

الجمهورية الجزائرية الديمقراطية الشعبية

PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA



AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE
CHILD

INITIAL REPORT

Introduction

1. Algeria has ratified the African Charter on the rights and Welfare of the Child (ACRWC) on 8 July 2003.
2. The present report has been developed in compliance with article 43, paragraph 1 and 2 of the African Charter on the rights and Welfare of the Child, et in accordance with the Guidelines on the form and contents of periodic state party reports submitted pursuant to the African Charter on the rights and Welfare of the Child (Document Cmttee/ACRWC/2 II. Rev 2).
3. During the drafting process of the present report, wide consultations were carried out within ministerial departments and relevant institutions, representatives of civil society organisations working on the promotion and protection of child rights were also involved.
4. Stakeholders of this process mainly focused on the aspects related to the implementation of provisions of the Charter.
5. The present report reviews the various legislative measures and regulations, and other actions and achievement in the areas pertaining to the implementation of the Charter. In this regard, it shows the progress made with regard to the rights enshrined in the Charter.
6. Through the submission of its initial report, Algeria reiterates its willingness to establish a fruitful cooperation and constructive dialogue with the African Committee of Experts on the Rights and Welfare of the Child, and this was illustrated through the 18th session of the Committee that took place in Algiers from 26 November to 1st December 20011.
7. The submission of the present report, can also be seen as a follow up of a cooperation with other universal and regional human rights mechanisms, including the UN Committee on the Rights of the Child and the African Commission on Human and People's Rights.

I. General data

8. Efforts by the Algerian public authorities towards the promotion and protection of human rights started since the country's independence in 1962. That is how the different Algerian Constitutions enshrined universal principles in this area, taking into account both the requirements of modernity and the development process of the Algerian society.

9. However, it is through the 1989 overture to political pluralism that Algeria intensified the process of its accession to international human rights instruments. It ratified the main regional and international human rights instruments. Algeria currently considers itself as a country, which has achieved important progress in terms of fundamental liberties, democracy and human rights. Algeria ensures that it complies with its obligations of submitting state periodic reports.

1. Land, population and indicators

10. **General information:** **land mass:** 2 381 000 km²; **population:** 38,48 millions (2012); **official language:** Arabic; **local languages:** Arabic, Tamazight; **religion:** Islam; **currency:** Algerian Dinar; **GDP:** 206,5 Billion US\$ (2012) / **Per capita income:** 5659 USD (2012); **Gross foreign debt:** 3,9 Billions USD (2012); **unemployment rate:** 9,7 % (2012); **Average life expectancy (2011):** 76,7 year in average with 77,3 years for women and 76 years for men; **infant mortality rate (2010): average of 23,7 for 1000 with boys : 25,5 for 1000 – girls : 21,8 for 1000; maternal mortality rate:** 76,9 maternal deaths for 100 000 births (2010) ; **economic growth rates:** 2,6 % (2012); **inflation :** 8,89 % (2012) ; **enrolment rate:** 98 % (2010) ; **age structure in% (RGPH- 2008) :** below 5 years : 10.0, below 20 years : 38,7, youth of 15-24 years : 21.8, 25 – 59 years : 53.8, 60 years and above: 7.4.

2. General framework for the promotion and protection of human rights

11. Algeria guarantees the implementation of a national strategy, which aims to strengthen compliance to human rights that are constitutionally protected. This strategy set the ground of a serene Policy in this area, and reiterates Algeria's determination in ensuring liberties and citizens' individual and collective duties, as well as the promotion of values such as equality, solidarity, sharing and tolerance.

12. In this regard, the public authorities have maintained their willingness to pursue their commitments in view of achieving the ongoing reform process in the political, economies and social areas.

13. In addition to the Constitution, which was amended in 2008, the national legislative framework has been enriched during the past years with the enactment of several laws facilitating the settling and sustainability of the state of law at all levels of the public life. The institutional framework is continuously being strengthened.

A. Institutional framework

14. The institutional framework makes provision for constitutional and non constitutional mechanisms

1. Constitutional mechanisms

15. The constitutional mechanisms are supported by political bodies and judicial institutions

16. The 1989 Constitution, revised in 1996, then in 2008, provides for the separation of the executive, legislative and judiciary powers. The constitutional regime is of presidential nature.

17. According to article 163 of the Constitution, the Constitutional Council is the guarantor of the constitutionality of laws. It ensures the conformity of laws with the constitution, including respect for rights and freedoms. In addition, it controls the regularity of people's will as expressed in the presidential and legislative elections. Composed of nine (9) members, it may be referred by the President of the Republic, the President of the Council of the Nation and the President of the People's National Assembly.

18. The legislative power revolves around the Parliament, which is a place for the state to express democracy and pluralism. It controls the Government's action and enacts laws. Human rights matters are raised at the permanent commissions' level, which were created to this effect.

19. The constitutional reform of 28 November 1996 has established a two-tier system of parliament; the People's national assembly became the first Chamber of Parliament. There are 462 members of parliament representing different political obediences following parliamentary elections by direct universal suffrage. The Council of the Nation is the second Chamber of Parliament. It is composed of 144 members, with two thirds elected through indirect suffrage by a cluster of members of the People's regional (wilayas) and municipalities' assemblies, while the President of the Republic appoints the other 48 members.

20. Based on the Constitution, the President of the Republic and the Prime Minister form the executive power in the Algerian political system. The President of the Republic, Head of State incarnates the unity of the nation. He is elected by direct and secret universal suffrage for a five-year term. He can not be re-elected. Moreover, the Prime Minister implements the Programme of the President of the Republic and coordinates the governmental action. The programme is submitted to the People's national Assembly for approval.

21. With regard to its human rights Policy, the executive power has carried out a number of actions including the ratification of the main international human rights instruments.

22. The independence of the judiciary is provided for in article 138 of the Constitution, which states that « the judiciary is independent. It operates within the legal framework »

23. Algeria has put in place judiciary mechanisms to guarantee, both the citizens' rights, and also to ensure an autonomous decision making process for the judiciary. To this end, the judiciary revolves around three pillars: Courts of First instance, Appeal Courts and the Supreme Court. In addition, there are administrative courts and a Council of State (Conseil d'Etat), as well as a Conflicts Court in charge of settling admissibility conflicts between the Supreme Court and the Council of State.

24. The Algerian constitution has given an important status to freedom of association for the defence of human rights. This freedom, provided in article 41, applies to the protection of some specific rights such as women's rights, children's rights, rights for sick people, disabled persons, customers and users of public services.

2. Non constitutional mechanisms

25. Non-constitutional mechanisms pertain to structures created for the protection and promotion of human rights, which are included in non-constitutional provisions.

26. The National Advisory Commission on the Promotion and Protection of Human Rights (CNCPPDH) was created on 9 October 2001 and is hosted by the President of the Republic. It is composed of 44 members including 16 women. It is an independent body with consultative, monitoring, early warning and evaluation remits in terms of compliance to human rights. The Commission undertakes any appropriate action in this area and carries out awareness raising actions, information and communication for the promotions of human rights. It expresses opinions on the national legislation for its improvement. The Commission develops an annual report on the state of human rights, which it submits to the President of the Republic.

27. Equally, the freedoms of opinion and expression are essential mechanisms for monitoring human rights promotion and protection, and they act as counterweight. The Information Act no. 12-05 guarantees their implementation.

28. There are currently fifty two (52) daily newspapers including only six (6) from the public sector, with an average daily print of about 1.7 millions copies. Concerning the weekly newspapers, ninety -eight (98) newspapers have been recorded with a global average of 2,3 millions copies and forty three (43) other periodicals, bi monthly or monthly newspapers/magazines, with 275 000 copies printed.

29. Finally, the modalities of the implementation of rights pertaining to trade union are provided in the Act no. 90 – 14 of 2 June 1990. There are fifty- seven en (57) organisations protecting categorical or corporatists rights who claim to cover 2.5 millions workers, and twenty- three (23) employers' organisations including three (3) confederations.

B. Legal Framework and concrete measures

30. The legal Framework ruling the implementation of human rights in Algeria is based on the Constitution, international treaties, authority acts and laws.

31. The 1996 Algerian Constitution, amended in 1998, which enshrines rights and freedoms in its chapter IV, establishes these principles as constitutional principles. These principles are also included in international treaties on human rights to which Algeria is party.

32. According to Constitutional Council's decision of 20 August 2989, the international commitments of Algeria prevail over the national legislation. This decision confirms the principle provided for by the Constitution whereby the ratified international treaties prevail over national law. The Constitution states that « following its ratification and after its publication, any convention will be incorporated in the national law and, according to article 132 of the Constitution, acquires an authority which is superior to the law, authorising any Algerian citizen to invoke it before the courts. »

33. Algeria a subscribed to the main international human rights instruments and regularly submits relevant periodic reports. It maintains rapports of cooperation with UN agencies, the African Union and the League of Arab States, as well as with the non-governmental organisations community.

34. The annual celebration of the Universal Declaration of Human Rights, that of the Women, the Child, the African child, the Elderly, the Family and the Disabled persons are renewed opportunities to raise the general public's awareness on the various international human rights instruments, to which Algeria is party. It is also an opportunity to measure the effects of the actions carried out by the public authorities and to draw learning for the improvement of their effective implementation.

35. In the area of human rights education, the educational institutions ensure the popularisation of the conventions, which are incorporated in school curricula, and school manuals of several programmes. Students are sensitised about human rights using universal instruments (Universal Declaration on Human Rights and other international and regional treaties). Articles of some of the conventions are circulated as teaching supports in all education institutions across the country. Similarly, units on human rights are fully part of teaching at the Magistrates' High School, the Police High School and the National School of Prison Administration, as well as the National Schools of Gendarmerie.

36. The international and regional human rights conventions ratified by Algeria are posted on the website of the Ministry of Justice (www.mjustice.dz). In addition, the latter, are given training in Algeria and abroad, on public liberties and human rights.

37. An authority act on the extension of women's representation within the elected local and national assemblies has been promulgated in January 2012. This law provides for the gradual process of women's representation within elected assemblies which rages between 20 to 50%. It also states that any electoral list, which does not comply with the women representation rate as per this law, will be rejected. This voluntarism policy for women advancement has resulted in reaching 31% of women in Parliament during the legislative elections of May 2012.

38. In addition to the Constitution, a number of legislations, including authority acts, facilitate the democratisation of the public activity:

- Act no. 11- 10 of 22 June 2011 on the council (commune) which aims to strengthen decentralisation and local democracy and the participative management of local public affairs;

- Authority Act n°12-01 of 12 January 2012 on the electoral regime which aims to strengthen transparency in implementing powers, set up rules ensuring respect for the free choice of the people and strengthening the relation of trust between the citizen, the elected people and the institutions;

- Authority Act no. N°12-03 of 12 January 2012 setting the rules increasing opportunities for women's access to representation within elected assemblies by putting in place compulsory quotas, thus recognising the constitutional principle of women's right to conduct political affairs as per article 31b of the Constitution.

- Act n°12-07 of 21st February 2012 on the wilaya, which recognised the wilaya as a decentralized local government and devolved administrative district of the state and a space for solidarity and planning of local development.

- Authority Act n°12-04 of 12 January 2012 on political parties which aims to reinforce democratic pluralism and enrich provisions regulating the creation of political parties and their relation with the administration, the transparency in financial management of political parties, as well as disputes or conflicts likely to take place between the administration and an accredited political party.

- Act n° 12-06 of 12 January 2012 on association which aims to reinforce freedom of association, to rule in a more specific manner the activity of associations and to fill in the legal gaps, including notably the foundations, friends associations and foreign associations established in Algeria. The law aims to strengthen the democratic process perspective, in ensuring precision, transparency and clarity of the rules and procedures in terms of creation and functioning of associations while obliging the administration to make a decision on the accreditation application within a certain deadline.

- Authority Act n°12-05 on Information, promulgated on 12 January 2012 has met the new needs of the citizen and the society which have evolved in a new environment. This Authority Act strengthens the citizen's right to information and freedom of expression while respecting the diversity of opinions.

39. In view of promoting and protecting human rights, several legislations have been enacted in order to strengthen and clarify the relevant frameworks. Most of the national provisions cover individual rights, civil and political rights, as well as collective, economic, social and cultural rights, and those of vulnerable groups (children, women, disabled persons, elderly).

Part Two:
Information relating to the substantive provisions of the Charter

I. General implementation measures of the Charter

40. By ratifying the African Charter on the Rights and Welfare of the Child, Algeria has not only made this instrument a supranational norm but it has also committed itself to abide by it in law and in fact, under the control of the Constitutional Council and the State Council, and to own all the provisions of the Charter, which constitute imperative references while developing legal instruments, from the authority act to the circular.

41. In fact, since 1999, Algeria has accomplished tremendous efforts to adapt its legislation to provisions of international and regional instruments, which it has ratified. The legal arsenal has gone through and is still going through a series of actions in order to be adapted to the conventions ratified by Algeria.

42. Willing to promote and protect child rights, Algeria, like any other State party of the ACRWC, has put in place a Plan of action (2008- 2015) for the children, which is called « The NPA for an Algeria fit for children ». This Plan has set priorities and goals, which are part of the national strategy for national development, and also respond to the measures recommended in the declaration on the Global Summit on Children.

43. These goals are from several sectors and take into account logistic and financial constraints of each sector.

44. The actions planned in the NPA aim to reinforce the gains, to adapt them to the conjectural demands and to face the challenges of full participation of children in social and cultural life.

45. Since 2006, various activities have been undertaken for the implementation of the NPA. It is possible to mention the following activities, classified by year from 2006 to 2011:

- National conference on children
- 5th symposium on child protection
- Intersectorial commission on children
- Through a partnership between the departments of the former Junior Ministry in charge of the Family and Women advancement (MDCFCF) and UNICEF, the Council of Beni- Saf (Wilaya of Ain Témouchent) was designated « child friendly city », with the aim to promote the cause of children across the city, promote actions to improve their daily life, develop participation and listen to children and youth.

Year 2007:

- Publication of the review« EL OUSRA » (the family), a specialised review in the areas of family, women and children, (2004- 2007)
- Strategic planning workshop for children in Algeria
 - National workshop for the launch of the study on violence against children.

In 2008:

- Participation of the MDCFCF in a mid term meeting of the programme « I am listening to you » of the Nada Network (NGO);
- Design and implementation of the NPA monitoring and evaluation system

- Induction of the NPA steering committee (national institutions/civil society/children/adolescents);
- Workshop on the means of promotion of child rights (media/journalists/communication specialists/experts/producers/radio/television...etc.)

Year 2009:

- Specialised seminars in the occasion of the Universal Day of the Child and the Day of the African Child
- Organisation of the « Month of the Algerian Child »;
- Workshop children and adolescents to express themselves on their rights and participation;
- Organisation of a workshop aiming at raising awareness on child rights;
- Organisation of an open door event for sensitising on child rights during one week, in the 48 wilayas;
- Organisation of workshops: « freedom of expression for children »;
- Induction of a sectoral Committee for the development of a programme of action aiming at protecting children against cyber criminality;
- Organisation of sensitisation days on child rights “child labour” within the vocational training institutions at national level;

Organisation of a national forum on child justice, in partnership with the Ministry of National Education and the Parliament, for the launch of the parliamentary days, with the following goals:

- Creation of an Algerian Children parliament
- Induction of members of the Children Parliament
- Adoption of the Charter of the Algerian Children Parliament

Year 2010:

- Setting up an intersectorial working group on child protection (in charge of preparing a plan of action for the protection of children);
- Development of a national mid term evaluation report of the NPA
- A meeting took place with the participation of children in order to celebrate the month of the Algerian child.

Year 2011:

- The 18th session of the African Committee of Experts on the Rights and Welfare of the Child took place in Algiers;
- Inauguration of the NADA Network’s helpline « 30.33 » in Setif ;

* Practical modalities of child participation in the steering committee:

46. A steering committee in charge of the implementation of the NPA has been inducted in 2008. In order to support this steering committee in its mandates, a guideline on the national monitoring and evaluation system of the NPA was designed and developed on the basis of the results, strategies and measures defines in 2015, using a participative approach of all the stakeholders. This system aims to reinforce the integrated vision of the child since it requires a joint evaluation of all programmes

and their impact on children, beyond the sectoral evaluation that is usually carried out. It provides to the stakeholders (national institutions, members of civil society working in child rights, children and adolescents) a space for participation, support, exchange and interaction, dialogue and reflexion on the development of children's situation, in the management and implementation of the NPA.

47. It also enables children to participate in the implementation and evaluation process of the NPA, through brainstorming workshops and debates (Month of the Child, study days, sensitisation campaigns, competitions, sectoral and intersectoral activities, NGO activities, media: written press/audiovisual, etc.)

II. Definition of the Child:

48. The national legislations are in accordance with provisions of article 2 of the Charter, in which the child is described, in a generic manner, as « every human being aged below the age 18 years »

The Child in Algeria is seen as a citizen who enjoys all his/her rights based on the Algerian Constitution, which makes provisions to ensure protection of the citizen in general. Child rights as stated in the African Charter on the Rights and Welfare of the Child are included in the constitution and in the Algerian legislation. In fact, the rights to equality and non discrimination, the best interest of the child, the right to privacy and survival, the right to a name, a nationality and the preservation of identity, the right to a better family care, to the best health care possible, to education and family protection, are integrated in the legislative framework.

The child and adolescent protection in Algeria has been included in an ordinance no. 72 – 03 of 10 February 1972, which was followed by several laws and decrees ensuring the protection of vulnerable children (orphans, children without families and/or from deprived families, disabled children, adolescent offenders, etc.)

49. The definition of the child according to the Algerian law shall be identified through various provisions:

- Article 40 (2) of the Civil Code (ordinance n°75-58 of 26 September 1975 amended and supplemented by the Act n° 07-05 of 13 May 2007

- Article 442 of the Code of criminal procedure states that « criminal responsibility is reached at the age of 18 years ». In article 443 of the same Code, it is stated that the age to take into account for determining the likely majority is the age of the day of the infraction;

- In terms of education, the Act n°08-04 of 23 January 2008 on the orientation of the national education provides in its article 12 that « education is compulsory for children, girls and boys aged from 6 to 16 years old »;

- Article 15 of the Act n° 90-11 of 21st April 1990 on Labour relations, states that the minimum age required to work shall not, in any way, be below the age of 16 except in the case of a contract of apprenticeship.

