependents of victims of the national liberation war, national reconstruction, and establishment of the state structures. The young nation had to meet these challenges by designing and establishing institutions and ensuring their efficiency. This effort to put the country on its feet again made it possible to ensure education for all, free access to health care and full-time employment.

From 1988, the need for Algeria to consolidate the rule of law and achieve transition in two main areas (political democratization and economic liberalization) became paramount. As in all other areas, these changes were fraught with difficulties. The building of a modern state that operates democratically and is managed transparently came up against internal pressures related to the single-party culture and economic and social constraints. The political reforms initiated since then by the authorities led, after a long process of dialogue with all the political parties that respect the Constitution and the laws of the Republic, to the establishment of institutions through universal suffrage. The adoption by referendum of a revised Constitution on 28 November 1996 further enshrined freedoms and strengthened political pluralism, the separation of powers and the independence of the judiciary.

Apart from the Constitution, three basic texts presently encourage the democratization of public life in Algeria:

- ***The Political Parties Act***, adopted in 1989 and amended in 1997, which enlarged the political landscape to more than 60 political parties. This number was finally reduced to 28 parties after a restructuring of the political landscape.

- ***The Associations Act***, enacted in 1988 and amended in 1990, which stipulates that associations may be established by simple declaration by the founders either at the wilaya (divisional office) or at the Ministry of Interior (if the association has a national mandate). Presently, there are 78108 associations in Algeria involved in a broad range of activities such as human rights, environmental protection, and promotion of the rights of the disabled or elderly.

- ***The Information Act***, adopted in 1990, which paved the way for the emergence of an independent or partisan press operating side by side with the public service media.

The first multiparty presidential election was held on 16 November 1995. The next one was an early presidential election on 15 April 1999. The president's term of office is renewable only once. The President of the Republic holds the highest office within the limits of the Constitution and appoints the head of government. The latter prepares his programme and submits it to the people's national assembly for approval. The last presidential election took place on 8 April 2004 and led to the re-election of President Abdelaziz Bouteflika.

Legislative power is in the hands of Parliament which is composed of two Chambers. The People's National Assembly and the National Council (Senate) Parliament supervises government action and adopts laws. The Peoples' National Assembly comprises 389 members (including 24 women) elected during the legislative elections of 15 May 2002. There are nine political parties and 30 independent members in the Assembly. During the previous term, following the 5 June 1997 elections, there were 380 MPs. Ten political parties and 11 independents had seats in that Assembly. The National Council comprises 144 seats. Two thirds of its members are directly elected by universal suffrage and the remaining third, that is 48 members, are appointed by the President of the Republic.

The independence of the judiciary is enshrined in article 138 of the Constitution.

Legal framework of human rights protection

1. Human rights mechanisms

Most of the human rights reporting and monitoring systems are currently in place in Algeria. The mechanisms cover individual, civil and political as well as collective, economic, social and cultural rights. They are based on four major categories of mechanisms operating concurrently:

a) Political mechanisms

These operate under Parliament which, with its two chambers – the Peoples' National Assembly and the National Council – is both the institutional expression of the political dimension of the Algerian state and the proper forum for freely voicing the people's concerns. Human rights issues figure prominently in debates and are addressed by the standing committees established for that purpose by the two chambers.

Political parties are considered by the law as part and parcel of the human rights promotion mechanisms. The 8 July 1989 Political Parties Act, amended in March 1997, makes it mandatory for the statutes and programmes of political parties to clearly include securing individual rights and fundamental freedoms as part of their objectives. Article 3 of that Act provides that in all their activities, political parties must comply with the following principles and objectives:

- respect for individual and collective freedoms and human rights;
- commitment to democracy and respect for national values;
- support for political pluralism;
- respect for the democratic and republican nature of the state.

b) Judicial mechanisms

Algeria has established judicial mechanisms to guarantee the rights of citizens and also ensure the independence of the judiciary. To that end, the judicial system is organized as follows:

- i) The daïra (sub-prefecture) court;
- ii) The wilaya (département) court
- iii) The Supreme Court at national level

In its article 152, the Constitution provides for a Council of State, the organ that regulates the activities of administrative courts. The Council was established on 17 June 1998. It is composed of 44 members.

Finally, Parliament has adopted the Jurisdictional Court Act, entrusting the Court with the mandate of settling jurisdictional issues between the Supreme Court and the Council of State, pursuant to article 152 of the Constitution.

c) Press freedom

The right to information and freedom of the press are considered by law as essential to the human rights monitoring and protection mechanism. In this respect, the remarkable development of the press in Algeria has made it a genuine tool for the protection of all human rights. There are 43 daily newspapers (25 when the last report was presented), including 6 in the public sector (8 at the time of the last report) and 37 in the private sector (17 at the time of the last report). They have a total circulation of 1.5 million copies a day. With regard to weekly papers, they are 60 in number with a circulation of 1.8 million copies a week. Finally there are 23 periodicals, bimonthly or monthly publications with a total circulation of 650 000 copies a month. The number of readers is estimated at 9 million per week.

The Algerian press is, in the opinion of international organisations, one of the freest in the developing world. The International Organization of Journalists, of whose Executive Council Algeria is a member, is accredited in Algeria and its North Africa Office is based in Algiers.

Further, foreign journalists are regularly accredited in Algeria. This accreditation is regulated under a special mechanism that allows for greater flexibility and speed in processing applications. As evidence of easy access, the number of journalists accredited since the submission of Algeria's last report are 654 in 2001, 593 in 2002 and 523 in 2004.

It should be noted that the negative and sometimes biased articles written by some journalists have not prevented the authors from staying or returning to the country several times.

d) Association and trade union mechanisms

The number of associations has increased considerably since 1988. There are currently 78,108 associations in the country operating in various fields. The Constitution attaches a

lot of importance to freedom of association for human rights protection. Article 32 of the Constitution guarantees individual and collective protection of these rights and article 41 determines its scope: freedom of expression, association and assembly. Freedom of association naturally covers political life, but has also applied to the protection of certain groups including women, children, the sick, the disabled, consumers and public service users. The public authorities encourage the efforts of associations by granting them various subsidies and facilities. Most associations now have a status, a base and an activity that enables them to join international association networks. Associations involved in the promotion of women's rights, education or the fight against illiteracy are particularly active.

Trade union freedom was reasserted by the Constitution and regulated by the 21 December 1991 Act. More detailed information is provided in part two of this report (regarding articles 10 and 11).

2. Other human rights protection and promotion mechanisms.

On 9 October 2001, the President of the Republic officially inaugurated the CNCPPDH (Commission Nationale Consultative de la Promotion et de la protection des Droits de l'Homme – *National Advisory Commission for the Promotion and Protection of Human Rights*) composed of 45 members, including 13 women. Its composition and the appointment of its members are based on the principle of sociological and institutional pluralism.

Established by Presidential decree n°01-71 of 25 March 2001, this commission which replaced the Observatory created in 1992 is “an independent institution which advises the President of the Republic, guaranteeing the Constitution, the fundamental rights of citizens and public freedoms”. The commission is a monitoring and advisory organ, as well as a human rights early warning and evaluation mechanism. The commission is mandated to examine human rights violations observed or reported to it and take any necessary action. It is also mandated to conduct any sensitization, information and communication activities for the promotion of human rights, research, education and instruction and advise on how to improve national legislation. The commission prepares an annual report on the human rights situation for submission to the President of the Republic.

In order to bring this new institution in line with the Paris Principles, decree n° 01-71 of 25 March 2001 was modified by decree n° 02-297 of 23 September 2002.

3. International treaties and the domestic order or precedence

Algeria's international commitments take precedence over its municipal law. Thus, the Constitutional Council, in its decision of 20 August 1989, confirmed the constitutional principle stipulating that international treaties have primacy over domestic legislation. The decision states specifically that “after ratification and gazetting, all treaties shall become part of domestic legislation and, pursuant to article 132 of the Constitution, shall have authority superior to the municipal law and may be invoked by any Algerian citizen before a court of law”. Individual access to the safeguard mechanisms established by the human rights Committee Against Torture is thus possible as soon as all domestic remedies have been exhausted.

The Algerian authorities, the CNCPPDH, and the media attach a lot of value to this possibility of obtaining remedies before international mechanisms. In practice, Algerian citizens and their lawyers seem to be content with the many existing domestic remedies (courts, CNCPPDH)

Information and publicity

The ratification by Algeria of international human rights instruments is widely publicized in the national media when the matter is before the National Assembly for consideration and adoption. All instruments ratified are published in the Gazette of the Republic of Algeria and made accessible to the citizens.

Apart from symposiums and seminars regularly organized on this theme, the annual celebration of Human Rights Day on 10 December is also an opportunity to popularize the various international human rights instruments to which Algeria is party. The same is true for 8 March and 1 June which are regular opportunities for reaffirming the place and role of women and children in the society.

At the University, the "Public Freedoms" module that was taught at the Faculty of Law has been reintroduced and updated to take into account recent international developments and membership. Certain universities (in Oran, Tizi-Ouzou and Annaba, for example) have already started preparing special modules. Human rights are taught to students at the National Judicial Institute, the National Police Academy and National Institute for Prison Administration

A UNESCO chair for human rights has been created at the University of Oran. This pedagogical structure, inaugurated in December 1995, was established for the purpose of organising and promoting an integrated human rights research, training, information and documentation system. A special human rights master's degree is about to be created. One-day human rights and humanitarian rights conferences are regularly organized and their deliberations have been published. For its part, the National Advisory Commission for the Promotion and Protection of Human Rights popularizes the human rights principles contained in the domestic legislation and international instruments to which Algeria is party. The popularization of this organ is conducted mainly through the publication of reviews and by organising or supporting seminars, exhibitions and one-day conferences with associations.

Human rights and the fight against terrorism:

Since 1991, Algeria has had to face the threat of terrorism while the world watched with indifference and suspicion. The fight against this scourge which called for the use of special measures has always been conducted in a legal framework that respects human rights.

It was in order to cope with this exceptional situation that the Algerian authorities decided, in accordance with the Constitution, to declare a state of emergency in February 1992. Although this meant that certain rights and freedoms became restricted, the state of emergency did not suspend the obligations of the state to guarantee the exercise of

the fundamental rights of citizens enshrined in the Constitution and in the international conventions ratified by Algeria.

The exceptional measures adopted as part of the enforcement of the state of emergency all had guarantees to protect human rights. The non-derogable rights mentioned in the African Charter were not curtailed in any manner.

Similarly, the preservation of the peace, the protection of people and property threatened by terrorism were always conducted according to the law while respecting the commitments under the various international instruments that Algeria is a party to. This was meant to consolidate the rule of law and ensure the conditions that enable the legitimization of the institutions by a return to genuinely free, fair, democratic multiparty elections in 1995, 1996, 1997, 1999 et 2002 et 2004.

Thus, in order to facilitate the return to peace, the state adopted lenient measures to offer a way out to those terrorists who wished to make amends, by passing a law on clemency (order 95-12 of 25 February 1995) providing a series of measures ranging from exemption from prosecution to a significant reduction of sentences.

This law was strengthened by “the President’s decision to further the peace process by organizing a referendum on 16 September 1999 on the President’s initiative for peace and concord” which was approved by 96.19% of voters.

The legal and juridical provisions of this law repealed the provisions of order 95-12 of 25 February 1995 on the clemency measures. It puts in place and offers, on a case by case basis, those implicated in terrorist and subversive activities who pledge to desist from their activities, the benefit of measures ranging from exemption from prosecution to probation and reduction of sentences. In this regard, the courts have a central role to play since all the probation commissions established in every wilaya are presided over by professional judges.

Those who could not benefit from the provisions of this law were people who committed or participated in crimes that caused loss of life, killings, bomb attacks in public places or rape. The enforcement of this law has enabled thousands of people who did not kill during their terrorist activities to reintegrate the society in accordance with the relevant provisions. This did not in any way mean an end to the fight against terrorism that Algeria was determined to wage against criminals.

Beyond this stage, Algeria was committed to a new process of peace consolidation and national reconciliation. Thus, to once and for all end the consequences of the crisis experienced by the country, the Algerian people, in a referendum held on 29 September 2005, voted massively (97%) in favour of the “the National peace and reconciliation Charter” whose draft was submitted to them by the President of the Republic on 14 August 2005. By endorsing this Charter, the Algerian people expressed their gratitude to those who saved the country, and their support for the measures adopted to consolidate national peace and reconciliation and to address the dramatic cases of the missing people.