- Ordinance no. 74- 203 of 15 November 1974 on the Code of national service sets the age of army enlistment at 19 (article 1). Article 98 extends the deadline for enlistment in the interest of studies until the student or school boy/girl reaches 27 years old.

- The age of marriage which was 21 years old for men and 18 years old for women has been standardised since February 2005 to 19 years old for all.

III. General principles

a) Non discrimination (article 2 of the ACRWC)

50. The different constitutions adopted by the country since the independence have all made provisions for equal rights, equal freedoms and duties for all citizens.

51. The Constitution emphasises in its preamble that it is above all and « it is the fundamental law which guarantees rights and individual and collective freedoms ». It aims to ensure legal protection and control the action of public authorities in a society where legality and human being blossom in their entire dimension.

52. In its article 29, the Constitution states: « All citizens are equal before the law, without it be any discrimination on grounds of birth, race, sex, opinion or any other condition or personal or social circumstance »

53. Article 31 states that: « Institutions are intended to ensure equal rights and duties of all citizens by removing obstacles which hinder the progress of the human person and prevent the effective participation of all in political, economic, social and cultural life»

54. Article 34 guarantees the inviolability of the human person and prohibits all forms of physical or mental violence. This is complemented by Article 35, which condemns the violation of human rights and freedoms as well as the physical or moral integrity of the human person.

55. The child is explicitly mentioned in article 63, along with the family and the youth, as a setting where respect of the right to honour, to privacy and to protection is guaranteed.

56. Article 58 of the Constitution states that the family, a fundamental element of the society and a natural environment, which guarantees a harmonious growth for the child, enjoys the protection of the state and the society.

57. Moreover, Algeria is party to a number of international legal instruments which make provision for rights that contribute to the respect of the dignity and physical integrity of the human person.

58. In order to incorporate these provision at national level, Algeria has made sure that it prohibited and eliminated all forms of racial discrimination, it endeavoured to ensure equality for all before the law and enabled the implementation of different rights regardless of race, colour, language and sex.

b) Best interest of the child (article 4 of the ACRWC)

59. This principle has been included in the whole national legislation and, in several areas: education, health, legal protection and judiciary... etc., notably through the child protection law, the Family Code and the Code of Nationality. As for the policies recommended with regard to social development, the best interest of the child is usually taken into account while developing these sectoral programmes and policies. Moreover, budget allocations to different departments do not reflect the allocations for children, except in the national education sector which has a budget solely allocated to the improvement of children's education.

60. The Algerian judiciary system guarantees child protection while particularly ensuring the best interest of the child, through provisions of the Family code and the Code of civil and administrative procedure (CPCA).
61. Guardianship: the father is guardian of his minor children, and at his death, guardianship returns automatically to the mother, in case of disability or absence of the father, the mother replaces the father in performing urgent tasks
62. The guardian shall manage the estate of his ward in the best interest of the latter; He is responsible under the law and must seek court authorization for certain procedures such as, selling, sharing, mortgage, commitment of the minor's capital and rental of his properties
63. The judge grants authorisation while taking into account the need and the interest of the child. In case of conflict between the interests of the guardian and those of his ward, the judge will appoint an ad hoc administrator
64. The testamentary guardian whose term expires shall return the estates that were under his responsibility and present the accounts to his successor and to the minor at his emancipation, in a period not exceeding two months from the date of expiry the mandate
65. The guardian is liable for damage caused by his negligence to the property of his ward.
66. Requests for an injunction, or temporary withdrawal of the guardianship of the minor are formed at the request of a parent or the prosecution, or any other interested person. They are presented by way of interlocutory (Article 453 CPCA).
67. The judge may, on its own motion or at the request of a parent or the prosecution:
- a. Hear the father or the mother and any other person whose evidence seems useful to him
 - b. Hear the minor, unless his age or condition does not permit it;
 - c. Request any social inquiry, any medical examination, any psychological or psychiatric consultation (article 454 CPCA).
68. The interim ordinance made pursuant to article 453, mentioned above, is served by the party who acted faster, to the other party within thirty (30) days after the order was issued, under penalty of expiration.
69. The order may be appealed:
- a. By the parties, within fifteen (15) days following its pronouncement
 - b. By the prosecution within the same deadline, following its pronouncement
70. The appeal is heard and the matter will be considered in closed session, within a reasonable time.
71. The requests made under article 453 above, are formed according to the summary proceedings' rules before the court of the place where the guardianship is implemented. They are tried and decided upon in closed session. The public prosecutor and counsel for the parties will present their observations, if applicable (articles 455, 456, 457 and 458 CPCA).

72. The judge may order, taking into account the child's interest, any interim measures relating to the implementation of the guardianship. He may, for this purpose, temporarily grant custody of the minor to the other parent or, failing that, to one of the other persons provided in the Family Code.

73. This measure may be subject to change when the interests of the minor require it, either by the judge, or at the request of the guardian, or the minor when he is capable of understanding, the Public Prosecutor or any other person authorized to act for the protection of minors. The judge shall rule on this request by an injunction.

74. The measure of termination or temporary withdrawal of rights related to the exercise of guardianship may be revoked in whole or in part, by the judge, at the request of the dismissed parent (Articles 460 and 461 of CPCA).

75. At the hearing, the judge hears the minor, the father and the mother or the person having custody of the child and any other person whose views are deemed useful. It may excuse the minor from attending. Counsels of the parties may present their observations, if applicable.

76. The request is heard and decided in private, the public prosecutor shall present his submissions. This order is not appealable.

77. Article 468: the administration of the minor's property is subject to a judicial review, at the death of both parents.

78. **Authorization and emancipation:** The prior permission defined by the law and concerning certain acts of the legal guardian is granted by order upon application, made by the family court judge (Article 479 CPCA). Article 480 states: emancipation is decided by the family court by way of graceful order, under the conditions provided by the law. Moreover, in case of separation from parents, article 62 of the Family Code provides a right to custody, which consists of maintenance, school enrolment, childrearing and safeguarding the child's physical and mental health.

79. **Custody:** Articles 64 and 65 of the Family Code organize custody using the assumption that the interest of the child is best served by the devolution of this right to persons best suited to exercise it. They empower the judge to assess such ability.

80. Articles 66-68 set the conditions for the award of custody and provide for withdrawal considering the best interest of the child. The interests of the child are also protected by the Family Code in the following articles:

a. Article 82 which provides that the acts of those who have not reached the age of discretion because of their young age, are redundant;

b. Article 83 which states that the acts of a person who has reached the age of discretion without being an adult as per article 43 of the Civil Code are valid if they benefit him and redundant if they are harmful. Such acts require permission of the legal guardian or testamentary guardian, when there is uncertainty regarding the benefit and the harm. In case of dispute, the matter is brought before the court;

c. Article 93 concerning testamentary guardianship, which states that "the testamentary guardian must be Muslim, sensible, capable, integrated and a good administrator. If he does not meet the above conditions, the judge may process his dismissal";

d. Article 96 (5), which states that the dismissal may also take place at the request of a person having an interest therein, where it is proven that the guardian's management is jeopardizing the interests of the minor;

81. In criminal cases, the Code of Criminal Procedure protects the best interests of the child by stating in its article 337 bis that the plaintiff may directly summon an accused person before the relevant court in the cases of family abandonment and child no show. This principle is enshrined in the Code of Criminal Procedure in its chapter relating to the rules on juvenile offender (article 444 and following) and the 72-03 ordinance of 10 February 1972 on the protection of children and adolescents.

82. In these two texts, actions are taken against the minor after assessing his personality. Juvenile judges and assessors are selected based on their interest to minors. The procedure is simple in order to achieve this goal (interest of the minor).

83. Several provisions of the Information Act No. 12-05 of 12 January 2012 specifically concern children, these are:

a. Allowing any institution working on human rights and child protection in a civil action;

b. Professional confidentiality cannot be opposed by the journalist to the judicial authority when the information relates to children or adolescents.

84. Articles 42 and 43 of the Civil Code provide that:

- "A person deprived of judgment because of his/her age or because of his/her weakness of mind or dementia does not have the capacity to exercise their civil rights."

- « Is deemed devoid of judgement, a child who has not reached the age of 13 years »;
"A person who has reached the age of discretion without being an adult, as the one who has come of age while being profligate or suffering from imbecility, have limited capacity in accordance with legal provisions ».

c) Right to life, survival and development (article 5 of the ACRWC)

85. The right to life, the basis of all human rights is enshrined in articles 34 and 35 of the Constitution, which provide, respectively, that "the State guarantees the inviolability of the human person. Any physical or moral violence is prohibited. "The offenses committed against the rights and freedoms, and the physical or moral integrity of the individuals are punishable by law": Title II of Ordinance No. 66-156 of 8 June 1966 in the criminal code deals with crimes and offences against persons (murder, assassination, parricide, infanticide).

86. Infanticide is qualified by Article 259 as murder or assassination of a newborn child. Paragraph 2 of article 261 provides for a prison sentence of 10-20 years for the mother as primary perpetrator or accomplice of killing or murdering her newborn.

87. The right to life is also guaranteed to the child at all stages of his/her development. Article 304 of the Criminal Code prohibits abortion unless it is an essential measure to save the life of the mother in danger

88. Article 306 provides that if the perpetrator of the offense under article 304 is a doctor, a midwife, surgeon, dentist, pharmacist, medical student or dental craftsman, student or employee chemist, herbalist, nurse, masseur, masseuse and, that they have recommended, encouraged or used ways to induce abortion, they shall be, as the case may be, punished under either article 304 or article 305 which doubles the prison sentence and the maximum term of imprisonment provided by article 304. A ban to

practice their profession may be imposed against the perpetrators who may also be expelled.

89. Death penalty does not apply to minors below 18 years. Article 50 of the Criminal Code provides that: "If it is decided that a minor below 18 must be subject to a criminal conviction, the sentences are imposed as follows; if he/she has incurred death penalty or life imprisonment, he will be sentenced to a term of 10 years to 20 years imprisonment. "

90. In Algeria, death penalty is not carried out against pregnant women or against women breastfeeding a child below 24 months. The temporary postponement of the execution of criminal sentences to the benefit of a pregnant or breastfeeding woman is provided for in Article 16 of the Code of Prison Regulation.

91. In any case, Algeria has observed a moratorium on the execution of death penalty since 1st September 1993.

92. In its articles 314 to 320 the Criminal Code punishes offenses related to exposure and neglect of children. Family abandonment and child neglect are defined by article 330 as:

- The father or the mother who "abandons the family home without good cause for more than two months or withdraw from all or part of their moral or material obligations resulting from parental authority or legal guardianship". The two-month period may be interrupted by a return to the home with the intention of permanently resuming family life;

- The "husband, without good cause, voluntarily abandons his wife for more than two months knowing that she is pregnant." Proceedings are initiated upon the complaint of the abandoned spouse. The penalty under the Criminal Code is two months to one year in prison with 25,000 to 100,000 dinars;

- The father and mother, whether the deprivation of parental authority is pronounced against them or not, which through abuse or neglect, seriously undermine the health, safety or morality of children. Failure to pay child support is punishable under article 331, which prescribes penalties from six months to three years and court fines of 500 to 5,000 dinars.

93. Article 58 of the Constitution establishes the fundamental principle that the family, basic unit of society and natural environment that ensures harmonious growth of the child, enjoys the protection of the state and the society.

94. This social dimension reserved for the family as the basic cell of the society, results in the mobilization of substantial budgetary resources through the various development programs initiated by the government to improve the lives of citizens by fighting against poverty and exclusion, reducing inequalities between regions, ensuring sustainable development for achieving the Millennium Development Goals (MDGs).

95. As part of the process of a dynamic national reconstruction, the public investment programme 2010-2014, gives the human and social development a crucial importance. The overall budget for this programme is about 286 billion dollars (21,214 billion AD) with more than 10.000 billion AD which have been exclusively dedicated to human development.

IV. Civil rights and Freedoms

a) Name, Nationality and birth registration (article 6 of the ACRWC)

96. Article 30 of the Constitution provides that "the Algerian nationality is defined by law." It is, in this case, the Ordinance No. 70-86 of 15 December 1970 on the Algerian Code of nationality.

97. In view of harmonising the national legislation with international instruments ratified by Algeria, the above-mentioned ordinance was amended and complemented by Ordinance No. 05-01 of 27 February 2005.

98. The new law amending and supplementing the Algerian Code of Nationality protects children in terms of nationality and takes into account new conditions that arose in the development of relationships within society by establishing the principle of maternal transmission of nationality. Thus, under article 6 and 7 thereof, is Algerian:

- Article 6:" Is considered Algerian, any child born to an Algerian father and an Algerian mother."

- Article 7: "is of Algerian nationality by birth, in Algeria:

i. A child born in Algeria of unknown parents: However, a child born in Algeria of unknown parents shall be deemed never to have been Algerian if, during his minority, his parentage is legally established in respect of a foreign national and if he/she is given the nationality of the foreign national's country, in accordance with their national law. The newborn child found in Algeria is presumed born in Algeria, unless it is proven otherwise.

ii. A child born in Algeria of unknown father and a mother, whose only name is on his/her birth certificate, without further particulars may prove nationality thereof.

- Article 8: "A child who has acquired the Algerian nationality by virtue of article 7 above mentioned, is deemed to have been Algerian from birth, even if the existence of the conditions required by law are established only after his/her birth ". The granting of the Algerian national status from birth as well as the withdrawal or renunciation of such, under the provisions of article 7 above shall not affect the validity of past acts by the person, or the rights of any third party given the nationality previously acquired by the child.

- Article 17: The minor children of an individual, who acquires the Algerian nationality by virtue of article 10 of this Act, become Algerians together with their parent. However, they have the right to waive the Algerian nationality within two (2) years from their majority.

- Article 21: The effect of the loss of the Algerian nationality, as provided in article 18, above, does not apply to minors.

- Article 24: The forfeiture cannot be extended to the spouse and minor children of the individual. It can, however, be extended to children, if it is to their parents.

- Article 32: The proof of Algerian nationality of a child born in Algeria, of an unknown father and a mother whose only name is on his/her birth certificate without further particulars that may prove nationality thereof, shall be established by his/her birth certificate and a certificate issued by the relevant authorities. "

99. With regard to the name, the Algerian civil law allows children to acquire an identity and hold a set of rights from birth. Thus, any child born on the national

territory qualifies for a name and one or more forenames, he/she must be registered in the civil register as provided in Ordinance No. 70-20 of 19 February 1970 on the Code of civil status.

100. It is mandatory for the father or the mother, the doctor or midwife or anyone who witnessed the birth to register the birth within five days after birth, at the state registrar of the child's birthplace, otherwise they face sanctions. A birth certificate is established immediately by the services of vital statistics (Articles 60, 61, 62 and 63 of Ordinance No. 70-20 of 19 February 1970 on the code of civil status.) Article 63 states, in addition to the date, time, place of birth and sex of the child, the birth certificate must state the names given to him.

101. The deadline for registration is extended to 60 days for the southern and far south regions (Decree No. 73-161) in order to allow the nomads to proceed with the birth registration regardless of where they occurred.

102. The child automatically takes the surname of his father when the latter is known. In the absence of the father and the mother, the registrant chooses its names (s.64).

103. Regarding a child that is found or from unknown parentage, the registrar shall automatically proceed by giving the child of a series of names whose last acts as a surname and shall proceed in registering the child on the registrar. If it is a female child the last name must be male to act as surname.

104. For a newborn found or abandoned on the streets, the declaration must be made by the person who found the child to the registrar of the place where the child was discovered. Minutes shall be prepared and it will be recorded in the civil register. If no affiliation is granted to the child abandoned in a hospital setting, the birth registration shall be done by the maternity ward of the establishment.

105. A child who has benefited from the procedures of the "Kafala" can be given the surname of the "kafil" (Article 1 of Executive Order No. 92- 24 of 13 January 1992 supplementing Decree No. 71 of 03 -157 June 1971 on name change). To date, Algeria is the only Muslim country that allows a correlation of the name of the "makfoul" with that of his "kafil" while this procedure is totally prohibited in the rest of the Muslim world.

b) Respect for the views of children (article 7 of the ACRWC)

106. Freedom of conscience and freedom of opinion of the child are guaranteed in generic terms in the Constitution as rights, which apply, to all individuals. Thus, article 36 of the Constitution states that "freedom of conscience and freedom of opinion is inviolable."

107. However, restrictions similar to those of other countries and accepted by international human rights instruments, are imposed by the legislature in order to protect the best interests of the child, his safety, his moral and psychological balance as well as to ensure the maintenance of order, respect for the law and protect morals.

108. Regarding the right to freedom of expression in schools and, in addition to the concepts found in various school programs including languages, a chapter devoted to civic education of the 3rd Year (High school), deals with information and communication, and addresses:

- Means of information and communication:
 - o Journal, review, radio, television, documentaries film, TIC,
 - o The role of means of information and communication in the society (public opinion)
 - o How to analyse information
 - o To express one's view about an information

- Other instructional and recreational means of information:
 - o Library, theatre, cinema,
 - o The role of the society (public awareness, shaping public opinion)

This educational component is also supported by the civic education program of the 4th Year, which aims to develop skills on the "exercise of freedom of expression and respect for the views of the others. "The targeted basic concepts are:

- Freedom of opinion
- Freedom of expression
- Respect for others' views

The right to freedom of expression and freedom of conscience enshrined in the school life and is realized through:

- Participation in the various school councils
- The school's code of conduct which provides a guarantee of the right to freedom of expression and opinion
- Right to information
- Right of appeal
- Election of class representatives (learning democratic culture)
- School Associations in the cultural, scientific and sporting domains
- Participation in various school clubs (green clubs, health clubs,), journal of the school, conferences and debates on topics of interest to students and other cultural activities.