The Charter is also an expression of the people's determination to build a future of peace and stability and demonstrate their conviction that all the victims of the national tragedy and their relatives deserve consideration for their dignity and social needs in a common effort of national solidarity.

It is worthwhile to note that since 11 September 2001, the whole world has a better understanding of this transnational phenomenon which can disrupt the harmony of societies and the stability of nations. Hence the need to wage a universal war in the framework of international cooperation as the only way to completely eradicate the scourge.

Algeria has for long been calling for a united front against terrorism and has already set out firmly on that path. By becoming party to international and regional treaties aimed at fighting against terrorism, it considers itself an active partner in that endeavour and will spare no effort to support any initiative that seeks to achieve the same purpose. Algeria remains convinced that issues such as human rights that are as relevant as they are topical should be considered within the framework of an effort to foster a sincere, frank and mutually beneficial dialogue between all stakeholders.

Part two: Provisions of the Charter

Article 1: Implementing the Charter

Algeria has included fundamental freedoms and human rights among the topmost priorities. The state is expected to raise awareness about them, and ensure their popularization among the citizenry. Any individuals who fail to respect them are liable to sanctions. Just like all the other treaties ratified by Algeria, the African Charter on Human and Peoples' Rights is part and parcel of the national legislation and may be invoked by citizens in a court of law. Ensuring the gradual compliance of the domestic law with international human rights instruments including the African Charter is one of the actions undertaken by the authorities in order to give effect to the country's commitments as a sovereign state.

Article 2: The right to non discrimination

The various Constitutions adopted by the country since independence all included a set of principles guaranteeing equality, the protections and safeguard of the fundamental rights of the citizen to economic, cultural and social welfare. Algeria is a nation with democratic laws that prohibit all forms of discrimination based on religion, political opinion or social status.

In the Constitution, this protection is ensured by provisions that guarantee the protection of the citizen in general. In its preamble, the Constitution recalls that it is above every other law "and is the fundamental law that guarantees individual and collective rights and freedoms". It sets out to secure legal protection and control the action of the authorities in a society where equality and human development in all its dimensions are the norm.

Article 3: The right to equality before the law

Article 29 stipulates that “every citizen shall be equal before the law, without any discrimination of any kind such as birth, sex, opinion or any other condition or personal or social status” Further, article 31 provides that “the purpose of the institutions shall be to ensure equal rights and duties of all citizens by removing the obstacles to the full development of the human being and the effective participation of all individuals in political, economic, social and cultural life”.

It should be noted that Algeria is party to the seven main international legal instruments that enshrine the rights relevant to the respect for the dignity and integrity of the human being. To give effect to these international provisions at the domestic level, Algeria has taken steps to eliminate all forms of racial discrimination and is striving to ensure and guarantee the equality of all before the law and to enable the exercise of the various rights without any distinction on the basis of race, colour, language or sex:

- equal treatment before the courts in accordance with article 140 of the Constitution which stipulates that “justice is founded on the principles of legality and equality, accessible to all and expressed through respect of the law”;
- safeguarding the rights and freedoms of citizens and protecting the inviolability of the human being against all forms of physical violence;
- the right to start a family and to marry as soon as one is of marriageable age; The Family Code stipulates in its article 4 that “marriage is a legal contract between a man and a woman. Among other things, its purpose is to start a family based on affection, indulgence and mutual assistance, to morally protect the two spouses and preserve the family bonds”;
- the right to nationality: article 30 of the Constitution and articles 6 and 7 of order n°70-36 of 15 December 1970 establishing the Nationality Code:
- freedom of movement within the country, the right to leave and return and protection abroad; articles 24 and 44 of the Constitution;
- the right to private property and inheritance: article 52 of the Constitution;
- inviolability of the freedoms of conscience and opinion: article 36 of the Constitution.

The prison reform and re-education Code provides that “The Peoples’ Democratic Republic of Algeria has always asserted its attachment to the respect for individual freedoms and the principle of the legality of sentences protected and enforced by the judicial authorities”, and that “to determine the rules applicable to the treatment of inmates, it draws inspiration from the United Nations recommendations, particularly the resolutions adopted on 30 August 1955 in Geneva and approved on 31 July 1957 by the UN Economic and Social Council”.

Article 196 of the General Rules governing the operation of prisons stipulates that “no discrimination on the basis of race, language, religion, national origin, political opinions or social status shall be tolerated”.

Article 4: The right to life, and physical and moral integrity

The right to life, the basis of all human rights, is enshrined in articles 34 and 35 of the Constitution, which stipulate that “the state shall guarantee the inviolability of the human being. All physical and moral violence is prohibited”. Any violations of rights and freedoms as well as any physical or moral violations of the integrity of the human being are punished by law. Chapter II of order n° 66-156 of 8 June 1966 establishing the Criminal Code deals with criminal offences against people (murder, assassination, parricide, infanticide).

Under Algerian law, capital punishment is not applicable to minors aged 13 to 18. Article 50 of the Criminal Code provides that “should it be decided that a minor aged between 13 to 18 years must be given a criminal sentence, the penalties shall be handed down as follows: if the penalty is death or life imprisonment, he shall be sentenced to 10 to 20 years imprisonment». Similarly, the death sentence is not enforceable in Algeria against pregnant women or women breastfeeding a child under 24 months old.

Since September 1993, Algeria has observed a moratorium on the death penalty.

Article 5: The right not to be subjected to torture, cruel, inhuman or degrading punishment and treatment

Algeria is party to many international instruments containing specific provisions against torture and cruel, inhuman or degrading punishment and treatment. It has not expressed any reservations about the United Nations Convention and has recognized all the powers vested in the Committee against torture to receive and consider communications from other States Parties, non-governmental organisations and individuals.

In Algeria, the prohibition of torture is a constitutional principle and various legislative and other measures have been adopted to give full legal and practical effect to this prohibition. All the legislative and regulatory texts draw inspiration from this principle and that of respect for the dignity and physical and moral integrity of the human being. Acts of torture are serious offences under the criminal law. No legal provision allows a state official to order or practice acts of torture or any other form of violence or mistreatment. Further, the Criminal Code and various Acts, such as the Prison Reform Code, punish and/or prohibit abuse of power as well as acts that violate the freedoms and dignity of the human being.

The review of the criminal code in 2004 following the adoption of Act 14 – 15 of 10 November 2004 has provided a new definition of the offence of torture. The new definition which drew inspiration from the United Nations Convention sheds more light on the essential elements of the offence and provides a clear distinction between the latter and other forms of violations of individual freedoms and the physical integrity of the human being. The new provisions that address and punish torture are as follows:

- article 263a: torture is any act that inflicts sharp pain, physical, or mental suffering intentionally inflicted on a person for any reason.

- article 263b: any person who practices, causes or orders an act of torture to be practiced shall be punishable by 5 (five) to 10 (ten) years imprisonment and a fine of 100,000 DA to 500,000 DA.

Torture is punishable by 10 (ten) years imprisonment and a fine of 150,000 DA to 800,000 DA when it precedes, accompanies or follows a crime other than murder. Article 263c stipulates: Any civil servant who practices, causes or orders an act of torture in order to obtain information or a confession for any other reason shall be punishable by 10 (ten) to 20 (twenty) years of imprisonment and a fine of 150,000 DA to 800,000 DA,

The penalty is life imprisonment for a number of crimes when torture precedes, accompanies or follows a crime other than murder.

Finally, any civil servant who condones or fails to report the acts mentioned in article 263a of the amended criminal code is punishable by 5 (five) to 10 (ten) years imprisonment and a fine of 100,000 DA to 500,000 DA.

Article 6: The right to security of the individual and prohibition of arbitrary arrest or detention

The protection of these rights is enshrined in the Constitution, which stipulates that “the citizen’s privacy and honour are inviolable and protected by the law. The confidentiality of all forms of private correspondence and communication is guaranteed”.

The home is inviolable pursuant to article 40 of the Constitution. All searches shall be authorized by law and conducted in accordance with the law. Searches and investigations are conducted according to the rules and conditions laid down by the Criminal Procedure Code (art.44 to 50 and 60 to 65). Searches, house visits and the seizure of articles of evidence may not be performed without the clear consent of the person involved.

Article 122 of the Criminal Procedure Code stipulates that “an official responsible for executing an arrest warrant may not enter the home of a citizen before 5 am and after 8 pm”.

The same Code provides in its article 135 that “any administrative, judicial or police officer, any commander or law enforcement officer who, acting in his capacity enters the home of a citizen against the latter’s will, except in the cases provided by law, without following the procedure laid down by the law, shall be punished by two months to one year imprisonment and a fine without prejudice to the application of article 107”.

Article 107 provides a penalty of 10 years imprisonment for arbitrary acts or violations of freedom committed or ordered by a state employee.

Article 110 of the Criminal Procedure Code punishes arbitrary detention as follows: Any re-education officer in a penal institution or detention centre who receives a prisoner without the proper detention orders or refuses without justification to comply with the presiding magistrate’s instructions to present the prisoner to the authorities or persons authorized to visit him, or refuses to present the records to the above-mentioned authorized persons, is guilty of arbitrary detention and shall be punished accordingly”.

Article 456 of the Criminal Procedure Code provides that “an offender who is not over 13 years of age may not, even temporarily, be held in a penal institution. An offender aged 13

to 18 may not be held temporarily in a penal institution unless the measure appears to be absolutely necessary or no other arrangements can be made. In such a case, the minor shall be held in special quarters or, alternatively, in an area where he will as much as possible be in isolation at night”.

Article 7: the right to fair trial

The Constitution provides the following guarantees for the accused in its articles 42 and 45:

- the right to be informed in the shortest possible time, in detail and in a language he understands, about the charges against him;
- the accused is presumed innocent until proven guilty by a court of law with the guarantees required by the law;
- he may not be found guilty by virtue of any law that was not enacted before the offence was committed;
- he may only be prosecuted, arrested or held in cases specified by the law and in accordance with the procedure laid down by law;
- police custody shall be subject to judicial control and may not exceed 48 hours. The individual held in police custody has the right to immediately contact his family; Police custody may be prolonged, exceptionally, only in the conditions determined by the law; At the end of the period of police custody, the individual concerned must be examined by a doctor if he so wishes; he shall in any case be informed of this right;
- any person accused of a criminal offence has the right to be present at his trial and to defend himself or benefit from the assistance of counsel of his choice (art. 454 of the Criminal Procedure Code).

The Criminal Code also punishes violations of freedom committed by people while performing their duties. The Prison Reform and Re-education Code (order n^o 72-02 of 17 February 1972) provides that “penal sentences may only be enforced after the decision is deemed final” (art. 8) and that “for a custodial sentence to be enforced, a copy of the judgment shall be produced before the convicted person can be incarcerated” (art. 11). “Every penal institution shall have a Jail Log”. (art.13). “A re-education and social rehabilitation officer may not, under pain of prosecution for arbitrary detention, hold a person without a proper detention order or before the final judgment is recorded in the Jail Log” (art. 14).

Article 8: Freedom of opinion, conscience and religion

Islam is the state religion of Algeria. The freedom of worship and religion of communities living in Algeria is guaranteed by the Constitution in its article 36. An Order dated 28 February 2006 specifies the conditions and rules for other non-Muslim forms of worship and provides that religious associations shall benefit from the assistance and protection of the state. The Archbishop of Algiers heads several dioceses, including those in Algiers (7 churches), Laghouat (1), Oran (4) and Constantine (2). The Jewish consistory is based in Algiers and maintains two synagogues in Algiers and Blida.

The Criminal Code punishes any offence committed against one or more people because of their membership of an ethnic, philosophical or denominational group (art. 298a). Similarly, the Information Act provides in its article 77 that whoever offends Islam or other celestial religions by writing, sound, image, drawing or any other direct or indirect means is liable to criminal prosecution (six months to three years imprisonment and/or a fine).

Article 9: The right to information and freedom of expression

Articles 36 and 38 of the Constitution guarantee the freedom of opinion and expression and the freedom of intellectual, artistic and scientific creation. Copyright is also protected by the law.