The civil society states that the program "I'm listening" through a toll-free number "30 33", was set up by the Algerian network NADA for the defence of children's rights in 2008. This free number allows children to have services, which listen to them and provide legal support and counselling. The hotline received 13,563 calls between June 2010 and December 2011.

Informing children and promoting their participation:

109. Information Act No. 12-05 of 12 January 2012 states that "the right to information is freely exercised with respect for the dignity of the human person by any media outlet, written, radio, audio or televised. "

110. The right to information, by law, is the right of citizens to be fully and objectively informed of facts and opinions concerning the society at national and international level and the right to participate in the information through the exercise of fundamental freedoms of thought, opinion and expression in accordance with articles 35, 36, 39 and 40 of the constitution.

111. This definition of information includes two aspects of the right to information: the right to inform and the right to be informed. Acting pursuant to the provisions cited above and others, several actions have been taken with a view to promote children's access to information:

- Organisation of several child rights training workshops for journalists
- Organisation of book fairs for youth;
- Creation of a journalists' network friends of children in order to better promote child rights;
- Participation of the media in child rights popularisation activities at national and local levels;
- Media coverage of activities pertaining to children, such as the international exhibition on children which took place from 3 to 10 November 2008;
- Development of a Child Rights Manual;
- Conduct opinion polls on the Rights of the Child;
- Organization of national drawing competition within youth institutions and with the voluntary youth movement on various topics, such as children's rights, environmental protection, social problems, citizenship, and encouraging children to share their views and raise awareness on issues that affect them.
- In 2013 a national drawing competition was organized under the slogan "save my child" and it recorded the participation of thousands of children from youth institutions.

In this regard, the civil society, heavily involved in these activities, states that the Ministry of National Solidarity, Family and Women's Affairs in the National Action Plan, informs that partners will work to build an adequate system which will allow the full participation of all children in decisions affecting them. In this framework, a parliamentary day is dedicated to the child, especially on the occasion of the celebration of the anniversary of the Convention on the Rights of the Child on November 20 and the Day of the African Child on June 16. In addition, child-friendly cities allow children to express themselves and contribute to the development of local policies through the municipal people's congresses of children.

It also indicates that the Ministry of Youth and Sports has requested technical support from UNICEF to develop a policy for youth recreation. Since 2006, there is a project for youth as agents of change funded by the Swedish Agency for Development, which aims to promote youth participation. In 2009, there was a youth consultation on flooding, and the need for youth legitimacy from it emerged, as well as their will to be active. Between late 2010 and 2011, the Ministry of Youth and Sports has worked to include greater participation of young people in youth centres established by the Ministry. Work refurbishing and renovation have contributed to reach 2,000 youth centres in 2011, with the introduction of new programs and the promotion of community youth movements and adolescents through activities. To encourage youth and adolescents membership, the centres were equipped with Internet networks at nominal prices. In addition, there were 48 events (theatre, music, dance) with educational content related to social issues affecting young people (drugs, AIDS...). Finally, in 2011 a new program of summer camps for children began in partnership with the Department of Social actions, as well as the municipal people's congresses, in order to benefit children from disadvantaged families and children with disabilities.

As for the Algerian Muslim Scouts, they have a project with the British Council, which aims to encourage civic engagement of youth. 250 youth are trained in different provinces on leadership and are encouraged to create projects based on their ideas. In addition, in partnership with the Ministry of Education, the organization considering the creation of school Scouting clubs.

c) Freedom of Thought, Conscience and Religion (article 9 of the ACRWC)

112. Freedom of thought, conscience and religion is guaranteed in Algeria. Article 36 of the Constitution states that freedom of belief is inviolable and article 2 of the Constitution states that "Islam is the state religion", the Family Code provides that childrearing is carried out based on the father's religion.

113. Ordinance No. 06-03 on the exercise of faiths other than Islam states that the Algerian state, whose religion is Islam guarantees the free exercise of religion under the framework of the constitution, of the present ordinance, laws and regulations, public order, morality and the fundamental rights and freedoms of others.

114. These provisions are no restrictions to the freedom of worship and religion of communities living in Algeria and who practice other religions. The Criminal Code punishes any injury committed against individuals on the basis of their ethnic, philosophical or religious group. (Article 298 Bis).

115. The Information Act provides that anyone who offends Islam and other divine religions in writing, verbally, in picture, drawing or other direct means, shall be subject to criminal prosecution. While article 107 imposes a prison term of five to ten years, for any arbitrary act or freedom violating acts committed or ordered by a civil servant.

116. The State guarantees tolerance and respect among different religions. Religious Associations enjoy the protection of the state. It is forbidden to use religion as a basis for discrimination against any person or group of people.

117. In this regard, Public authorities have been assigned the duty to observe all the steps to allow even a moral and spiritual protection of the child living on the Algerian soil, as well as his/her social protection.

d) Freedom of association and peaceful assembly (article 8 of the ACRWC)

118. The Associations Act No. 12-06 of 12 January 2012 proclaims freedom of association for peaceful purposes. Based on this law, several associations were formed to defend the rights of children. As for the meetings, they are governed by Act No. 91-19 dated 2nd December 1991 amending and supplementing Act No. 89-28 of 31 December 1989 pertaining to meetings and peaceful demonstrations, which proclaims the freedom of assembly.

119. The Constitution provides for freedom of association, protection of individual and collective freedoms (Article 33) and it determines the scope of implementation, which is freedom of expression, association, peaceful assembly (article 41).

120. As part of the need to deepen the democratic process, the Associations Act No. 12-06 of 12 January 2012, reaffirms the role of the civil society as a key partner of the state, enabling its activities to be extended in the areas of promotion and protection of the rights of vulnerable groups (women, children, disabled,).

121. In Algeria, civil society is involved in the process of child promotion; it works to promote the rights of the child, including the popularisation of the Convention on the

Rights of the Child and the African Charter on the Rights and Welfare of the Child. It plays a particularly important role in raising awareness of children and youth on the fight against social plights such as HIV / AIDS, drug abuse, violence...).

122.As part of its cooperation with civil society, the state engages associations and social partners in dialogue whenever they express individual, professional or occupational interests and work to promote public interest through seeking convergence of views on the public interest of the nation. Thus:

- From a legal perspective, the legal framework explicitly establishes the following:

- The deadline for issuance of the registration stub by the relevant authority,
- Grants agreement from the state budget, from local budgets (wilaya and municipalities) as well as grants from special funds,
- The right to use public domain under the provisions of Decree 93-156 of 7 July 1993 granting the concession of a right of use of property within the national domain,
- Exemption from customs duties and taxes for donations coming from abroad if they are for humanitarian purposes.
- Prior approval of the relevant authority to receive funds from foreign non-governmental organizations, donations and legacies must meet the requirements compatible with the purpose assigned by the statutes of association (Article 30 and 32 of Law No authority requirements 12-06).

- Institutionally:

- The willingness of the association community to participate actively in social life constitutes an approach shared by government. The statutory presence of associations in the various boards and advisory bodies of the State, Local Authorities is planned. As well as in public institutions advisory councils and in national committees and local solidarity committees, commissions and working groups and career counselling specialist agencies like the Social Development Agency, the National Agency for Management of Micro credit.

e) Protection of privacy (article 10 of the ACRWC)

123.This right is enshrined in article 39 of the constitution, which states, "the privacy and honour of citizens are inviolable and protected by law. The secrecy of correspondence and private communications in any form is guaranteed "

124.The home is inviolable under article 40 of the constitution. Any search can take place only under the law and in compliance thereof. Searches and investigations are conducted on the terms and conditions provided by the Code of Criminal Procedure (44-50 and 60-65 s).

125.Searches, house searches and seizure of evidence cannot be made without the express consent of the person concerned.

f) Protection of children against child abuse and ill-treatment

126. In addition to studies and national surveys conducted since 2000 by the Algerian research organizations with UNICEF, which have included emerging scourges such as child abuse, child labour, street children, abandoned children, single mothers and domestic violence, a series of planned surveys will be carried out by 2025.

127. A national strategy to combat violence against children was developed in 2005 with representatives of the relevant ministries and in collaboration with UNICEF. It is a comprehensive strategy that focuses both on prevention of violence, the intervention of actors, child protection and reintegration of victims. The state employees including teachers, social workers and educators have an obligation to report suspected cases of violence at school or in the family.

128. As part of this strategy, a communication plan for the promotion of children's rights for the period 2009-2011 was prepared by the Ministry of Solidarity in collaboration with relevant government departments and corporate bodies as well as civil society.

129. The fight against child abuse is the subject of a campaign launched by UNICEF in 2014, in partnership with relevant government departments and organizations of civil society.

130. The Directorate of National Security (DGSN) was created in 1982, throughout the national territory; child protection brigades care for children in moral danger, offenders and children victims of all forms violence. These brigades are headed by the National Bureau of Child Welfare, located at the central level of the Directorate of the Judicial Police, which coordinates the activities of these. Awareness programmes for the general public are initiated by the DGNS during weeks of information held periodically throughout the national territory and in schools

131. In addition, the introduction of the Neighbourhood Police since 1998 is part of the priority actions of the DGNS to improve the relationship between the citizen and the police and especially victims needing attention. Moreover, the recruiting of female element (all grades) took place, in order to improve the care of women and children victims of all forms of violence.

132. Child protection Brigades led by the National Gendarmerie are active in rural areas.

133. In order to ensure the functioning and the psycho pedagogic coaching of special needs schools, there are three national centres for training of social workers (teachers, special needs educators and social workers), reinforced by three branches, as well as a National Centre of Cross-training for specialized staff which is scheduled to open in 2008. Their mission is to provide initial training and continuing education of professionals in various fields related to social issues.

134. In the area of child protection, the modules taught in these training centres are based on a systemic and multidisciplinary macroscopic analysis, and concern globally, legal issues related to the rights of the child, aspects of psychology and social support for people in social turmoil placed in institutions or extramural, and the development of the field of social communication and conflict management. As an indication, the overall amount spent for the three national centres during the period 1999 - 2007 is approximately around 702 613 800.49 AD.

135. With regard to further education for psychologists and social workers in the sector, refresher courses of in the area of care for children victims of violence were held in conjunction with national and foreign experts and foreign NGOs (War Trauma from Holland) during the 2005-2008 period and focused on the following areas:

- Support groups
- Various techniques of psychological therapeutic treatment and therapy for children victims of violence

136. It should also be noted that during the year 2007, in partnership with UNICEF, a diagnosis about a child protection practitioners' training was established. This task was completed through recommendations pertaining to the need of diversifying the training and of rethinking their approach towards more openness on children's environments, and the imperative to set up a vigilance mechanism related to the protection of abused children.

137. In addition, it should be noted that the DGSN is developing an annual plan about training and information of officers and agents of the brigades of minors:

- The judicial police officers participate in various works and training of the Interpol specialized group on sex crimes perpetrated against children;
- Police officers engaged in the child protection brigades have received special training on new techniques and methods used by criminals in sexual assaults and young offenders, under the "MEDA program";
- Cooperation with other countries has been strengthened in order to upgrade national skills and improve child care, especially in terms of technical support
- In 2012, a National Commission against child abduction composed of the relevant sectors with the National Police and Gendarmerie, with an input from civil society was founded and it initiated an action plan, which was submitted and approved by the government.

138. Based on the Algerian child protection framework against the contents of the Internet which may harm the child's education and have a negative impact at short and long term (extremist political opinions, paedophilia, pornography, arms sales and drug), Algeria has joined the strategy of the International Telecommunication Union (ITU) on the protection of children online (Child online protection initiative (COP)) that is based on five main pillars:

- 1- Legal measures;
- 2- Technical and procedural measures
- 3- Structural and organisational measures;
- 4- Capacity building;
- 5- International cooperation.

139. As such, and in cooperation with the Arab Regional Office of the ITU, Algeria organized in June 2012, a workshop on "Legal aspects related to the protection of children online in the Arab region" and chairs the works of a group of experts to develop guiding principles of the legal framework for the protection of children from the dangers of the Internet.

140. With regard to the technical measures, the public telecommunications operator "Algeria Telecom" has, for free, made available to Algerian parents a complete system to protect their children on the internet:

- Parental control: a software that helps protect the Algerian child by blocking access to inappropriate sites (pornography, drugs, casinos, racism, violence,)

- The portal for children fi @ name : a portal that is used in addition to the parental control. It can accompany children on the Internet by offering sites that meet their expectations: games, colouring, homework tutoring, sports, ... etc.
- The portal also provides a secured search engine of thousands of children's sites whose content has been previously verified and validated

g) Family environment and alternative care (articles 18 and 19 of the ACRWC)

141. Article 58 of the Constitution states that the family, basic unit of the society and natural environment that ensures harmonious growth of the child, enjoys the protection of the state and the society.

142. Parental guidance: This aspect is included in the intervention of social workers from the observation services and outreach education (SOEMO), through their support actions.

143. The social mediation is supported by the government through the organization of training sessions for social mediators at the national training centre of specialist staff in Algiers.

144. Alternative care: The development of the needs and expectations of families in terms of care for young children below age 6 (that is, those who have not attained the mandatory age of schooling) remains an important focus in the activities of local communities, institutions and businesses. This right addresses a social requirement that aims to promote child development and his/her fulfilment and well being on one hand, and enables to reconcile family and professional lives of parents and contribute to the economic development of the family, on the other hand.

145. In terms of labour regulations in force, nurseries and kindergartens are subsidized notably from enterprises' welfare funds. The right to welfare benefits is known to all workers (Art.6 -law 90-11 of 21 April 1990 as amended and supplemented on labour relations and articles 180, 181,182 of the 78-12 law of 5 August 1978 on the General status of the worker). For its part, civil society suggests not exclude children whose mothers do not have paid activities, from accessing nurseries and kindergartens, in order to enable them to engage in lucrative activity at home.

146. In accordance with Decree No. 82-179 of 15 May 1982 as amended and supplemented, which determines the content and the method of financing of welfare activities, welfare activities are considered as actions or achievements aimed at helping to improve the physical well-being and morale of workers and their families.

147. The welfare fund of the employing organization is fed by an annual contribution calculated on the basis of a rate of 3% of the payroll. As part of the early childhood care, the Government has implemented an upgrade and adaptation of the regulations provisions governing early childhood care institutions in order to respond to changes of society.

148. An executive decree was initiated with a view to lay the foundations and principles of the creation and operation of early childhood care facilities, and also to define formulas and modalities of support for this segment of the population within these institutions. The novelty introduced in this text, enacted in September 2008, includes not only the organization of the care of non disabled children not allowed in the national preparatory education classes, but also those with disabilities and for which units are specially adapted and incentives in terms of teacher support are provided by the government.

149. In addition, the law creates provisions that favour the creation of these structures in two forms namely:

- The collective childcare will take care in institutions established by local communities, businesses and public services, social security, mutual organizations, associations, individuals or entities based on specifications and conditions set forth by public institutions;
- The collective childcare can be arranged in the form of day care for children from three (3) months to three (3) years, of kindergartens for children from three (3) years or more, and day nurseries for temporary care or a casual case and multi-care institutions tailored to the needs of parents;
- Foster care, which will take place in the home of the childminder, is formalized by a contract with the commissioning parents and approved by the wilaya management responsible for social action.

150. Article 4 of the Family Code defines marriage as "a contract between a man and a woman in legal forms. It aims among other goals to start a family based on affection, kindness and mutual aid, moral protection for the spouses and preserving family ties. "It is therefore natural that the children should live with their parents unless their best interests motivate or explain separation. However, no child can be separated from his/her family or parents except by court order.

151. Ordinance No. 72-03 of 10 February 1972 on child and adolescence protection is applicable when the health, safety and the life conditions of the child may be compromised. It contains a number of safeguards:

- Only the juvenile judge is qualified to take a measure of protection and assistance in respect of the child concerned by the Act (section 2-3.)
- The Interim custody of the child may be decided by the juvenile judge (art. 5-6). These measures are subject to change at the request of the minor, the parents or the public prosecutor;
- Once the investigation is completed and after disclosure of documents to the public prosecutor, the judge summons the minor and his parents or guardian, any person whose testimony seems useful to him (Article 09.). He tries to win the support of the minor's family for a proposed action;
- The juvenile court shall issue his ruling in chambers;
- When the minor is placed temporarily or permanently with a third party or any of the institutions provided for in article 11 of this Act, parents who are required to provide child support, should contribute to his/her maintenance unless poverty is proven (art. 15).

152. Family reunification and children without family environment

153. The Algerian Constitution provides in Article 44 that "every citizen enjoying his civil and political rights has the right to freely choose his/her place of residence and travel in the country. The right to enter and leave the country is guaranteed. "

154. The law does not contain specific restrictions on the right of citizens to move freely throughout the national territory, the right to freedom of residence, to leave their country and return freely. The terms of leaving the country require only a mere

usual control in customs and border police, in addition to holding a valid travel document and a visa.

155. However, if the person entitled to the custody of a child from a separated couple chooses to live in a foreign country, the judge may confirm or withdraw the custody according to the interest of the child. (Art. 69 of the Family Code).

156. Foreigners residing in the country can claim the "right of entry and exit from the national territory" and enter and remain in their country of origin at any time, provided that they comply with the laws and regulations of the host country, in particular those relating to entry and residence in Algeria (Act 08-11 of 25 June 2008 on the conditions for entry, stay and movement of foreigners in Algeria).

157. The latter clearly defines the conditions for entry, stay and movement of foreigners in the country and manages the family reunification (article 19), it sets a definition of a foreign national and conditions and formalities, which they are subject for a regular visit to Algeria. As such, the civil society suggests a census of foreigners living illegally in the country and they should be allowed to work legally.

158. It should be noted that children who are temporarily or permanently withdrawn from their family environment or who in their interest, cannot be left in this setting, are supported by state institutions in accordance with Ordinance No. ° 72-03 of 10 February 1972 on the protection of children and adolescent and Ordinance No. 75-64 of 26 September 1975 establishing the institutions and services responsible for child protection and adolescence.

159. When the child is placed in an appropriate institution, the State provides the necessary resources at both human and material level in order to ensure optimum living conditions and social integration.

160. Maintenance of the Child: The rights of custody (hadana) consist of maintenance, education and upbringing of the child as well as the preservation of his physical and mental health. The custodian must be qualified to be in charge. In case of divorce, it is for the father to provide to the beneficiary of the custody, for the exercise of custody, a decent housing or to cover the rent. The woman who has custody is maintained in the marital home until the execution by the father of the judicial decision relating to housing.

161. The father shall provide for the maintenance of his child unless he has no assets. For children, males, maintenance is due up to their majority, for girls up to the consummation of marriage. The father remains subject to this requirement if the child is physically or mentally disabled or is attending school. This obligation ceases when the child becomes able to support himself/herself.

h) Adoption and periodic evaluation of childcare (article 24 of the ACRWC)

162. As part of the care of children deprived of a family, in addition to institutional care, the state has implemented a series of measures and provisions, which focus primarily on foster care of the child.

163. **Foster care paid:** consists of giving a person or a family, one or more children without families under state supervision, subject to payment by the State of a monthly

allowance to cover education and maintenance costs, which varies depending on the physical condition of the child, whether he/she is disabled or invalid.

164. Moreover, the regulations provide as part of the rescue of children in need or experiencing temporary difficulties especially for children from poor families, financial support or support in-kind whose level is set by a board hosted by the Wilaya Directorate of Social Action and Solidarity.

165. The placement in Kafala or legal care: This measure provides an opportunity for individuals to voluntarily provide care and protection for a minor child in the same way, as would a father for his child. Kafala is established by a legal instrument before the judge, and gives to the recipient a legal guardianship. The benefit of the treatment of a child under the Kafala must obey the conditions pertaining in particular, to the socioeconomic conditions of the parents' applicants. Kafala applications for domestic residents are reviewed by a committee, which decides on the basis of the administrative record presented and a social inquiry.

166. Act No. 84-11 of 9 June 1984 on the amended Family Code provides in Article 115 that the Kafala or his legal compendium is the voluntary commitment to take care of the maintenance, education and protection of a minor child in the same way as would a parent, it is established by operation of law.

167. The new code of civil procedure and administrative procedure strengthens the Kafala to protect the best interests of the child. It may be noted:

- Article 492: "The request for Kafala is formed by an application presented by the applicant to the family court judge based in the court of his domicile."

- Article 493: "The judge decides on the Kafala request through an order "

- Article 494: « The Kafala request is heard in private, after consulting the prosecution. »

- Article 465: « The family court judge verifies that the Kafil fulfils the legal requirements. If applicable, he will request an investigation and may take any measures necessary to determine whether the Kafil is able to protect, maintain and ensure the upbringing of foster child »

- Article 496: « The action for revocation or abandonment of the Kafala is introduced according to the rules of ordinary procedure. "The matter is heard in closed session, the public prosecutor presents his views. The appeal of this judgment is formed as an ordinary matter »

- Article 497: At the death of the Kafil, the heirs are obliged to inform, without delay, the family court judge who issued the decision ordering the Kafala. The judge shall summon, within one month, the heirs, in order for them to decide on whether to maintain the Kafala. If the heirs are committed to maintain it, the judge appoints the heir to whom the Kafala is referred. In case of refusal, the judge ends the Kafala in the same way as provided for its eligibility

168. Article 125 of the Family Code provides that "an action for abandonment of legal care must be lodged with the court which awarded it, after informing the public prosecutor. In case of death, the right to legal care is transferred to the heirs if they agree to provide it. Otherwise, the judge awards custody of the child to the relevant institution for assistance "

169. A foster child may be of known or unknown parentage; it must retain its original filiations if his/her parents are known. Otherwise, article 64 of the Code of Civil Status will be applicable. The grantee of the legal care may bequeath or donate, up to

a third of his assets in favour of a foster child. If the father and mother or one of them is asking for reinstatement under their guardianship of the foster child, it is up to the child if he/she is old enough to be opting for the return or not to his/her parents. The child can only be returned to his parents upon approval of the judge considering the interest of the foster child, if he/she is not of age of discretion.

170. It should be noted that the inclusion of children born out of wedlock and accommodated under the Kafala, is also pursued by the Kafil granting his surname to the mekfoul child in order to maintain the name correlation (Executive Order No. 92-24 of 13/01/1992 concerning name change).

171. The State uses all necessary means both human and material to ensure that the child is placed in a care institution with the best living conditions and social integration.

172. For the period 2005-2008, a relative stability in terms of birth out of wedlock was recorded and observed, but an increase in Kafala family placement both in Algeria and abroad (Algerian families residing abroad).

173. If this system has the advantage of providing family and social integration opportunities for the concerned child, some concerns remain and they are subject of special attention. With this in mind, the state has initiated a series of measures concerning:

- The revision of the length of time given to the biological mother before the final abandonment;
- The principle of irrevocability of the Kafala measure, except in proven cases of abuse or non-compliance with the basic rights of the child or in the cases mentioned in articles 124 and 125 of the Family Code and articles 492-497 of the Code of civil and administrative procedure;
- The establishment of a body in charge of monitoring the integration of children without families;
- The setting up of life project;

174. As part of the improvement of care for children deprived of family, the state has established several interdisciplinary working groups supported by experts, both domestic and international. Furthermore, it should be noted that children in institutional settings are placed on a transitional basis pending Kafala placement.

175. The recovery of children born out of wedlock by the biological mother: In order to encourage the struggling single mother who expresses wishes to keep her child and to meet the costs arising from the maintenance, an expansion measure of granting aid to single mothers for safeguarding the child has been taken since 2005.

176. Thanks to an awareness raising campaign at national and local levels by the Ministry for Solidarity and its agencies (Wilaya Department of Social Action and Solidarity) in view of fighting against abandonment of children born out of wedlock by their biological mother, the number of children recovered by young single mothers has recorded a significant evolution. In this context, civil society proposes to grant a substantial maternal and psychological assistance to single mothers in order to avoid abandonment of the child. In case all the help offers are unsuccessful, it suggests to shorten the reflexion period granted to the mother, in order to place the child in the first weeks of his birth in order to avoid the consequences of emotional deprivation.

It also proposes the establishment of shelters for single mothers.

177. In terms of periodic review of placement: Decree No. 80-59 of 8 March 1980 on the creation, organization and functioning of medical and pedagogical centres and special needs centres for children with disabilities, has created medical and pedagogical boards whose mission is "to guide the activities of medical and psychological treatment, education, rehabilitation and education." They follow and monitor developments in children and suggest to the directors' centres individual or collective measures at educational or medical pedagogical levels.

178. Ordinance No. 75-64 of 26 September 1975 establishing facilities and services for the Children and Adolescents Protection provides a physical and mental protection for the child placed upon a court order. Decree No. 76-1001 of 23 May 1976 establishing the Commission for safeguarding and protection of childhood and adolescence sets out rules for the periodic review of the child in an institution. Homes for children in care, established by Decree No. 80-83 of 15 March 1980 are run by boards of directors including psychologists, educators and physicians. Finally, various Government decrees define the rules of cooperation between the Ministry staff involved in the monitoring of children placed in institutions.

179. Abuse, neglect, exploitation of children and physical and psychological rehabilitation and social integration of children

180. The current Constitution, the provisions of the Civil and Criminal Codes and the laws and regulations including, Ordinance No. 72-03 of 10 February 1972 on the Children and Adolescents Protection, protect the child against all forms of violence, physical or mental abuse, neglect and mistreatment.

181. Offences against these provisions are punishable by law. When the family environment represents any danger to the health or the harmonious development of the child, the child, by order of the juvenile court is removed from that environment and placed in institutions for youth protection, required to accommodate and support him based on pedagogic programmes in accordance with his/her educational, academic, cultural and sports needs.

182. From their placement within these structures, children are supported by the observation and guidance service of the centre in order to identify and assess their needs for assistance and support, including the goal is to stop an individual project support. For the purposes of this service, social workers and educators carry out visits to the families or to the juvenile judge who placed the child, for information deemed necessary to understanding the issue.

183. Moreover, the child may be kept in the family environment, always on the decision of the juvenile court but with a say in the parent / child relationship. When it is deemed necessary, psychological or other assistance is provided to the parents.

184. To do this, observation and education outreach services support juvenile judges in fulfilling their missions. The activities of these services are regularly monitored by the directors of social welfare, the juvenile judge and the central administration of the Ministry of National Solidarity. Other education and care institutions of children (children with disabilities, children without families) are subject to the same regulations as those whose remit is to verify compliance with the provisions on child protection.

185. The legislations governing the education sector and the regulations of educational institutions prohibit the practice of violence in educational institutions including corporal punishment of students. Ministerial circulars are regularly sent out

to schools to remind these administrative measures and sanctions are taken against those who violate them. A child victim of abuse, whatever its nature (physical abuse, sexual abuse), who undertakes a medical consultation, will be reported to various departments in order to launch an investigation and take appropriate action. On another level, school doctors also play the role of sensitising teachers on violence prevention, of monitoring the children's health and leading on issues related to the manifestation of forms of violence.

i) Health and Health Services (article 14 of the ACRWC)

186. In order to better meet the needs of modernity and for a better support to health issues, the Algerian health system underwent a major reform during the past years. A plan of action, developed by the Algerian government, provides a development programme of the health system. The goals of the programme are as follows:

- Make health accessible to the citizen;
- Improve the quality of health services;
- Support the demographic and epidemiologic transition;
- Reach the UN Millennium Development Goals by 2015;
- Eradicate geographic discrepancies;

187. The programme of rehabilitation of existing health facilities, the intensive program of construction of new health facilities, the consequent allocation of human and financial resources to the health sector and the reorganization decided by the President of the Republic, provide concrete and effective support to the implementation of the presidential policies.

188. Densification in general hospitals and the increasing achievements in specialists hospitals, the empowerment of nearby health facilities with an expansion to the most remote areas, the result of the implementation of the new health map, the upgrade of medical equipment and a plan for initial training and further education are all promising indicators of improved health situation. The new operational health map since 2007 with the creation of 195 public health facilities and 271 nearby public health institutions contributes to facilitate access to quality health services and eliminate discrepancies.

189. Health expenditure compared to the GDP increased from 4.38% in 2005 to 4.64% in 2006 and 6.77% in 2007. Public health spending from all health spending which accounted for 74.3% in 2005 and 75.39% in 2006 rose to 76.06% in 2007. Health expenditure per capita rose from 141 USD in 2005 to USD 165 in 2006 and 171 USD in 2007.

190. In addition, free medical care and preventive actions for all is guaranteed by the state. Chapter V of Act No. 85-05 of 16 February 1985, as amended and supplemented, related to the protection and promotion of health highlights the interest given to maternal and child health.

191. The new restructuring of the health map launched in 2007 aims to bring health facilities to the population. The Executive Decree No. 07 - 140 of 19 May 2007 establishing the organization and functioning of Public Hospital Institutions (EPH) and nearby Public Care Institutions (EPSP) has established 195 EPH and 271 EPSP.

192. In addition to the 2 existing "mother and child" institutions, 26 health facilities have been promoted into "Mother and Child" institutions through the Executive

Decree No. 07-204 of 30 June 2007. These Specialized establishments institutions (EHS) which are statutorily and financially independent, are exclusively for the care of these vulnerable groups of the population

193. As part of the development plan 2005-2009 there are:

- Seven (07) other "Mother and Child" institutions are in progress;
- 72 general hospitals are also under construction.
- Five (05) services and 185 neonatal units¹

194. All other health facilities: EPH, CHU, EHS, EHU, EH have a maternity ward and services or neonatal units

195. The characteristics of the neonatal unit and the maternity ward are part of the characteristics given on the specifications for new achievements.

196. The national perinatal programme was launched in 2005 and is backed by political will at the highest level which has resulted in the publication of the executive order standardizing the organization and functioning of neonatal and perinatal services.

197. This is a three-year programme (2006-2009), which aims to provide support for the mother and the child in order to reduce neonatal risk. The objectives are to reduce by 30% perinatal mortality and 50% maternal mortality in particular through the:

- Prevention, detection and effective management of diabetes and high blood pressure during pregnancy, and prevalent diseases. In this context, 246 referral centres were set up for monitoring high-risk pregnancies integrating multidisciplinary specialist medical teams working in coordination with the basic mother-and-child health centres (MCH) with a basic system of screening and guidance towards maternities adapted to any risk;
- Standardization of obstetric surveillance to reduce by 30% of maternal deaths due to complications of postpartum haemorrhage which is the leading cause of maternal mortality;
- Standardization of births rooms and prioritization of neonatal care levels (general basic care, neonatal resuscitation, intensive care) in accordance with the above mentioned decree.

198. **Reduction of infant and maternal mortality:** The Protection of maternal and child health enshrined in Chapter V of Act No. 85-05 health of 16 February 1985 as amended and supplemented, remains a national priority.

199. Thus, a national perinatal program 2006-2009 was implemented and it reaffirmed the political will from the highest level, which was institutionalized through the promulgation of an Executive Order standardizing the organization and operation of neonatal and perinatal services (Executive Decree No. 05-435 of 10 November 2005).

200. The three-year program (2006-2009), which was extended, is part of the aim for achieving the Millennium Development Goals, it seeks to ensure and improve the care of the mother- and- child pair by a 30% reduction in perinatal mortality and 50% in maternal mortality. These efforts have resulted in the improvement of the following indicators:

¹ Executive Decree exécutif n°05 - 435 of 10 November 2005

201. **The maternal mortality rate, which** was 215 per 100,000 live births in 1992 rose to 117.4 in 1999. Estimated at 92.6 per 100,000 live births in 2006, it rose to 76.9 in 2010 (up 15.7 points), and to 70.3 per 100,000 live births in 2012, i.e. an increase of 6.6 points.

TABLE n° 1 Evolution of maternal mortality (p100.000 live births)

	Survey MMI 1985-1989	Survey EASME 1992	Survey on maternal mortality 1999	2006*	2007 *	2008 *	2009*	2010 *	2011 *	2012 *
Maternal mortality rate	230	215	117,5	92,6	88,9	86,2	81,14	76,9	73,9	70,3

* *Estimation (source: Direction de la Population MSPRH)*

202. However, given the potential of the country, the recorded ratio remains unacceptable especially as significant differences between the wilaya and regions are recorded and thus reflect the persistent disparities in health coverage in disadvantaged areas.

203. In this regard, efforts have been made in terms of improving coverage of obstetricians and paediatricians in order to have a more balanced distribution.

204. In order to improve the performance of our health care system and take any necessary corrective measures to further reduce maternal mortality in the context of achieving the Millennium Development Goals, the audit system of maternal deaths is being implemented by the MSPRH. It seeks, as recommended by WHO, accurate information on maternal deaths and their causes.

205. Assisted deliveries and by qualified personnel experienced a marked improvement with an increase of 6% between 2000 and 2009.

TABLE n° 2 - Proportion of births assisted by skilled health professional (in%)

Years	1992 ¹	2000 ¹	2005 ²	2006 ¹	2007 ²	2008 ²	2009 ²	2010 ²	2011 ²
Assisted delivery	76	91,2	94,3	95,3	96,5	97,0	97,2	97,7	98,6

1) *Data from national surveys* (2) *Estimated data*

206. These results were supported by the development of an extensive care network involving 195 Public Hospital Institutions (EPH), 32 "mother and child" Specialized Hospital Institutions (EHS), 14 University Hospital Centres, 14 Hospitals (EH) and 1 University Hospital Institution (EHU). All health facilities have a maternity ward and services or neonatal units.

207. Accessibility to prenatal care has experienced a marked increase in fact, the proportion of women who had at least one antenatal visit rose from 81% in 2002 to 89.4% in 2006 and 90.2% in 2009. Indeed, benefits targeting the mother and the child that were built earlier in the basic care are subject to continuous reinforcement.

208. **The rate of infant mortality** also declined, it increased from 57.8 per 1,000 live births in 1990 to 26.9 per 1,000 live births in 2006 to 23.7 per 1,000 live births in 2010 (decrease of 59%) and 22.6 1,000 live births in 2012.

209. The number of live births in hospitals is increasing steadily from 639,466 births in 2007 to 779 255 births in 2010 and 978 000 births in 2012. The percentage of newborns that have neonatal infection has remained below 3% over the past three years.

TABLE n° 3 Evolution of infant mortality by sex (per thousand live births) 1990-2012

Year	Male	Female	All
1990	60,00	55,50	57,80
2000	38,4	35,3	36,9
2001	38,9	35,9	37,5
2002	36,1	33,3	34,7
2003	34,6	30,3	32,5
2004	32,2	28,5	30,4
2005	32,4	28,2	30,4
2006	28,3	25,3	26,9
2007	27,9	24,4	26,2
2008	26,9	23,9	25,5
2009	26,2	22,9	24,8
2010	25,2	22,2	23,7
2011	24,6	21,6	23,1
2012	23,9	21,2	22,6

210. The infant mortality rate expected for 2015 would fall to 15.5 per thousand live births for MDGs set at 15.6 per thousand. Moreover, the projection of the trend related to the decline of infant and child mortality, which went from 55.7 per thousand in 1990 and to 31, 4 in 2006 and 26.1 in 2012, would set the infant and child mortality rates at 18.3 per thousand in 2015.

National Nutrition Programme

211. In 2006, during the MICS3, anthropometric measurements have shown that:

- a. 3.7% of children surveyed are moderately or severely thin including 0.6% who are severely thin (in 1995, these figures were 10% and 3%)
- b. 11.3% of children suffer from moderate or severe stunted growth including 3% with severe delay (in 2000, these figures were 18% and 5.1%).