Act n° 90-07 of 3 April 1990 stipulates that “the right to information shall be freely exercised through any print, radio, sound or television media while respecting the dignity of the human being “.According to article 2, “the right to information comprises the right of the citizen to be fully and objectively informed about the facts and opinions concerning the society both within the country and abroad and the right to share information by exercising the fundamental freedoms of thought, opinion and expression in accordance with articles 35, 36, 39 and 40 of the Constitution“.

This definition of information covers the two aspects of the right to information: the right to inform and the right to know. By making them indissociable, the lawmaker broadened their scope. This right is also recognized by article of the 1990 Act, which specifies that it “shall be freely exercised while respecting human dignity, the requirements of foreign policy and national defence“.

Periodic and specialized national and international publications may only be distributed on the condition that they do not contain any pictures, articles, information, or other content contrary to human rights or constituting a justification for racism, nor any publicity or advertisement likely to encourage violence and delinquency (art. 26). Human rights Institutions, organisations or associations in charge of human rights issues and child protection may, in this framework, exercise the right recognized to private parties to join suit.

Further, executive decree n° 91-101 of 20 April 1991 establishing the terms of reference for radio and television broadcasting specifies the following obligations:

- radio and television stations must appropriately warn listeners and viewers about any programmes they might find offensive (art. 3);
- radio and television broadcasters must produce and offer educational programmes for children and adolescents with the help of an advisory educational structure (art. 5).

Articles 10 and 11: Freedom of association and assembly

In Algeria, every individual has the right to freely associate with others, including the right to form and join trade unions. Act n° 31-90 of 4 December 1990 on associations recognizes the freedom of association and peaceful assembly.

Today, next to political parties, associations constitute one of the dynamic and essential engines of social, trade union, cultural and scientific life. The relaxing of the licensing requirements by Act No 90-31 of 4 December 1990 to facilitate the establishment of associations has led to a significant increase in their number. For the purposes of comparison, between 1976 and 1988, that is, a period of 12 years, only 98 national associations were registered. Between 1989 and 1996, that is, a period of a little over 6 years, 678 national associations were established. During the said periods, a total of 947 national associations and 78,000 local ones were established. There are several categories of associations:

Professional	190	
Sports		Culture and education
.....		Health and medicine
.....		1 Science and
technology	39	
Youths	45	
Mutuals.....		Alumni
exchange and cooperation		Friendship,
.....		Solidarity, assistance and charity
.....		Disabled and maladjusted
.....	17	
Women	23	
Historical.....		Tourism and leisure
.....		Foreign associations
.....		18
Environment.....		Childhood and adolescence
.....		Pensioners and elderly
.....		Human Rights
.....	07	
Religious.....	10	
Revolutionary family	09	
Miscellaneous	53	

While the numbers may reveal the nature and focus of associations, the qualitative aspects related to the nature of the areas of interest are also important. Even though they are fewer in number, some associations have a lot of clout in the society and exercise a certain influence, such as associations related to historical referents, the environment and user or consumer protection, etc. Trade union freedom has not only been reasserted in the Constitution but also organized by Act No 91-30 of 21 December 1991 and order No 96-12 of 6 June 1996. The latter recognizes the right of employees in the public and private sectors to form independent unions distinct from political parties.

Apart from many independent unions, there are at least 60 employee associations of national scope and 19 employers associations, 2 in the public and 17 in the private sector. However, the unions of the public sector are, so far, more numerous and mainly cover the following sectors:

- health: unions,
- social affairs 9 unions,
- education: - training 6 unions

With regard to the right to strike, it has constitutional significance and is codified by an Act adopted by the Assembly in 1990. The exercise of this right is common and applies to all sectors, including the civil service and state structures.

Article 12: The right to freedom of movement within the country, to leave and return to one's country, the right to asylum and the prohibition of mass expulsion

The Algerian Constitution provides in its article 44 that "all citizens enjoying their civil and political rights have the right to freely choose their place of residence and move around the country. They are guaranteed the right to enter and leave the country".

The law does not restrict the right of citizens to freely move around the country, to freely choose their place of residence or to freely leave and return. Travel outside the country requires simple customs and border formalities, as well as the use of a proper travel document (a valid passport).

The freedom of movement of foreigners inside the country is also guaranteed and governed by order n° 66 - 211 of 21 July 1966 regarding alien status.

These provisions are general and apply to all foreigners who entered the country legally, without the need to refer to any convention. The expulsion of a foreigner may only be enforced through a decision taken in accordance with the above-mentioned order n° 66-211 which stipulates in its article 20 that the decision should "emanate from the Ministry of Interior". The individual concerned must be notified of the expulsion order.

A foreigner who proves that he is unable to leave the country may, until such time that he is able to do so, be restricted by order of the Minister of Interior to a place of residence (art. 12 and 20 to 22).

Article 13 of the same Act specifies that "foreigners freely stay and travel within the country" provided they can during any police check present papers and documents authorizing them to reside in Algeria and that they declare their place of residence and any change thereof to the police or town hall of their place of residence.

Algeria has always been a land of asylum for libertarians or people persecuted for their opinions. The Algerian Constitution prohibits the expulsion or extradition of a refugee who has been granted political asylum (article 69).

Article 13: The right to participate in public affairs and access public services

The participation of citizens in decision making and access to all public duties and higher posts of responsibility are guaranteed by the Constitution and the law. No legislative or regulatory provision prohibits or restricts the participation of citizens in the political life of the country. The right to vote and be elected is guaranteed by the Constitution and by order n° 97-07 of 06 March 1997 establishing the organic law governing the electoral system. The same text specifies voter requirements and makes no distinction between men and women.

Even though women's participation in decision making is still relatively modest, it is guaranteed by the Constitution and the law. However, it should be noted that progress is

steadily being made in terms of women's participation in decision making and access to higher posts of responsibility.

Regarding the presence of women in higher posts of responsibility, it is appropriate to mention the presence of 4 (four) women in government in 2004 and 2006, 2 (two) ambassadors, one Permanent Secretary, four Principal Private Secretaries, 1 (one) wali delegate, 3 (three) wilaya Secretaries General, 4 (four) wilaya Inspectors General and 7 (seven) दौरا leaders.

Out of a total of 3042 professional judges, 1056 are women, that is, 34.72 %. There is a woman President of the Council of State, 3 Court Presidents, 29 Tribunal Chairpersons out of a total of 193 and 83 examining magistrates out of 331. Out of 13,737 civil servants at the Chancery, 6024 are women.

6 (six) of the 15 (fifteen) sections of the Supreme Court are presided by women and all 6 sections of the Council of State are headed by women.

The Vice Governor of the Bank of Algeria, a member of the Currency and Credit Council, the highest financial authority in the country, is a woman. The Faculties of Natural Sciences and Letters and the University of Science and Technology are headed by women.

It should also be mentioned that the authorities have taken significant measures to ensure the presence of more women in professions considered until recently as the preserve of men. Algerian women are more and more to be found in the various army corps, the national gendarmerie and in the police force (6423 women in all ranks in 2004) and in civil protection (180 women officers and non-commissioned officers) working and listening closely to the communities.

Article 14: The right to property

The right to own and work on one's property is recognized by the fundamental law, whose article 52 provides that "private ownership of property is guaranteed". Further, article 66 specifies that "all citizens have the duty [...] to respect other people's property". This provision extends to foreigners legally residing in Algeria, since article 67 provides that "any foreigner legally residing in the country shall benefit [...] from the protection of his property by the law".

Article 20 of the Constitution stipulates the measures that safeguard the rights of citizens and foreigners: "no one may be dispossessed except in accordance with the law". In such a case, "a just and equitable" compensation is due. The failure to respect other people's property makes one liable to penalties provided by the Criminal Code, particularly articles 395, 397, 398 and 450 paragraph 4.

Article 15: The right to work under equitable and satisfactory conditions

All the Constitutions of independent Algeria enshrined the right to work. The fundamental law of 28 November 1996 stipulates in this regard in article 55 that "all citizens have the right to work. The right to protection, security and hygiene in the work place is guaranteed by the law ".

This right and equality are also guaranteed by the law in terms of access to work, salary and promotion. These measures led to significant progress in various areas of activity. In the civil service, the legislative and regulatory texts, like the Public Service Ordinance, do not contain any discriminatory provisions whatsoever.

Act No 90-11 on labour relations recalls the fundamental rights enjoyed by workers (the right to collective negotiation, social security, pension, hygiene, security and industrial health, rest, right to strike, etc.). It also confirms the right to protection against all forms of job discrimination, except on the basis of aptitude and merit (art. 6). Article 17 stipulates: "Any provision in a convention or collective agreement or employment contract that is in any way discriminatory on the basis of age, sex, social or marital status, family ties, political conventions, membership or non membership of a trade union, shall be null and void ". Such discrimination is sanctioned by penalties provided in articles 142 and 143 of the same law.

The Algerian social security system recognizes every employee's right to health insurance, protection against industrial accidents and pension. People who cannot work due to a disability enjoy lifetime care and assistance by the state under the social security system.

In the area of dependency benefits, workers enjoy regularly adjusted family allowances for their minor children. A special allowance is also paid to single-income households.

Apart from the benefits and protection enjoyed by workers, women employees enjoy a 14-week maternity leave with full salary as cash allowance. They also enjoy benefits in kind comprising full payment of medical and pharmaceutical costs as well as hospitalization in a maternity clinic. Unemployed women married to social security contributors also enjoy benefits in kind as maternity insurance. As for single mothers, they enjoy the protection of the state and are hospitalized anonymously free of charge. Their social status cannot prevent them from securing employment; they receive family allowances like all workers.

As mentioned in other parts of this report, Act No 92-06 of 27 February 1992 on individual employment relations provides in its article 25 for the prohibition of all restrictions to rights and benefits based on sex. The same law, in its article 15, stipulates that "women shall enjoy specific rights related to the general conditions of work and protection from professional hazards ".Article 16 of the law prohibits the employment of women in dangerous, unhealthy and harmful jobs.

There are special measures protecting women, particularly in relation to maternity and their role in the family unit. For example: the prohibition of night shifts; working during legal holidays; dangerous, unhealthy and harmful work; no work during maternity leave; the benefit of breastfeeding time (two hours per day during the first six months and one hour

per day during the next six months) and full payment of salary during maternity leave. In this respect, all employers are expected to prepare a collective labour agreement and internal rules and regulations for consideration by the labour department to verify compliance with the law. The collective labour agreement is negotiated by the employees' representatives and the employer.

With regard to measures to encourage the working woman, there are creches and nurseries and, since 1992, the opening of this sector to the private sector and associations. In the same vein, babysitting has been authorized and regulated.

To date, Algerian courts have not yet had to decide any labour disputes related to the failure by public or private employers to respect the regulations such as the payment of less than the minimum wage or discrimination regarding salary or benefits under labour agreements.

1 The change in the unemployment rate during the period 2000 – 2005

	Unemployment rate (%)	Job seekers	Rate (%)	Active Population
2000	29,5	2.484.279	-	8.421.284
2001	27,3	2.339.449	- 5,8	8.568.221
2002	25,9	2.247.283	- 3,9	8.676.770
2003	23,7	2.078.000	- 7,5	8.762.326
2004	17,7	1.671.534	- 195	9.469.946
2005	15,3	1.474.549	-11,8	9.656.044

Source O.N.S

- Average annual decrease in the number of job seekers: 9,7%
- Average annual change in the active population: 2,8%

2 – The change in the unemployment rate 2006 – 2010:

Indicators Year	Active Population	Number of job seekers	Unemployment rate (%) (%)
2006	9.926.413	1.331.518	13,4
2007	10.207.353	1.202.361	11,8
2008	10.493.158	1.049.315	9,9

2009	10.786.966	943.989	8,8
2010	11.089.001	885.307	8,0

Forecast:

- The active population will increase at an average annual rate of 2.8%
- The number of job seekers will drop at an average annual rate of 9.7 %, during the period 2006 – 2007 and 9.5% during the period 2008 – 2010.

Article 16 : The right to enjoy the best attainable state of physical and mental health

The right to the protection of health is a Constitutional right (art. 54 of the Constitution). Access to health services is provided to the population without discrimination; almost all the population (98 %) benefits. This access has improved as a result of the progress made in terms of health cover as shown by the following figures (2003):

- doctor per 1,110 inhabitants;
- 1 bed for every 1890 inhabitants;
- 1 polyclinic for every 60911 inhabitants;
- 1 health centre for every 24459 inhabitants;
- 1 treatment room for every 7124 inhabitants;
- 1 pharmacy for every 4825 inhabitants.