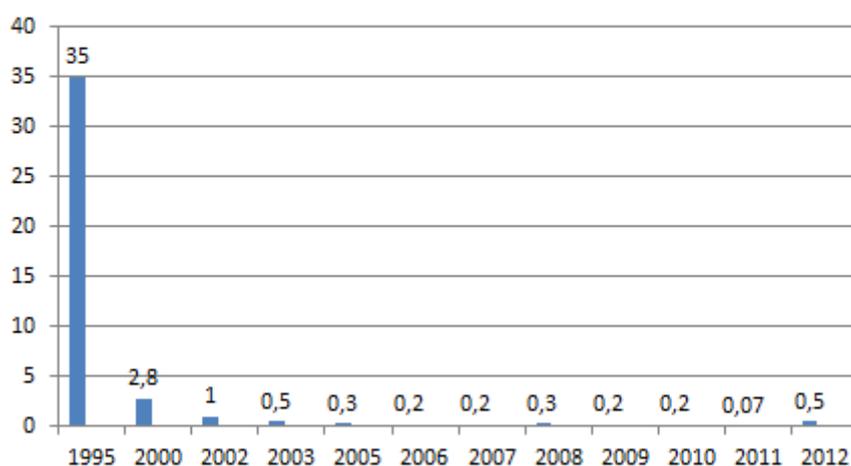
212. This favourable change in the index of malnutrition of children below five is supported in terms of analysis, by the development of general data on poverty within the population through households consumer surveys, conducted by the National

Office of Statistics and the Surveys on the Living Standards and Poverty Measurement (LSMS), the last of which was completed in 2005.

213. Surveys completed in recent years have shown that the prevalence of three types of malnutrition in children below five has declined significantly between 1995 and 2006: 80% for severe underweight, 57% for severe short stature, 80% of the backlog of weight to height. The MICS 4 currently in preparation will assess progress.

Evolution of malnutrition of children aged below 5 years in Algeria from 1995 to 2012

1- Evolution de la malnutrition de l'enfant de moins de 5 ans en Algérie de 1995 à 2012

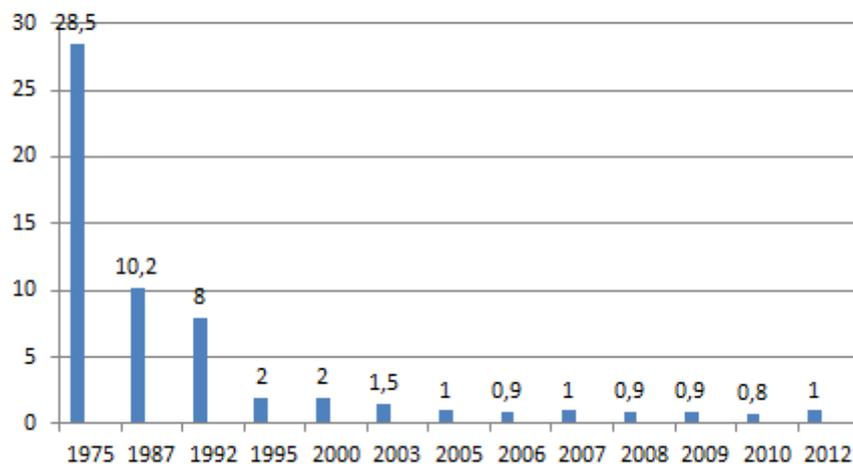


214. Data from nutritional surveillance through sentinel sites shows a 50% decline of malnutrition every 5 years regardless of the type.

215. Regarding the cases of rickets, no deaths or serious hospitalized cases have been recorded since 2008. The prevalence of rickets due to deficiency according to data from sentinel sites ranged from 0.9% to 1% from 2005 to 2012. As for deficiency-anaemia prevalence, according to data from sentinel sites, it was 34% in 2008. A survey of the situation of women of reproductive age and girls and boys aged 0-14 years is being prepared.

EVOLUTION OF RICKETS FOR CHILDREN AGED BELOW 5 YEARS IN ALGERIA FROM 1975 TO 2012

2- Evolution du rachitisme chez l'enfant de moins de 5 ans en Algérie de 1975 à 2012



216.Regarding the consumption of iodised salt, the results of the latest survey recorded a low consumption of iodised salt at household level, to this end, and the Ministry of Commerce has strengthened the control system at the production sites and market levels.

Years/ Regions	1995 MDG	2000 MCS2	2006 MCS3
Urban	92,7	73,9	67,7
Rural	90,5	60,3	51,3
East	84,8	52,4	56,8
Centre	96,4	76,9	72,3
West	96	88,8	58,8
South	85,6	46,7	36,8
Algeria	92	68,5	60,8

The Expanded Programme on Immunization (EPI)

217. The expanded vaccination program has always been a priority and has recorded in recent years, efforts and investment increasingly important in view of) the increase in funding which increased from 251 million dinars in 1997 to 909,000,000 dinars in 2008 to 1 billion 399 million dinars in 2011 to 1 billion 527 million dinars in 2012, and regularly updating the immunization schedule in accordance with international recommendations and requirements of the National epidemiology (introduction of new vaccines: against viral hepatitis B in 2000 and against the Haemophilus influenzae vaccine b in 2007).

218. Encouraging results were recorded: i) elimination of diphtheria: Zero cases of diphtheria since 2007; ii) Polio Eradication: 0 cases since 1997, iii) elimination of neonatal tetanus, iv) 99% reduction in the incidence of measles: from 65.5 cases per 100,000 population in 1996 to 7.7 cases in 2005 to 0.31 in 2009 to 0.28 cases per 100,000 inhabitants in 2010 to 0.07 cases in 2012; v) immunization coverage rates above 90% for all antigens.

219. All these efforts constitute a step towards the achievement of the Millennium Development Goals in so far as they have had a direct impact on the significant reduction in morbidity and mortality of controllable diseases through vaccination and reduction of infant mortality.

Programme against Acute Respiratory Infections (ARI) and diarrheal diseases.

220. The programme against ARI has recorded a steady decline of its indicators, indeed hospital morbidity decreased from 23.9% in 2007 to 22.5% in 2010, and hospital mortality from ARI decreased from 1.8% in 2007 to 1.7% in 2010 and 2011.

221. The programme against diarrheal diseases also recorded a steady decline of its indicators. Hospital morbidity from diarrhoea was in 2010, the lowest of the last fifteen years. Hospital mortality from diarrhoea has been steadily declining, with a decrease of 89.5% from 1995 to 2010. It decreased from 1.1% in 2006 to 0.9% in 2010 and 2011.

Vaccine preventable diseases:

222. New vaccines in the national immunization schedule:

In 1997, introduction of booster doses of DT, Polio and measles vaccine at school;

- In 2003, introduction of the vaccine against hepatitis B;

- In October 2008, introduction of the vaccine against Haemophilus influenzae b.

223. Other actions implemented:

a. In 1993 the national polio eradication programme was launched. Polio has been eradicated in our country;

b. In 2001 the national measles elimination and the programme monitoring the vaccine adverse effects were launched

224. Epidemiological situation:

a. No cases of polio have been reported since 1996;

b. Neonatal tetanus has been eliminated;

c. No cases of diphtheria since 2006;

d. 77% decrease in the incidence of measles from 2005 to 2007.

225. Evolution of immunization coverage: The coverage has improved significantly for all vaccines, resulting in a significant reduction of preventable diseases through vaccination.

226. Fight against HIV / AIDS: The HIV / AIDS epidemic remains less active otherwise concentrated in certain population groups at risk, considering its low prevalence (0.1%) in the general population, moreover, data from the relevant National Laboratory for HIV / AIDS infection indicate that as at 30 September 2013, the cumulative number of cases since 1985, is 1443 for patients with AIDS and 6603 for HIV patients.

227. The number of mother to child transmission cases is 143. There were 372 cases of children aged 0-19 years with HIV for the period from 1985 to 30 September 2013, for 6231 adult cases. There were 59 AIDS cases among children aged 0-19 years, including 28 girls and 31 boys, and 1,126 adults.

228. Under the Prevention of Mother-Child Transmission (PMTCT) which is a priority in the Strategic National Plan 2008 -2012 and the National Strategic Plan 2013 -2015 and in order to ensure the right of every HIV-positive pregnant woman to the monitoring of her pregnancy and the free care of her delivery, and to prevent the transmission of the infection to her newborn, an operational system of prevention and care focused around six regional centres was set up by the Ministry of Health, and multisectoral actions involving civil society, including people living with HIV have been committed to the effect of:

- Continue efforts to promote anonymous, confidential and free tests within the 61 test centres covering which aim to particularly reach out to all pregnant women;
- Multiply awareness-raising activities among all sections of the population including the most vulnerable in the various sectors involved (youth, justice, religious affairs, higher education, national education...) and civil society.

229. Institutional care was significantly expanded during the 90s, with the establishment of the National Blood Agency transfusion in charge of safe transfusion, with the introduction of mandatory monitoring of blood donation and its derivatives throughout the national territory. The establishment of 08 referral centres (CDR), a total of 12 centres were planned for late 2008 for the treatment of HIV / AIDS infection; the provision of antiretroviral drugs free of charge at the referral centres.

230. National strategic plans revolve around on four intervention areas:

- a. Prevention for populations in vulnerable situations;
- b. Support for people living with HIV / AIDS;
- c. Associative and community mobilization;
- d. Strengthening the knowledge on the epidemiological evolution by seroprevalence and behavioural surveys.

231. An extensive program is being established in order to promote breastfeeding in general and exclusive breastfeeding for the first 6 months of life:

- a. Development of various media communication support such as posters, leaflets and brochures;
- b. Production of TV and radio spots;
- c. TV program production;
- d. Publication of articles on the press;
- e. Organization of an extensive outreach program for Imams and Mourchidat as a communication medium in mosques;
- f. Finalisation of the national code of the sale of formula milk;
- g. Commitment of 104 hospitals as part of the initiative "Baby Friendly Hospital" to encourage breastfeeding.

For its part, civil society states that Algeria has a legal arsenal that protects human rights of people living with HIV by guaranteeing such care without discrimination, in appropriate quality care services and the right to a decent life within the family and the society. It states that people living with HIV (PVIH) are considered as full citizens with a patient status.

It recalled that a National Strategic Plan 2008 - 2012 was adopted by Algeria to strengthen the fight against HIV / AIDS. Various departments are involved, as well as civil society and UNAIDS. This plan includes the "Three Ones" with a common national framework to combat the diseases, which is a common national coordinating agency and a common national system of monitoring and evaluation as well as universal access to prevention, access to treatment, care and support related to HIV / AIDS. This strategic plan was considered as very ambitious by UNAIDS. This was in response to a bid of the UN Global Fund against HIV-AIDS. Now, Algeria is ineligible because the World Bank has changed the economic status of Algeria as an intermediate country.

Providing a healthy diet and drinking water

1. In terms of healthy eating:

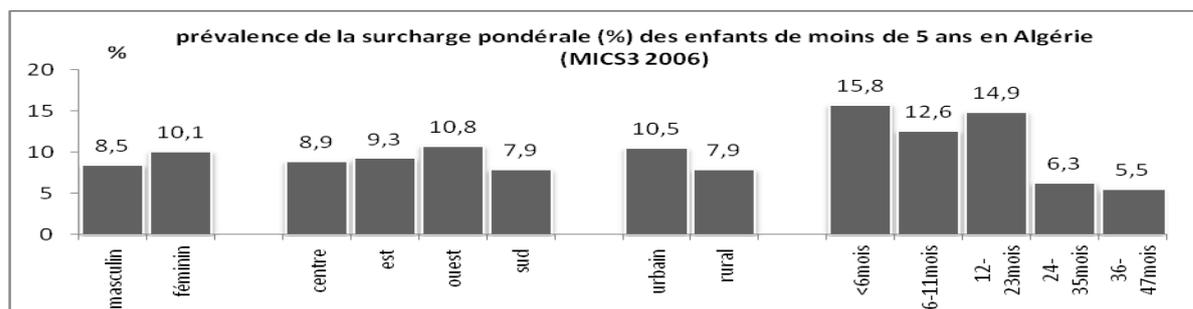
232. With the improvement of living conditions and health coverage in connection with the national development plan and health programmes implemented since the 70s, nutritional indicators show that the problems related to malnutrition recorded a sharp decline, and that the problems of overweight and obesity are gradually replacing the nutritional deficiencies.

233. Indeed, rapid changes in diets and lifestyles resulting from industrialization, urbanization, economic development and globalization, which accelerated during the past decade has had a significant impact on the health and nutritional status of the population, particularly countries with economies in transition such as Algeria. It has led to inappropriate eating habits and decreased physical activity, resulting in the development of overweight and obesity responsible for the increase in chronic diseases linked to diet.

234. Thus, obesity which is a major risk factor for non-communicable diseases has begun to take a place in the society and therefore the reinforcement of nutrition surveillance has been integrated into the action of the MSPRH. Moreover, the results

of the national survey MICS 3 showed that the prevalence of overweight "obesity" is 9.3% (10% for females - 8.5% among boys below 15 years).

Prevalence of overweight among children aged below 5 years in Algeria



235. Moreover, the WHO STEPS survey shows that about 56.1% of the adult population consumes less than 5 fruits and vegetables / d. The TAHINA (2005) survey showed that food consumption of fruit (0.6 per day) and vegetables (0.8 per day) is low and consumption of fat and sugar is very high. The same survey revealed that obesity (greater than or equal to 30 BMI) was found in 21.24% of respondents.

2. In terms of provision of drinking water:

236. Huge efforts and investments in terms of rehabilitation of drinking water networks and sanitation, and resorption of precarious habitat combined with those undertaken by health services were effective in controlling the main causes behind Transmission of Waterborne Diseases and enabled to observe a sharp decline in its incidence.

237. This because the supply of improved water is on the increase. The percentage of population with access to improved drinking water drawn from protected streams, in accordance with the joint recommendation of the WHO and UNICEF in this area, has increased from 85.1% in 2006 to 95% in 2009. The rate of connection to networks of drinking water (AEP) has reached 93% on 2009 and 95% in 2012. The rate of connection to sewerage is 86% in 2009 and 87% in 2012.

Participation of sectors of the society in health and nutrition

Below are some examples of the participation of some sectors of the society in the health area.

1. In terms of prevention of domestic accidents

238. The Ministry of Health initiated a prevention program and an intersectoral committee was set up in 1997. The main activities carried out were as follows: i) development of a guidelines on the prevention and what to do in the case of various types of household accidents, ii) development of training materials for the information of the general public and school children and implementation of an IEC program through various media, iii) implementation of an intersectoral pilot programme in the Wilaya of Boumerdes, iv) Setting up an information system.

2. In terms of Health in schools

239. The national school health program has been reorganised in 1994, as part of an intersectoral health perspective - Education - Local Government with the participation of the parents' association and student themselves - in the context of peer education.

240. From year to year this program has recorded improvement in some its indicators. During the 2012-2013 school year, with 1,737 Screening and Monitoring units (1,485 in 2006 and 1,709 in 2010), health coverage achieved by 2261 physicians (1,724 in 2006 and 2,173 in 2010), 2,041 dentists (1,486 in 2006 and 1,926 in 2010), 1527 psychologists (494 in 2006 and 899 in 2010) and 2554 paramedical (2,254 in 2006 and 2,646 in 2010) has enabled to cover 88% (68.43% in 2006) of the overall number of students.

241. However, the level of specialized care for ailments detected is 50.08% (44.16% in 2010). Efforts are being made for the setting up of networks of specialized care for students referred by school health teams.

242. School vaccination consolidated by booster campaigns organized at the beginning of each school year, exceeds the rate of 95% coverage. Hygiene and sanitary controls were provided in 93% of schools (91% in 2006).

244. In terms of health education by students, 49 health clubs have been equipped with audio-visual teaching materials.

j) Children with disabilities (article 13 of the ACRWC)

i. Protection and promotion of disabled children:

243. Efforts made by the State in the field of protection and promotion of children with disabilities, as required by the provisions of article 13 of the ACRWC, was materialized by the commitment of the Algerian government to develop care arrangements to guarantee the integration of disabled children in their families, schools and in socio-economic environment.

244. These arrangements include strengthening legal mechanisms through the promulgation of implementing regulations of the Act of 8 May 2002, on the Promotion and Protection of Disabled Persons, namely:

- Executive Decree No. 03-45 of 19 January 2003 setting the procedures for implementing the provisions of article 7 of the Act of 9 May 2002, on the Promotion and Protection of Disabled Persons;
- Executive Decree No. 03-175 of 14 April 2003 on the wilaya specialised medical commission and the National Appeal Commission;
- Executive Decree No. 03-333 of October 8, 2003 related to the wilaya commission of special education and vocational guidance;
- Executive Decree No. 06-144 of 26 April 2006 laying down rules for the benefit of persons with disabilities, free transport and tariffs reduction;
- Executive Decree No. 06-145 of 26 April 2006 establishing the composition, methods of operation and functions of the National Council of Disabled Persons;
- - Executive Decree No. 06-455 of 11 December 2006 setting the rules for disabled persons' accessibility to the physical, social, economic and cultural environment;
- Executive Decree No. 07-340 of 11 October 2007 amending Executive Order No. 03-45 of 19 January 2003 laying down the procedures for implementing the

provisions of article 7 of the Act of 9 May 2002, on the Promotion and the Protection of Disabled Persons;

- Executive Decree No. 08-02 of 2 January 2008 setting the conditions for the creation, organization and functioning of support institutions through employment;
- Executive Decree No. 08-83 of 4 March 2008 setting the conditions for the creation, organization and functioning of sheltered work facilities
- Executive Decree No. 08-83 of 4 March 2008 setting the conditions for the creation, organization and functioning of sheltered work facilities;
- Executive Decree No. 12-05 of 4 January 2012 on the status- type of educational institutions and special education for children with disabilities;
- Executive Decree No. 12-165 of 5 April 2012 on the redevelopment of the status type of specialized institutions for safeguarding children and adolescents,
- Executive Decree No. 12-04 of 04 January 2012 on the status type of institutions for children in care;
- Act No. 08-07 of 23 February 2008 on the legal framework on education and vocational training. This legislation provides equal opportunities in accessing public service training and vocational education and the implementation of special arrangements for the training of people with disabilities and specific populations (Article 4);
- Executive Decree No. 05-68 of 30 January 2005 setting the status type of vocational training centres and special needs learning for people with physical disabilities;
- Inter-Ministerial Order No. 01 of 6 March 2011 concerning the technical standards of accessibility for people with disabilities for public buildings and to equipments

245. This legal arsenal has allowed the establishment of a series of measures and provisions, which enabled effective support to children with disabilities, ensuring decent living conditions for them and a better social inclusion. Among these mechanisms there are:

- a. The provision of social aid to poor families children with disabilities as dependents: this was established by Decree No. 94-336 of 24 October 1994. The amount of the grant was set through inter-ministerial decree has increased from 1000 AD / month to 3000 AD / month in 2009. This lump sum is awarded for each disabled child. It should be noted that all beneficiaries of this scheme are covered by social security.
- b. The development of childcare plans for children with Down syndrome and autism: such plans set out to design adapted projects and enable access to special education through facilities available across the country. In anticipation of the creation of specialized centres for specific treatment of these two categories, the State opened some spaces within existing facilities for children with Learning difficulties.
- c. The early detection programme and early childhood education for children with disabilities: This programme has taken place since the 2010/2011 school year, including the establishment of childcare for 3 years to 6 years at special needs for the disabled. The programme of this preparatory phase is based on the development of sensory and psychomotor abilities and compensation of these children's disability with the aim of ensuring their regular education.
- d. Programme support for children victims of landmines: This programme was initiated by the state in accordance with the provisions of the Ottawa Convention

banning anti-personnel mines, including the component on assistance to mine victims. The programme continued with the modernization of the information system, recording and identification of all victims of landmines or explosive devices.