Further, the Algerian government has increased the number of basic health facilities and encouraged medical and paramedical training. Today, the country has a significant number of medical facilities (2005):

- 28 university hospital centres,
- 32 specialized hospital centres,
- 172 hospitals,
- 518 polyclinics,
- 1 285 health centres,
- 4650 treatment rooms.

With respect to staffing, in 2003 there were 28304 doctors, of whom 18334 were generalists, 9851 specialists, 885 paediatricians, 1009 gynaecologists, 721 interns, 8443 dentists and 5893 pharmacists. There are also 86205 paramedicals including 6580 midwives.

The budget allocated to the health sector as a proportion of the GDP has remained stable. The national health expenditure, which comprises the health sector budget, the Social Insurance Fund and the contribution of households, has increased in volume in cash terms from 47 billion dinars in 1997, 54 billion in 1999; 55 billion in 2000 ; 89 billion in 2003, 89.23 in 2004 and 95.69 in 2005.

With this effort in the health sector, the demographic situation has changed favourably during the last decade. Indeed, the population growth rate dropped from 3.1% per annum in the late eighties to 2.7% in 1987, 2.4 % in 1990, to level off at 1.6 % in 2000. This reduction in the population growth is due both to the fact that people married later and practised contraception more.

The increase in the age at marriage, in both the urban and rural areas, is also a new social development indicator. The average age at marriage in the rural areas has increased from 19.8 years in 1977, to 24.6 between 1987 and 1992 and is presently 28 years. This has resulted in the reduction of the number of early pregnancies.

The population programmes implemented are aimed at improving access to reproductive health care, particularly by emphasizing the disadvantaged areas, information, education and communication for the various categories of the population (youths, men, rural populations, etc.), the linking of the population policy to other social policies (land development, environment, promotion of women, etc.) and the development of research in various population-related fields.

The health policy, which is the spearhead of the population policy, is prepared jointly with other ministries and intersectorality is a guiding principle of the national health and population policy, with the establishment of the National Population Committee in 1996. This Committee brings together 30 ministerial departments, national institutions and associations, contributes to the definition, coordination, leadership, monitoring and evaluation of the national population policy, including its reproductive health and family planning component.

The involvement of associations in these organs is a major advantage. The needs expressed by the civil society are also better addressed in the preparation and implementation of health and population policies. Further, the inclusion since 1998 of associations in the board of directors of hospitals (user or patient associations, etc.) is a reality.

Article 17 : the right to education and the right of individuals to take part in the cultural life of the community

Algeria guarantees the right to education to all its citizens, without any distinction on the basis of race, colour, sex or any other criteria. This right is indeed enshrined in the fundamental texts of the Republic, particularly the Constitution in its article 53, as well as order n° 76/35 of 16 April 1976 on education and training which, in articles 4 to 7 mentions equal access to education, mandatory enrolment of children aged 6 to 16 and equal conditions of access to free education. The decree on mandatory basic education even contains coercive measures against parents or guardians who fail to comply. One of the major concerns of the public authorities is to provide every young Algerian with mandatory basic education for a period of 9 years. This education, provided in basic educational institutions, "provides the same opportunities for all boys and girls aged 6 right from the start". In this respect, education has always been mandatory and free of charge in Algeria.

Year	Primary	Middle	Secondary
2000-2001	4720950	2015370	976862
2001-2002	4691870	2116087	1041047
2002-2003	4612574	2186338	1095730
2003-2004	4507703	2221795	1122395
2004-2005	4361744	2256232	1123123

The concentration of the population in the more prosperous northern part of the country is such that the distribution of pupils is unequal. As everywhere else, there is a lot of pressure in the major urban areas, a relative average in the high plateaux and a significant rate in the mid and far south. The situation is similar with respect to teachers, who are more numerous in certain areas and lacking in others. The school mapping exercise is aimed at remedying the unequal distribution of the student and teacher populations.

In 2005/ 2006, there were 7 611 000 students in Algerian schools, distributed as follows:

- a) 4 209 000 in primary school;
- b) 2 253 000 in middle school;
- c) 1 149 000 in secondary school;

With respect to the number of teachers, there are 340 000 of them in total; the number of administrative staff is 153 000, including all categories.

The facilities are distributed as follows:

- 17,307 primary schools
- 3981 middle schools
- 1495 secondary schools

With regard to the school feeding programme, in 1997 - 1998, there were 4 142 school canteens for 561 311 children and in 2003 – 2004, there were 1 600 000 beneficiaries.. At the beginning of the 2005 / 2006 academic year, some 2 000 000 students were provided with school meals.

As for boarding schools, they number 27, with 3 000 girls and boys aged 6 to 12 at the primary level, 23 350 in middle school and 53 048 in secondary school. These boarding schools were established for the benefit of children living in the remotest areas, especially girls, to prevent high drop out rates, as well as for the children of nomads in the Sahara regions and orphans who have not found foster homes. All the operating costs of the boarding schools are borne by the state authorities.

Further, there is a school transport system covering a large number of towns and villages, especially the remotest. This system, initiated by the public authorities, benefits 884 communes which have 1300 buses.

The higher education system comprises 27 universities, 13 university centres, 4 medical science institutes, 12 prestigious higher education institutes and 4 national colleges. The number of campuses increased from 110 in 1999 to 200 in 2005 with a capacity of 300 000 beds. As for the number of students, there are 754 580 of them, while the number of teachers is 25 200 (2004/ 2005).

Finally, almost 500 000 youths attend vocational training institutions and acquire a trade at the end of the training.

Article 18: The right of the family, women and the elderly or disabled to special protective measures

The family enjoys the protection of the state and the society (art. 58 of the Constitution).<0> Article 2 of the Family Code defines the family as “the basic unit of society. It is made up of individuals united by bonds of marriage and kinship“

Article 65 of the Constitution specifies that “the law sanctions the duty of parents to ensure the education and protection of their children”. Child custody issues arising in the case of separation of spouses are addressed in articles 62 to 72 of the Family Code. Articles 74 to 80 deal with maintenance and alimony. Any fault or negligence committed by parents with respect to their duty to protect their children is addressed by the Criminal Code in its articles 330 to 332 on family neglect.