It is in this context that the formulation and implementation of a support programme for organizations working with disabled persons has been strengthened to increase their capacity for providing assistance to victims, especially in border areas. The training has been prioritised in order to better support victims psychologically and ensure social support, rehabilitation and especially promote awareness by all means.

The development of a study on the socioeconomic impact of mines and the development of the education and accident prevention programme have complemented in 2008 the whole strategy initiated since May 2005.

The Civil society has a special interest in children with disabilities who, based on its estimation are 630 000. It states that the Ministry of National Solidarity and Family supports 14,260 children with disabilities in specialist schools and 1452 in integrated classes for sensory impaired children. The associations that manage the special needs facilities host about 5,000 children with disabilities.

As part of a project entitled "Education for All: Towards inclusion of children with disabilities in the Algerian educational system" started in January 2010, for a of three year period, Handicap International and the partners associations – i.e. association of parents of children for the promotion and integration of cerebral palsiers or disabled with cerebral origin of Setif, the association of people with disabilities and their friends of the Bouzeguène daïra and the National Support Association for disabled persons of El Baraka in Ain Taya, have conducted a local diagnosis of the obstacles to the education of children with disabilities.

The 'Education for All: Towards inclusion of children with disabilities in the Algerian educational system "(2010-2012) programme was also designed to promote best practices of stakeholders from associations and institutions involved in the education of disabled children in order to promote their participation and inclusion in mainstream schools at three wilayas: Algiers, Tizi Ouzou and Setif.

246. The care of children with disabilities in institutional settings: This is done through an infrastructural network of 201 specialized institutions. The main mission of these schools is to provide education and specialist education for children and young people aged 3 until the completion of their education as well as to ensure their health, their safety, their well-being and development. These institutions are governed by the provisions of Executive Order No. 12-05 of 4 January 2012 on Status- type of educational institutions and special education for disabled children.

The civil society specifies that the child, from his placement by the juvenile courts in a facility specialised in safeguarding children and adolescents (CSR, CSP and CSPJ), he/she is supported by the institution which must, in accordance with the regulations in force:

- Provide education, rehabilitation and the protection of minors;
- Study the minor's personality, his abilities and aptitudes through direct observation of his behaviour and through various reviews and social inquiries;

- Implement appropriate techniques for the care of minors;
- Undertake the psychological and medical care of the minor
- Ensure civic and moral education in order to strengthen respect of values by the minor;
- Monitor and evaluate the behaviour of the minor;
- Provide a healthy and balanced diet food;
- Ensure family support throughout the care of minors in order to preserve the link with family;
- Ensure education and training of minors in connection with the relevant sectors;
- Ensure the minors' rehabilitation and reintegration in the family, social, academic and professional settings
- Supporting children in achieving their socio-professional projects as needed;
- Ensure cultural, recreational and sport activities.

Special education schools for children with sensory disabilities:

Schools for children with hearing disabilities and schools for visually impaired children (EEHA / VOEE) apply the official teaching of national education programme using appropriate means and techniques for each type of disability. The latter provide preschool, primary school and middle level school. Disabled students admitted to secondary school are referred to secondary schools under the Ministry of National Education.

Psycho educational centres for mentally handicapped children:

Psycho educational centres cater for children and adolescents with mental disabilities requiring special education and taking into account the psychological aspects. These institutions seek to promote the children's intellectual and psychological and motor's abilities for their personal autonomy and social integration.

Psycho educational centres for children with motor impairments

Psycho educational centres cater for children and adolescents affected by motor impairments and resulting in a restriction of their autonomy, requiring the use of specific techniques and means to ensure the motor education and / or physical therapy and speech therapy for their school integration and socio-professional.

Centres for people with respiratory failure:

The Centres for people with respiratory failure host children and adolescents with respiratory failure, requiring medical and psychological monitoring.

247. Multidisciplinary teams support children in half-board for some and boarding schools for others. An educational and therapeutic programme is provided for children during group sessions or individually.

248. Operations of early care for different types of disability, including sensory and mental disabilities, are launched on an experimental basis at three specialist institutions in the province of Algiers before their generalization. These are schools for young blind (EJA) that accept children blind or visually impaired aged 05-16 years

to undergo the same education as in the national education mainstream schools, schools for young deaf (EJS) and centres for people with respiratory failure (CIR).

249. Hence, for this segment of population, specialist teachers (trained by the national training centre for disabled support staff), as well as psychologists and special educators monitor children based on the national education programme transcribed in Braille.

250. The Mission of Schools for the Youth Deaf (EJS) hosts children with hearing impairment or deaf aged 05-16 years to undergo a mainstream education, similar to that of the national education. These schools are governed by Decree No. 80-59 of 8 March 1980 on the establishment, organization and operation of child guidance centres and specialist education centres for children with disabilities. Like the EJA, the EJS feature special teachers, psychologists, educators and special educators who provide care based primarily on the national education programme with suitable teaching methods.

251. According to national associations dealing with children, disabled children experience difficulties integrating into mainstream schools after they leave these centres. The reason being the lack of resources in schools to facilitate such integration (adapted classrooms, adapted equipment, writing aid, adapted schedule during exams).

252. **Strengthening systems of special needs education and integration:** In addition to the state allowances granted to poor families with one or more disabled children, and along with the above mentioned institutional schemes, through the joint efforts of the department in charge of national solidarity and the education national, there is a teaching scheme in mainstream teaching through national education for the benefit of sensory impaired children.

253. The operation launched in the wilaya of Algiers in the early 1990s was expanded throughout the country from 1998 under the decree dated 10 December 1998, on the opening of special classes for sensory impaired children in schools under the national Education.

For the school year 2013/2014, it is recorded a number of 1676 children with disabilities mainstreamed in the national education were 1676, spread over 203 classes in 26 wilayas.

254. Regarding special education for sensory impaired children, considerable effort was made in the procurement of equipment and teaching and technical means, as follows:

- Acquisition of a Braille printing house that allowed the transcription of Braille textbooks for all subjects taught;
- Setting up of 18 full and digital sound libraries and 25,000 sound books. The cost of the operation is 147,263,795.00 AD;
- Setting up of 18 cyber space for the blind at all schools of blind children;
- Provision of digital equipment and acquisition of amplification equipment SUVAG for all hearing impaired children of the Schools for the Young Deaf.

255. This support to schooling enabled the full integration of 231 visually impaired and 341 hearing impaired and a partial integration of 24 visually impaired and 437

hearing impaired, with a total number distributed among 608 seats in the primary, 262 seats at middle level and at 163 secondary school level. The breakdown of statistics on the basis of gender shows 460 girls and 573 boys.

256. Also, the partnership agreement signed with the education sector and vocational education has enabled during the 2007-2008 season, to target 2,169 disabled young people through apprenticeships and vocational training. Young boys remain mainly present with 1,281 seats. Those with motor impairment are increasing in number and those with hearing disabilities are more common in vocational training.

257. The results of the Algerian policy regarding school integration of children with disabilities have been translated in progresses made in the field of education. They improve from year to year to meet the success of special education programmes developed by the state as well as the genuine and consistent adherence of children and their parents, less hostile to these disability situations than in the past.

258. In June 2013, 122 students with disabilities passed their baccalaureate out of 259 registered candidates for the examination, recording a success rate of 47.10%. The admission rate of the O Level test was 58.36%, or 164 successful results out of the 281 candidates, and that the entry into the first year was 92.26%, or 453 students out of the 491 candidates registered for the examination.

259. The assessment of the progress of disabled people, including those enrolled in university, continues with the help of the wilaya directions of social action and solidarity, in order to highlight on the one hand, any difficulties encountered in the implementation of the curriculum as well as the access to university degree, but also to dwell on the success rate in working life, once the diploma is obtained.

260. Nevertheless, national associations dealing with children note, regarding the technical walking aids (wheelchairs, canes, etc.), the need to improve the equipment to encourage further learning.

261. **The social map:** The social map mechanism, whose development takes place in a context of sustained intersectoral collaboration, must provide references for assessing the situation and access criteria to the various benefits offered by the various schemes of national solidarity.

262. This structural mechanism will be able to reflect the situation of children with disabilities to assist in decision making in order to better understand the needs of this population, whose the categorization is moving forward with full transparency, to the best relevance.

263. The social map will be the dashboard that will allow a prompt action and will be the gauge, which will facilitate the assessment of difficulties to be mitigated and addressed, in a pragmatic and balanced organizational structure.

264. **Accessibility of the disabled person:** Following the promulgation of the Executive Decree No. 06-455 of 11 December 2006 setting the rules for disabled persons' access to the physical, social, economic and cultural environment, an intersectoral commission of accessibility of disabled people to buildings, urban planning, means of transport and communication services and information was installed in December 2007.

265. The objective set through the creation of this body is to make available the physical, social, economic and cultural environment, including the development of appropriate programmes.

266. For the purpose of making the public building and facilities more accessible to people with disabilities, technical accessibility standards have been set by regulatory means. In this context, a clause on the implementation and enforcement of these requirements is inserted into any specification books; equipment and facilities open to the public.

267. **Information and public awareness:** Regarding the information and public awareness component to the situation of children with disabilities, the Ministry of National Solidarity, Family and the Status of Women in charge of managing this domain, regularly organises in partnership with all audio-visual media and print media, information campaigns and debates around the rights of disabled children and the problems inherent in their implementation. As it does on the occasion of national days and international meetings and thematic seminars relating to the issue of disability in Algeria.

268. Similarly, awareness raising programmes on the risks of landmines have been developed in coordination with national institutions and civil society to reduce the number of victims, under the implementation of the Ottawa Convention on the Prohibition of landmines.

269. Furthermore, recreational days are organized by and for children with disabilities living in institutions. Pamphlets dealing with measures and mechanisms put in place for the protection and promotion of people with disabilities are developed and widely disseminated.

270. Therefore, it is necessary to emphasize the significant role played by 250 outreach solidarity cells established across the most remote and isolated areas of the country, in the areas of social support, community health, psychological and therapeutic care, mediation and social communication.

271. Information and communication shops within youth institutions make available items to children with disabilities in the same way as other children wherever they are and whatever their circumstances, a useful and practical information on all the opportunities that are available in all issues which concern them (sports, health, education, leisure, holidays...).

272. In terms of listening, there is also the intervention of listening cells at the ODEJ in 48 wilayas, which were reinforced by the creation of 535 listening centres in different youth institutions for the prevention and sensitisation through local actions especially towards children with moral difficulties, including children with disabilities. This scheme is governed by multidisciplinary teams (psychologists, sociologists, physicians, professionals of information and communication....).

273. **Training of professionals:** Training of social workers active in the field of support to children with disabilities is provided by three (03) national centres:

274. There were 293 people with 180 teachers and 53 special education teachers, specifically those invested with outreach missions and support to children with disabilities living in institutions. For 2008, the operating budget of the centres was estimated at 191 607 000, 00 AD.

275. Meanwhile, pending the implementation of the proposed creation of the Algerian school of sign language which will definitely be a contribution to the issue of care for people with hearing difficulties, the Ministry of National Solidarity family and Status of Women has worked to train social workers to sign language, as well as its and justice workers, in an agreed partnership with the Ministry of Justice.

276. However, national associations working with children consider that the reason of occurrence of disability is accidents at birth during delivery, foetal distress, high-risk pregnancies and meningitis sequelae that result in many children disability with cerebral origin.

277. **Sport for People with Disabilities:** The new Sports Act No. 13-57 of 23 July 2013 on the organization and development of sport and physical activity guarantees in its article 35 sport for disabled people which consists of practice of a recreational sport, competition and leisure tailored to specific physical rehabilitation of people with impairments or disabilities for the purpose of social integration

278. Social security and services and facilities for the development of the child

245. As part of the social security of the child, the system of social benefits such as health insurance and family allowances is added to a number of social benefits for families with low incomes. The Algerian law gives wide coverage to dependent children of an insured person in order to contribute to his/her protection and development.

246. Indeed, benefits in kind for sickness insurance are paid to the insured and his dependents. This concerns the spouse who does not exert any activity, children under the age of 18, or 21 years in case they are pursuing further education, 25 years in the case of learning, or regardless of age if due to a disability or chronic illness, they are unable to perform any gainful activity or dependent children and third degree collateral dependent, female, whatever their age and children of inmates working in prison workshops (Articles 67 and 68 of Act 83111 of 2 July 1983 on social insurance, as amended and supplemented).

247. Are considered dependent child:

- a. Children of the insured or the insured's spouse;
- b. Children who were subject to a kafala from the insured;
- c. Children hosted by the insured that are actually borne by the insured, regardless of any family link.

248. The Social Security benefits are maintained for the benefit of orphaned children, if the person responsible for them, tutor or new spouse (in case of remarriage of the widow) does not have the status of an insured person.

249. In case of hospitalization of children in public health facilities, the cost of accommodation and care are taken care of. Children with disabilities are treated freely by the State under the provision of social insurance and the device in accordance with the law in force.

250. Apprentices, students and pupils in vocational schools receive benefits in kind for sickness and maternity benefits in respect of accidents at work and occupational diseases. The social security system also provides for working minors in accordance with the legal working age and whose affiliation to social security is a fundamental right enshrined in Article 5, paragraph 4 of Act 90/11 of 21 April 1990 related to labour relations and the provisions of Article 3 of Act 83/11 of 2 July 1983 concerning the obligations of reporting to social security, as amended and supplemented, and this, regardless of the industry to which he belongs, the nature or validity of the employment relationship, his/her sex and amount of remuneration.

251. Moreover, the family benefits are paid for the dependent children of the employee or former retired employee (up to seventeen or twenty-one years in the case of further studies) with funding provided by the State as well as by the actions organized by the private insurance company and company welfare facilities.

252. The annual school allowance is paid as a lump sum for each of the schoolchildren aged 6 to 21 years, if the beneficiary does not have a monthly income above the income set by the state

k) Education (article 11 of the ACRWC)

253. **The objectives education:** The objectives of education: Act No. 08-04 of 23 January 2008 pertaining to guidance on the National Education states in its chapter on the aims of education (Article 02), that the Act was intended to lay the foundations for the establishment of a society committed to peace and democracy and open to universality, progress and modernity. Similarly, it emphasizes that students should take ownership of the values of knowledge, work, solidarity, respect for others and tolerance, and by promoting the positive values and attitudes especially with regard to the principles of human rights, equality and social justice.

254. Moreover, the Algerian education system aims to train tomorrow's citizens and guarantees, as such, a citizenship education, instils in the child the national and universal values, through the various disciplines taught (history, education civic and religious education) in order for him/her to acquire a healthy behaviour, positive attitudes and a "know how to be" from the first cycle of basic education.

255. As part of the educational system reform, new elements have been incorporated in the programme, namely: Human Rights Education (CRC, ACRWC, IHL, etc.), health education, global education and environmental education. The principles taught are related to the universal values of peace, tolerance, respect for others, self-help and solidarity.

256. In this context, textbooks are subject to prior systematic and rigorous evaluation. Their dissemination in schools is conditioned by an approval issued by a commission of experts. It is important to note that textbooks were denied approval simply because they contained images that referred to discriminatory stereotypes, in spite of their good quality pedagogically.

257. Connecting schools to the Internet: the operation is part of a national strategy for expanding the use of information technology and communication across all schools. ICT in education allows access to knowledge through a virtual world adapted to the intangible nature of information, to adapt teaching to student needs and eliminate the constraints of time and money associated with physical mobility.

258. Students and teachers will benefit, under this operation of training courses on the use of ICT.

259. As part of this operation, 10,000 institutions were connected to the Internet.

For its part, civil society confirms the significant progress made to ensure girls their right to education. In recent years, nearly two-thirds of high school graduates were girls. The net enrolment rate between 2005 and 2009 were 94% for girls and 96% for boys in primary school, and 86% for girls and 80% of boys in high school.

It states that Act No. 08-04 of 15 Muharram 1429 (equivalent to 23 January 2008) is based on the principle of non-discrimination between children access to education.

The Civil society adds that through article 10, the state guarantees the right to education for all Algerian females and Algerian males without discrimination based on gender, social origin or geographical origin. Article 11 states that the right to education has become a reality by the generalization of basic education and the guaranty of equal opportunity in terms of education and further education, following basic education. Article 12 confirms that education is compulsory for all girls and all boys aged 6 to 16 years of age. However, the duration of compulsory education can be extended for two years for students with disabilities.

National Literacy Program:

The Algerian Literacy Association "IQRAA" is a non-profit NGO, founded in 1990, is organized throughout the country and has a large number of volunteers. It works in the field of literacy, education and training, through the implementation of integration and promotion programmes for populations in rural and remote areas.

Its main objective is to fight against illiteracy, obscurantism, exclusion, school dropouts and poverty, to inform, educate and mobilize people on the right to education and its obligation as the only means to fight against this scourge and it contributes to the achievement of Millennium Development Goals (MDGs) as well as the United Nations Decade for Literacy.

The literacy program is open to all citizens, it is implemented in schools, youth centres, training centres, cultural centres, in the business environment (companies factories institutions etc.) in mosques and in prisons. Several agreements have been signed with various institutions to facilitate access to the locations and support for learners.

Since its inception, IQRAA contributed to literacy of over 1,681,000 citizens including 1,543,906 women:

The programme (Literacy, Education and Integration of Women (AFIF) has helped train and empower more than 23,000 young women between 18 and 35 years.

As for the insertion in schools, more than 15,232 children have joined formal schools after strengthening their reading and writing skills in the IQRAA centres.

Teacher training each year reaches out to more than 4,400 volunteers whose education level ranges from the third year of lower secondary school to baccalaureate and university.

The design of educational tools has resulted in the development of 10 books with various contents addressing its "useful learning" programme through the popularisation of certain laws such as the Family Code or the Universal Declaration of Human Rights or the rights and duties of prisoners, the fight against violence.

Aided by its partners and donors, IQRAA has built 04 neighbourhood centres for women; it has rehabilitated 04 others by equipping them with the necessary support for rural women. To ensure the success of its programme, it equipped two nurseries children in the South (Abalessa and Ain Amenasse as a support measure).

Through its extensive program, it participated in the Realization of the National Literacy Strategy adopted by the Government in 2007, which should lead Algeria to reduce the illiteracy rate by half by 2015.

Several surveys and studies have been carried out by IQRAA in partnership with the CENEAP. The latest "50 years of struggle against illiteracy in Algeria" announced that in 2015, the illiteracy rate would be 14.1%.

Along the way, IQRAA received several awards: at national, regional and international levels. These include the International Literacy Prize from UNESCO in 1997, the Arab ALECSO Prize in 1998, the Arab Literacy Prize of ISSISCO in 2000 and the Roby Kidd Award in 1994 awarded by the International Council of Adult Education.

IQRAA is: Member of several Networks and International Boards. It chairs the Arab NGO Network, Vice President of the International Council of Adult Education, a founding member of ECOSOC Africa, has been granted observer status with ECOSOC / UN in 1998.

During its most recent activity, on the Youm el Ilm day, IQRAA with partners NEDJMA and APC of Temacine (wilaya of Ouargla) inaugurated a new neighbourhood centre for women and girls of that community where several trades are taught, from carpet weaving to computer skills as well as sewing and local embroidery.

Many challenges still lie ahead such as reducing the rate of illiteracy and bring it to 11%.

260. Education, including vocational training and guidance: Since 2005, the Algerian government has launched a reform of its education system. This reform aims to build a modern and republican school for providing their children with quality education and training for the citizens of tomorrow. This is a profound and radical reform involving the improvement of the level of staff qualifications, a complete overhaul of programmes and textbooks, a new organization system, a new functioning of the facilities and new roles for different stakeholders (teachers, students, parents).

261. The new law on National Education was promulgated on 23 January 2008, to meet the new aspirations of the Algerian school. It guarantees the right to education for all Algerian females and Algerian males without any discrimination based on sex, social or geographical origin.

262. This legislation governing education is consistent with the provisions of article 11 of the African Charter on the Rights and Welfare of the Child as it guarantees free education in all schools under the Ministry of Education, as well as equal opportunities for schooling conditions, success and continuation of post-compulsory education for students including those with special needs.

263. In order to implement these provisions, significant efforts are being made each year by the Algerian government in the education sector. Indeed, the budget for this sector is on the increase since 1963. It was 124 billion AD in 1997/1998 and increased to 260 billion dinars in 2004/2005 and reached more than 280 billion dinars in 2008/2009, which represents a rate of more than 20% of the overall state budget.

264. Thus, Algeria has not only caught up with its historical delays in school enrolment, but it has also been able to meet the high demand for education, which has become more prominent. These efforts have enabled Algeria to reach before the deadline, the second Millennium Development Goal on education for all.

265. Thus, the overall number of students has been multiplied by 10 since 1962, now reaching 7.5 million students.

Mindful of the "development" part, the civil society states that in addition to the investments made by the state under the five-year programme for 2010-2014, 40% of the budget goes to human development, efforts are being made in terms of education,

to show the Government's commitment to train future citizens so that they are innovative and contribute to the socio-economic development.

For information, below are some indicators:

- A marked improvement in enrolment of children of school age. It increased from 90.7% in 2000 to 97% in 2013

-The trend of the exam pass rate (72.1% for the O Level and 58.84% for the Baccalaureate in 2012).

-The Number of graduates of higher education is increasing. It increased from 91 828 to 246 743 graduates between 2004 and 2012.

266. Financial assistance from the State: Scholarships are awarded to high school students at the rate of 1296.00 AD per student staying in boarding house and 648.00 AD per student attending boarding school. In 2008, the amount of funds earmarked for these grants totalled more than 400 million dinars.

267. In addition, as part of national solidarity, the state pays tuition allowance of 2,000 dinars for any student whose parents have an income at or below the minimum wage, or 18 000 AD / month which is a total of 6 billion dinars since 2005. The amount of this allowance has increased to 3,000.00 AD per student 2008. Moreover, children in need, orphans, those from disabled or unemployed parents and those from families of terrorism victims are entitled to free textbooks and school supplies. In 2008, more than 1,500,000 children were granted this allowance.

268. Under the fundamental principles of the Constitution based on non-discrimination, and in the context of respect of equal opportunity for all Algerian children, the state has implemented a solidarity programme of education for the benefit of school children from poor families and / or residing in remote areas. This programme focuses on the fight against the possible social inequalities that threaten access to education and leisure of children from disadvantaged groups. The school solidarity operations implemented, fall under the guidelines of the President of the Republic that result in:

a. The granting of premium tuition to 3000 000 children a year: For the period 2000-2008, the amount of 46.4 billion DA was spent for the benefit of 23.2 million schoolchildren;

b. The provision of school kits: for the period 2000-2008, 2,544,354 school kits were distributed totalling 1.971.396.451DA, and more than 10,000 school kits have been granted to children of Algerian families established abroad;

c. The provision of books and textbooks: the purchase of textbooks for pupils from poor families deprived of exams classes enabled in 2008, the distribution of a batch of 20,000 books with a value of 24,000 .000,00 AD, in addition to books awarded to school children in special schools for \$ 4,900,000 AD;

d. Equipment and provision of school canteens: this operation consists in the purchase and installation of complete sets of school canteens (kitchenware, refrigerator, kitchen utensils, cutlery, tables and chairs) for the benefit of the most isolated schools in disadvantaged communities. The cost of the operation is in the range of 152 million AD;

e. Granting of school bus transportation for isolated communities: for the period 1999-2008, the state has made available 3,656 school buses for the isolated communities. The overall cost of the operation is 8.198.900.000,00AD;

f. Tutoring: 7,000 young university graduates will be recruited during 2008, as part of the scheme for the Integration Alumni Programme (PID) to support and assist students in the South and Central Highlands;

g. Organizing school holidays: The summer camps operation is organized every year in favour of children from poor families, families victims of the national tragedy, from the Deep South and disabled children.

269.Expansion of the benefit of school canteens: The network of school canteens across the country has expanded significantly in recent years. Their number increased from 4,585 in 1999-2000 to 11,802 in 2007-2008. For the year 2008/2009, 1500 new canteens are planned and the necessary funds are provided in the 2009 budget. To this school canteens expansion programme must be added that of improving the quality of meals. Indeed, the price of the food basket increased from 12.00 AD in the southern regions and 10.00 AD, for those in the North in 2001, reaching, respectively, 35.00 AD and 30.00 AD in 2008. Budget allocations for school lunches increased from 5 billion AD in 1963 to nearly 12 billion dinars in 2008. The cost of the meal has also evolved with the changes in the purchasing power of citizens. From 1963 to 1991, a single price of the meal was set for all school canteens in the country.

270.Boarding houses: In primary education, there are 44 boarding houses for 4136 users, against only 2,021 users in 1999-2000. They were created for children (boys and girls) in the most remote areas and particularly the children of nomads. It should be noted that the construction of facilities in very remote areas helped bring the population closer to the school, hence the need for boarding schools has become less and less important. The civil society notes with satisfaction the existence of boarding schools in the most remote areas, and would like to introduce the system of half board in big cities.

271.Strengthening School Transportation: School transportation for children in isolated areas, or whose institutions are located far from residential areas, constitutes another facet of the measures initiated by the state to encourage regular school attendance. As such, for the period 1999-2008, the state has made available 3,656 school bus transportation for isolated communities and for students of the three levels of education.

272.The councils spend annually in their budgets .441 3 477 377.34 AD for school transportation and 7 274 848 .100 21 AD for school canteens.

273.School Health: School health is no exception; insofar 1228 units of screening and monitoring (UDS) are functional annually to support the health of 78 students. The school health operations are supervised by 1,115 doctors, 694 dentists, 205 psychologists and 1,470 paramedics. In addition, staff of screening and monitoring units (UDS) are required to conduct periodic routine medical visits to classrooms in geographic areas that cover their units and keep a medical file for each student.

274.Cultural and sporting activities: As part of its educational mission, the Algerian school ensures the development of cultural and sporting activities, both in its educational programmes where physical education and art education (drawing, music) are included as a separate discipline, and through the activities of schools programs (sports, music, singing, dancing, drawing, theatre, ... etc.) as well as science and

cultural clubs (health clubs, astronomy, computer science, environment, poetry, ... etc.). A special fund for Wilaya initiative for youth is in place since 2001.

275. Act 13-05 of 23 July 2013 on the organization and development of sport and physical activity ensures that the adapted physical education and sport can be provided at the pre-school institutions in early childhood classes and children's classes. It aims at psychomotor development of the child. Thus sports activities are organized in different disciplines in partnership with sports federations, leagues, associations and relevant sectors.

276. **Private education:** The ordinance of 16 April 1976 governing the education and training system has undergone amendments that enabled the integration into the system of private schools, increasingly popular with citizens. A regulatory framework for these institutions was established. And 108 schools were accredited. These facilities with approximately 16,000 students are teaching formal Algerian programmes, however, there is a weekly margin of 3 to 5 hours for the organization of any other activity in addition to formal educational programmes.

277. **Teaching of Amazigh language:** Tamazight language, which is enshrined in the Algerian Constitution as a national language is taught in Algerian schools in all levels of education. It is integrated into the school curriculum as a separate discipline enjoying a slot, programme and manual of its own. It is subject to evaluation and examination system like the other disciplines. The new framework law on National Education (Act No. 08-04) ensures the teaching of the Amazigh language. In its preamble, it states that "the Amazigh, as the language, culture and heritage, is an integral component of the historical personality..." and that the school "will raise awareness to the student ... about the links ... which attaches him/her to this language."

278. **Early Childhood:** Access to early childhood education is currently a priority for the government programme, which mainly aims to reorganise the functioning and control of early childhood facilities and centres. The care of early childhood was regulated in 1992 in order to allow on the one hand working women to balance work and family obligations, and secondly, to provide an opportunity for women childminders to set up remunerated activities.

279. The State works towards the creation of institutions dedicated to the care of early childhood especially in urban areas, the number is increasing with diverse service providers and the figures are presented according to the balance sheet as at 31 December 2012 as follows:

- Local authorities: 565
- Private sector: 1077
- Associations: 96
- Economic sector: 92
- Social Action: 43
- Total: 1,873.

280. However, the Fund for Local Government (FCCL) funded the completion of 497 municipal kindergartens since 2008. Currently the rate of completion and equipment of these areas is 99%.

281. An Executive Order was initiated with a view to setting the foundations and principles for the creation and functioning of the early childhood institutions (supported by duly approved specifications) or even defines formulas and how to take care of this segment of the population within these institutions. The novelty

introduced in this text, enacted in September 2008, includes not only the organization of the care of non disabled children who are not allowed in the preparatory national education classes, but also those with disabilities and for whom units are specially furnished and incentives in terms of teacher support are granted by the Authorities.

282. In addition, the law creates provisions that favour the creation of these structures using the following formulas:

- a. Group care, which will take place in institutions created by local communities, businesses and public services, social security, mutual organizations, associations, individuals or entities based on specifications and conditions set by the relevant public institutions;
- b. Collective care can be arranged in the form of day care for children from three (03) months to three (03) years, of kindergartens for children from three (03) years or more, and day nurseries for temporary care or occasionally and multi care institutions tailored to the needs of parents;
- c. Foster care, which will take place at the home of the childminder formalized by a contract with the commissioning parents and approved by the management of the wilaya responsible for social action and solidarity.

283. Finally, the implementation of regulations governing facilities and care services for young children and diversification formulas as well as proposed strict control measures will contribute immensely in expanding preschool education and early learning for all Algerian children without exception.

284. Since 2006, municipalities were provided with subsidies in order to complete early childhood institutions, the operation aims to achieve 487 nurseries whose cost is estimated at \$ 5.3 Billion AD. This operation aims to:

- Ensure support for early childhood and to ensure fulfilment, enlightenment and a safe and healthy life;
- Strengthen the network of childcare facilities and meet the increasing number of requests for the placement of children in day care.

285. Information and Educational and Vocational Guidance: To carry out this mission, the state employs more than a thousand advisors and senior advisors of educational and vocational guidance who have a basic training as psychologists in educational psychology or educational and vocational guidance. These professionals are spread throughout the country in schools or in educational and vocational guidance centres. Numbers of measures have been initiated to encourage regular school attendance. In addition to the disabled and incarcerated youth, the education sector and vocational education provides specific support to girls in rural areas. Thus, training schedules and detached sections were opened in these areas to facilitate access of rural women to vocational training.

1) Leisure, recreation and cultural activities (article 12 of the ACRWC):

286. As part of the implementation of article 12 of the ACRWC, holiday centres are mobilized at 14 coastal wilayas to accommodate 22,334 children in 47 open centres, for the amount of 214.206 million dinars. A novelty recently introduced was to provide this opportunity to 248 children, supervised by 11 coaches, from the national community in Lebanon (13), in Syria (74), EGYPT (32), in Tunisia (65) and MOROCCO (53).

287. Furthermore, the institutions under social protection have rich and varied programmes in the areas of leisure, recreation and cultural activities. These consist in setting up and organising:

- Teaching of music, painting, drawing, physical education, art, silk painting, macramé, sculpture, pottery, etc.
- Workshops of photography, computer, editing, silkscreen, agriculture;
- Holiday programs, outings, trips to museums, inter institutions summer camps for the benefit of children from poor families;
- Events and sports tournaments are organized by associations and sports leagues in the various disciplines: football, swimming, athletics, volleyball, table tennis, ... etc.

288. In order to ensure a decent life for every child, new rules for urban development shall require developers to make the realization of playgrounds, recreation and relaxation facilities as accompanying equipments essential to housing listed under the programmes of developments in urban and rural habitats.

289. Local authorities, as basic neighbourhood cells, support this concern by equipping spaces for the child through means and conditions necessary for relaxation, entertainment and nearby sports and is in charge of the upkeep of the various structures on the subject "communal pools, sports halls..."

290. An annual levy of 7% of the budget is planned towards the wilaya Fund for the Promotion of Initiatives Youth and Sports practices. In the same way, councils are contributing 4% and 3%, levied annually on their tax resources.

291. An operation to achieve 1,176 municipal libraries and reading rooms was launched and a financial allocation estimated at 15 billion AD was set aside for this purpose by the Common Fund for local authorities in 2006.

292. **Socio-educational, leisure activities and youth tourism:** Demonstrations (festivals, meetings, exhibitions...) are dedicated each year to mark children's activities carried out in youth institutions through children's competitions children to detect young talents in various fields (opera, drama, visual arts, etc.). By way of illustration: national song festival for children (M'sila) theatre festival for children (Constantine and Sidi Bel Abbes), doll exhibition (Algiers), exhibition of the young resourceful (Tizi Ouzou).

293. **Holiday and leisure centres:** Educational leisure for children is a priority in the action programme of the youth and sports sector, which is why special interest is reserved for this activity sector which is considered as the socio-educational extension to the school and home environment, particularly during the long school holidays in the summer and also the winter and spring holidays.

294. A national program of support for children aged between 6-14 years from the highlands wilayas and southern provinces (26 wilaya) in holiday and youth leisure centres of the National Leisure Agency for youth at the 14 coastal wilayas to accommodate **16,000 children** in 14 centres reserved for this purpose, amounting to **217,056** million dinars. Also, it should be noted the valuable assistance of the central government to support the transport of children from the provinces of the deep south (05 wilayas) for a total of **60,606,000** dinars.

295. Moreover, a support to 12574 children in summer camps at schools is made available to the sector through the Directorates of the Youth and Sports on the wilaya funds.

V. Special protection measures

a) Refugee Children (Article 23 of the ACRWC):

279. Algerian law is based on the principle of equal treatment and non-discrimination between nationals and foreigners, migrants or refugees or asylum applicants in terms of fundamental rights, particularly with regard to free education which is compulsory until age 16 for all grades, and free access to public health care and other social benefits.

280. The Protection of Refugees and Stateless Persons is subject to specific rules enshrined in the provisions of the UN Convention of 28 July 1951 as amended by the Protocol of 31 January 1967. In this regard, the Act No. 08-11 of 25 June 2008 on the conditions of entry, stay and movement of foreigners in Algeria, introduced an exemption from the immigration rules pertaining to access to the territory in favour of asylum seekers and refugees (Article 7) in order to facilitate the process, to especially for children.

281. Permanent support is provided by local health authorities to the Sahrawi refugee camps. A local joint committee meets on a regular basis for the analysis of the health situation of the Sahrawi population through the implementation of health programs.

282. Health authorities in the Wilaya of Tindouf, are responsible for:

- Provide technical support to the Sahrawi health authorities;
- Provide support as part of the training of Saharawi health professionals;
- Provide support in case of urgent epidemiological situation;
- Provide support pharmaceutical and consumable products if necessary;
- Care for seriously ill patients requiring hospitalization or transfer.