The Family Code stipulates in its article 4 that “marriage is a legal contract between a man and a woman. Among other things, its purpose is to start a family based on affection, indulgence and mutual assistance, to morally protect the two spouses and preserve the family bonds by safeguarding the interests of the family, to protect children and ensure their proper education» (art. 4 and 36 of the Family Code). It is therefore natural for children to live with their parents, except when the primary interest of the child requires or justifies separation. No child may be separated from its family or parents except by judicial decision.

Article one of order n° 72-03 of 10 February 1972 regarding the protection of the child and adolescent provides that “minors aged 21 whose health, security, morality or education are compromised or whose living conditions or behaviour are likely to affect their future may be the subject of protective measures and educational assistance“

- only the children’s judge is authorized to take measures to protect and assist children under this law (art. 2 et 3);
- provisional child custody measures may be taken by the children’s judge (art. 5 and 6). These measures may, at any time, be modified or revoked at the request of the minor, the parents, or the Public Prosecutor.
- At the end of his investigation, the judge shall call the minor and his parents or guardian before him as well as any other person it may be useful to hear“ (art. 9). “He shall try to bring the minor’s family to support the measure envisaged“.
- the children’s judge shall take his decision in chambers;

- "When the minor is entrusted, temporarily or permanently, to a third party or one of the institutions herein mentioned in article 11, the parents who have a maintenance obligation toward him are expected to provide such maintenance unless they can prove that they are too poor to do so" (art. 15).

In its article 59, the Constitution further states that "the living conditions of citizens who are not yet able, are no longer able, or will never be able to work again shall be guaranteed". As part of the duties of the citizen, the Constitution stipulates in chapter 5 a series of provisions regarding the family and society. Special mention should be made of article 65 which states that: "The law sanctions the duty of parents to ensure the education and protection of their children, as well as the duty of children to provide help and support to their parents".

With respect to health insurance, the social security system covers, in addition to salaried and non-salaried workers, certain categories of the population such as the disabled, students, trainees and apprentices. Children put up for kafala (adoption) enjoy the same benefits as legitimate children.

This system is complemented by family allowances to salaried workers with children, financed by the state, mutual benefit societies and company benefit schemes:

a) the support scheme for particularly disadvantaged categories. It is based on two forms of aid and support: allowances financed from the state budget and social welfare for disabled, homeless children and the destitute, infirm and incurably ill senior citizens;

b) the new scheme called the "social safety net" established in 1994. It is a form of social protection and allowances to the disadvantaged groups, particularly households and people living alone with difficulties or without an income and residing in socially vulnerable areas. The first aid is in the form of a lump sum solidarity allowance meant for heads of households or people living alone, aged over 60, as well as for the disabled who are unable to work. The second is in the form of an allowance for public interest activities paid to heads of households of working age. This allowance, which represents 52.5 % of the minimum wage, is paid to heads of households with children.

Article 19 : The right of peoples to equality:

Algeria is attached to the United Nations Charter which proclaims the principle of equality between sovereign states. It believes the respect due to people is a cardinal principle that should be upheld everywhere by all the members of the international community, and that no philosophical, religious or legal argument can justify any injury to the character or dignity of a people.

Article 20 : The right of peoples to self determination

The Algerian people who have experienced the terrible yoke of colonialism with its attendant denial of basic human rights, cultural deprivation and exploitation, fully appreciate the meaning of peoples' right to self determination and advocate in all forums for the free exercise of that right by all those living in non independent territories.

Its liberation struggle was a strong signal to the oppressed peoples and helped speed up the decolonisation process which led, among other things, to the adoption by the UN General Assembly of Resolution 1514 of 14 December 1960. The latter, based on the principle of "jus cogens", should not only be preserved but invoked in order to put an end to the shameful situation of a bygone age that perpetuates the debasement of the human being and denies a people the right to control its own destiny.

Article 21: The right of peoples to freely dispose of their wealth and natural resources

Algeria believes that the exercise of national sovereignty should not be reduced to distinctive or demonstrative signs. The state should fully exercise its powers over the territory under its jurisdiction above and below ground level, in its airspace, territorial waters and continental shelf. The resources and any other endowments that can contribute to the improvement of the national economy, social wellbeing, and human development in general, should be supported by the mechanisms every state decides to put in place according to its own political, economical, social and cultural priorities.

Article 22 : The right of peoples to economic, social and cultural development

The main mandate of the public authorities is to help improve the standard of living of their citizens. This requires the equitable distribution of the benefits of development, the proper allocation of resources to address the needs of the citizens, as well as national solidarity for the poor.

Thus, the 2005/2009 growth support plan and subsidiary programmes for the South and the High Plateaux to the tune of 100 billion US dollars is aimed, among other things, to deliver the following facilities:

- 1,200,000 houses
- 500 high schools, 1000 middle schools, 2000 school feeding programmes and half board schemes at school,
- 500 000 university teaching posts,
- 50 000 vocational training places
- 40 hospitals,
- 10 dams, 10 000 km of new or renovated roads
- the connection of 1 200 000 homes to the natural gas network and
- 600,000 more homes to the electricity network.

Article 23: The right of peoples to international peace and security

Algeria has enshrined in its Constitution all the United Nations principles that are at the basis of the friendly relations between peoples. It contributes in many ways to the resolution of crisis situations, the peaceful settlement of conflicts and the promotion of the culture of peace and national reconciliation.

It respects the Constitutive Act of the African Union and is concerned about the stability of the continent. It takes part in all goodwill efforts to reduce tensions and establish neighbourly relations between African states.

Article 24 : the right of peoples to a healthy environment

The issue of the environment is one of the priorities of the Algerian government. For many years now, a ministerial department has been responsible for ensuring horizontal coordinating of efforts on this issue. Apart from its land development mandate, this ministry is responsible for all the aspects of sustainable development. Algeria is a signatory to the main regional and international conventions on the environment, These include:

- The African convention on the conservation of nature and natural resources;
- The Vienna convention for the protection of the ozone layer;
- The UN framework convention on climate change;
- The Kyoto protocol on climate change;
- The convention on biological diversity;
- The UN convention to combat desertification;
- The Basel convention on the control of transboundary movements of hazardous wastes and their disposal;
- The Cartagena protocol on biosafety.