283. As part of the Sahrawi immunization programme, vaccine storage is done in a cold room of the Algerian health sector, because of the problem of the cold chain. The Sahrawi children aged below 5 years are systematically integrated in the organization of vaccination campaigns in Algeria (annually since 1994 to date for polio vaccination in 1996 and 2003 for the measles vaccination).

The Algerian Ministry of Health, of Population and Hospital Reform, following UNICEF's request, provides regular expertise programmes on Saharawi health. The civil society raises the question of refugee children's health care to enable parents to live with greater dignity and explore the possibility of allowing them to work. It suggests a medical convention for their support.

Civil society identifies 93 refugee children in urban Algiers. Refugees who are recognized by the Algerian state enjoy right to education. Arabic-speaking refugee children are educated in state schools. Refugee children from francophone countries

are enrolled at the International School "Chikh Bouamama" considering the language constraints, and through a partnership with NADA Network, the Ministry of Foreign Affairs, Ministry of Education and the Office of the United Nations Refugee Agency (UNHCR). All of them enjoy all the rights to health and recreation.

In 2009, a joint UNHCR-WFP mission observed low level qualifications of health workers in the camps and the overlap of several different programmes for children below five and pregnant and breastfeeding women. The integration of all these activities into a single programme, the Integrated Health Programme of the Saharawi child (Programa Integral de Salud Infantil Sahrawi - Pisis) nearly took a year of collaboration with all partners in these activities and health authorities in the camps. The creation of Pisis has harmonized criteria for the implementation of international standards and provides support and advice on the ground to health care workers. After endorsing the guidelines of Pisis in early 2010, additional training and support at the clinical level have improved the implementation of the programme and its activities and provided basic skills for health workers. The Pisis consists of several protocols to improve the health and nutritional status of children below five in the refugee camps of the Western Sahara including the treatment of the most common childhood diseases, treatment of severe and moderate acute malnutrition and anaemia, prevention of chronic malnutrition, growth monitoring and raising awareness on hygiene and nutrition.

b) Children in armed conflict, including specific measures for the protection and supervision of children (article 22 of the ACRWC):

284. In this context, it should be noted that the Algerian national law is in full conformity with the relevant provisions of the African Charter on the Rights and Welfare of the Child and the UN Convention on the Rights of child and its Optional Protocol, based on the following regulations:

a. Ordinance No. 74-103 of 15 November 1974 (Chapter I, art.1) (Gazette of 10 December 1974), on the National Service Code, which sets the minimum recruitment age of conscription to 19 years;

b. Presidential Decree No. 08-134 of 6 May 2008 (Chapter II, Art.10) (Gazette No. 24 of May 11, 2008), establishing the conditions for recruitment of professional officers in the National People's Army at the age of 18 pursuant to Ordinance No. 06-02 of 28 February 2006 on the general status of military personnel (Gazette No 12 of 11 March 2006).

285. It should be noted that this regulatory provisions apply to contracted military officers, NCOs and mainly to lower rank officers and, by extrapolation to higher rank officers based on a regulation dating from 1969 (Ordinance No. 69-90 of 31 October 1969 on the status of lower rank officers of the active ANP /Gazette No. 95 of 11 November 1969) and this is waiting to become a presidential decree.

286. To support the victims of the national tragedy, legislative and regulatory provisions of the Charter for Peace and National Reconciliation were put in place, these are:

▪ Ordinance No. 06-01 of 27 February 2006 on the implementation of the Charter for Peace and National Reconciliation, Presidential Decree No. 06-93 of 28 February 2006 relating to the compensation of victims of the national tragedy, and Presidential Decree No. 06-94 of 28 February 2006 concerning the aid for poor families affected by the involvement of one of their relatives in terrorism.

287. Other measures have been taken by different state departments in order to mitigate the effects of this tragedy and support families and children to find the peace and quiet and reconnect with more social life. The financial impact of the management of the category of the missing persons' beneficiaries amounts to 9.300.767.309 AD as at 31 August 2011.

288. Alongside regulation, field measures have been taken to address the many challenges posed by the tragedy experienced in Algeria in the 90s.

289. Therapeutic groups are organized since 1998 to support traumatized children victims of the national tragedy. These groupings have allowed psychological rehabilitation combining therapy and entertainment. In this context, 800 multi-disciplinary teams within all specialized institutions in the sector, have been mobilized for extramural psychological care of children that have suffered the horrors of the decade of violence.

290. Meanwhile, since March 2006, in 48 provinces, advice, information and advocacy cells work and welcome victims of the national tragedy, without exception whatsoever. Professionals from the nearby 250 cells were also involved in the care of child victims of the national tragedy in terms of information and raising awareness on the presidential decrees to implement the Charter for Peace and Reconciliation national.

291. In addition, the action of care for child victims of the national tragedy was notable through the organisation of group therapy sessions, of individual therapy for the benefit of more than 500 child victims of the tragedy national.

c) Children in conflict with the law:

a. Administration of juvenile justice (article 17 of the ACRWC)

292. It is worth noting that in the context of judicial reform and amendment of certain acts, a set of diversionary measures was planned as alternative sentences to deprivation of liberty, which is the community service. In terms of crime or offence the minor below 18 may be imposed one or more protection or rehabilitation measures as follows:

- a. Referred to his/her parents, guardian, a trustworthy person;
- b. Application of the probation system;
- c. Placement in a structure or a public or training institution qualified for this purpose
- d. Placement in a qualified medical or medical-educational facility
- e. Placement in the care of public service in charge of assistance
- f. Placement in a boarding school suitable for juvenile offenders of school age

293. However, a minor over 13 can also be imposed a measure of placement in a public reformatory institution. In any case, these measures should be imposed for a specified period, which must not exceed the date on which the minor reaches the age of majority.

294. It should be noted that the presence of counsel to assist the minor in all phases of prosecution and judgment is required. Where appropriate, a counsel will be assigned by the juvenile court. Legal aid offices have been set up at the courts and tribunals to lead and direct the litigants and other citizens, and if necessary, provide legal advice.

295. The legal protection of juvenile offenders: The code of prisons organization and rehabilitation, stipulates that minors definitely sentenced to custodial sentences, regardless of the offense, will serve the remainder of their sentences in adequate facilities called "specialized rehabilitation centres for minors". These centres' essential aims are rehabilitation of minors and their sensitisation on their responsibility towards the society.

296. In order to be transferred to these centres, the minor must meet the following conditions:

- Definitely sentenced to a custodial sentence,
- Has not reached the age of criminal responsibility,
- The remainder of the sentence to be served cannot be less than three months.

297. These juveniles should be transferred to such centres within eight days after of the deadline for ordinary appeal has passed. The transfer of juveniles sentenced to custodial sentences as mentioned above is entrusted to prosecutors. The court prosecutor in whose jurisdiction the centre is located and the Director General of the Prison Service and Rehabilitation are kept informed. The departure institution and the host centre are also required to inform the sub-directorate of the protection of minors.

298. Regarding inmates definitely sentenced whose age exceeds 18 years and who have not been subject to any transfer measure to specialist centres, their cases must be submitted to the classification commission for their placement in the quarter for young offenders below 27 years of age.

299. Regarding minors subject to placement orders in special centres run by the Ministry of Justice or the Ministry for National Solidarity, their transfer is made by special educators from these centres, however without the intervention of prisons and security services.

300. A decree on the rules and procedures of the minors' rehabilitation centres was taken on 9 June 1997. It determines the rights and obligations of detained juveniles during their stay in such centres. The rules and procedures are applied under the responsibility of the director of the centre and subject to monitoring by relevant judges.

301. These centres are under the Ministry of Justice and are intended for minors sentenced to custodial sentences, who are placed through an order, judgment or a final judgment. Their main task is to ensure education to the juvenile prisoners by giving them, depending on their level of education, training that can facilitate their successful social reintegration. These centres include:

- A judicial clerk in charge of monitoring the conditions of detention, controlling and monitoring of the minors' criminal situation. He/she would set the exact date of release.

- A bookkeeper who deals with the retention of the minors' belongings, the management of their assets and operations necessary for the distribution of their money as follows:

- i. One part is set aside for the day of their release.

- ii. One part is intended for their daily needs.

- A registrar responsible for the budget and property centre's management

302. Criminal cases involving minors are governed by specific rules pertaining to juvenile delinquency included in Book III of the Code of Criminal Procedure (article.

442-494). Under articles 447 to 450, each court has a juvenile division composed of a juvenile judge, a chairperson, and two other judges. Article 491 provides that proceedings are held in closed session, after hearing the parties. The decision is also made in closed session (art. 493) and each case is considered separately in the absence of all other defendants (art. 498). The juvenile division decides after hearing the minor, the witnesses, parents, guardian or custodian, the Crown and defence. It may, if the interests of the minor excuse him/her from appearing in court (art. 497).

303.No child shall be alleged as, accused of, or recognized as having infringed the criminal law on the basis of acts or omissions that were not prohibited by national or international law at the time they were committed. This principle is enshrined in Article 40 of the Constitution and Article I of the Criminal Code, which provides that "There is no offense, neither sentence or safety measures without law."

304.Any child suspected or accused of having infringed the criminal law is entitled to several guarantees. He/she is thus presumed innocent until proved guilty according to law. To establish guilt, article 453 of the Code of Criminal Procedure provides that "the juvenile judge performs all procedures and investigations to achieve the manifestation of the truth, while knowing the child's personality and for the determination the appropriate means for his/her rehabilitation ".

305.To this end, he shall carry out by way of an official investigation or in the ways prescribed for the preliminary investigation. He may issue any useful mandate while observing the rules of law.

306.Article 458 of the Code of Criminal Procedure states that "when the juvenile court finds that the facts do not constitute a crime or an offense, or that there is no sufficient evidence against the offender, he shall give an order of dismissal in accordance with the law ".

307.The accused juvenile is informed of the charge under article 100 of the Code of Criminal Procedure. Article 154 provides that the juvenile court shall notify the parent, guardian or known custodian of the prosecution against the minor. If the minor or his/her legal representative have not chosen a counsel, the court shall designate or asks the President of the Bar to appoint a public counsel. He may ask social services to conduct a social inquiry or any individual who holds a degree in social work and qualified for that purpose. When the juvenile judge finds that the facts constitute a crime, he shall issue an order of referral to the juvenile division acting in chambers. The proceedings are held in closed session, after hearing the parties, the minor must appear in person, assisted by his legal representative and counsel.

308.Any juvenile charged with a criminal offense has the right to examine or have examined witnesses against him and to obtain witnesses under the same conditions as witnesses against him. This right is recognized at investigation stage or judgment. The juvenile defendant has the right not to be compelled to testify against him or to confess guilt.

309.A juvenile charged with a criminal offense has the right to free assistance of an interpreter if he/she cannot understand the language used in court. Various articles of the Code of Criminal Procedure shall adjust the recognized right, including to the benefit of deaf and dumb persons (art. 91-95 and 108-298) and at all stages of the proceedings. The interpreter is subject to the requirement of taking an oath if not sworn (art. 91). If the debates reveal that the offense is not attributable to the minor, the juvenile court shall discharge him/her. However if the debates establish his/her guilt, the juvenile division expressly acknowledges it in its judgment admonishes the offender and refers him to his parents, guardian or any trustworthy person.

310. The minors division may also order the juvenile to be placed under probation, on temporary basis for one or several test periods for which it will set the duration, or permanently until an age not exceeding 19 years, it may order the execution of this decision notwithstanding appeal. The final decision is made in closed session, it can be appealed within 10 days of its delivery at the court. In order to preserve the privacy of the minor, the Algerian legislature provided closed session for discussion and for the pronouncement of the decision (s. 461 and 493 of the Code of Criminal Procedure).

311. The publication of the minutes of court hearings for minors in the register, the press, on radio, film in any manner whatsoever is prohibited. The publication with the same methods, of any text in any illustration regarding the identity and personality of juvenile offenders is prohibited (art. 477) pending criminal sanctions. The judgment may be published without the mentioning the name of the minor even his/her initials.

312. As previously mentioned, the judicial procedure applied to minors is governed by the provisions of the Code of Criminal Procedure contained in Book III (rules specific to juvenile delinquency). These rules contribute to the objective of protection of children and take into account the interest of his rehabilitation.

313. Article 442 sets the age of criminal responsibility to 18 years. Article 443 provides that the date for determining age of criminal responsibility is that of the offender on the day of the offense. However, a minor aged above 13 can also be subject to a placement measure in a reformatory public institution or remedial education.

314. Article 465 of the Code of Criminal Procedure provides that "in case of a crime or offense when the minor has co-perpetrators or accomplices and that the judge advised against all, he refers them to the relevant court. He separates the case against the minor and refers it to the juvenile division. "

315. Decisions from juvenile courts are recorded in a special non-public register kept by the Registrar. Decisions involving measures of protection or rehabilitation are included in the criminal record, they are, however, mentioned only on the no. 2 bulletins issued to magistrates excluding any other authority or public administration. For any interested person who pledged some amendments, the juvenile division may, after the expiration of five years from the date on which the measure of protection or rehabilitation ended, decide, upon the applicant's request, or the public prosecutor or ex officio, the deletion of any reference to the measure.

316. In the same vein an emphasis is placed on the training of judges. Indeed, training is one of the priorities hence its organization as part of the continuing training of judges including juvenile judges. A series of training sessions spanning the period from 2002 to 2006 was given to juvenile judges because of their key role in safeguarding and child protection.

317. Indeed, these training sessions are part of the partnership program between UNICEF and the School of Magistrates (ESM). The main purpose of this training programme was to improve the methods of protecting minors against all dangers and protection of child rights.

318. The main themes of the interventions of experts revolved around the following themes

- Children's and women rights through regional and international instruments ratified by Algeria;
- Rights of the child offender;

- Minimum Rules for the detention of women;
- Human rights and civil liberties;
- Alternative measures to incarceration;
- Psychological experience in prison;
- Support for children deprived of liberty;
- Violence and Crime;
- Specifications of juvenile justice;
- Mechanisms for implementation of the CRC and the ACRWC;
- Development of a code of laws and regulatory provisions governing the rights of the child;
- Comparative study between Algerian legislation and its compliance with international and regional human rights instruments on the Child ratified by Algeria (in progress);
- Case law in the field of child justice (in press);
- Strengthening the library of the School of the Judiciary through the release of documents relating to the field of child protection.

319. As part of this cooperation UNICEF / Ministry of Justice, several actions have been carried out during the period 2004-2008. It should be mentioned that a number of programmes have been initiated by the Ministry of Justice on prison reform and its component on juvenile justice with foreign partners and also organizations under the United Nations: UNDP, UNICEF, ICRC and the NGO "Penal Reform International."

320. These programmes include the training of prison staff but also involve prison visits. Given the importance of the participation of civil society in the rehabilitation of prisoners, agreements have been signed with the Algerian associations IQRA; El-Amel (for the rehabilitation of prisoners) and the Algerian Muslim Scouts (SMA).

b. Children deprived of their liberty, including any form of detention, imprisonment or placement in a care institution and compliance with the provisions of Article 5 (3) of the ACRWC prohibiting the imposition of the death penalty on children.

The rules governing the treatment of children deprived of liberty shall be governed by:

321. Act No. 05-04 of 6 February 2005 on the code of the organization of prisons and the rehabilitation of prisoners: By the enactment of this Code, Algeria reaffirms its commitment to respecting individual freedoms and the principle of legality of the sentence for which the judiciary would ensure the protection and enforcement. In article 1, it is stated that: "This Act embodies principles and rules in order to set up a prison policy based on the idea of social defence which makes the enforcement of sentences a means of protecting society through rehabilitation and social reintegration of prisoners. "Article 2 states that "Prisoners are treated such that to preserve their human dignity and ensure the consistent rise of their intellectual and moral level without distinction of race, sex, language, religion or opinion. "

322. The distribution and classification of inmates in institutions are done according to their criminal status, the severity of the offense for which they are held, their age and personality. As such, there are specialised centres for minors who accommodate accused and convicted persons who have not reached majority, unless express authorization of the Ministry of Justice. All institutions, with the exception of those in charge of prevention when the local classification does not allow it, include one or more special quarters for minors.

323. The staff of these centres consists of probation officers who have received appropriate training, psychologists, educators, instructors and social workers. The food should be healthy and balanced; hygiene and sanitation of premises are under constant surveillance. The centres have infirmaries with medical and paramedical staff.

324. The schooling of minors is organized in the institution; their vocational training abides with the law applicable to non-offenders. No further work cannot be given to infants who should also never perform night work. Annual leave is granted to minors who can spend it in a holiday centre. They can also spend statutory holidays with their families.

325. In case of breach of regulations within the centre, the minor is liable only for reprimand or suspension of visits for a maximum of 45 days. There is, with each specialised rehabilitation centre for minors, a committee of rehabilitation with a juvenile judge, a chairperson, in charge of studying the annual programmes of education and training or their amendment. In addition to an administrative file, required for each minor there is a record of rehabilitation. Maintenance, education and learning costs of convicted juveniles placed in specialised rehabilitation centres for minors, are the responsibility of the State, unless the court sentence provides otherwise.

326. **General organization of detention:** Arrival of the minor, designation of the host location.

First: Reception service, observation and guidance.

327. **Reception service:** Upon his arrival, the minor is referred to the reception centre to carry out the formalities for placement, search, shower, and medical examination in general medicine and phtisiology. If it is a female minor, a gynaecological examination is necessary. He/she is visited by the principal or his deputy as well as the social worker, and is informed of the rules.

328. **Service of observation and guidance:** for a period of 03 to 06 months maximum. This service is responsible for:

- a. Monitoring the physical and psychological state of minors, study their personality and identify the causes that led to the crime and their ability to rehabilitation then it chooses the proper methods for rehabilitation;
- b. Ensure minors education and training;
- c. Ensure the care of minors by psychologists and educators on a regular basis according to plan.

329. The psychologist and educator keep a record of the personality of the minor and his/her rehabilitation, including all the necessary documents. A copy is filed in the court registry and made available to the juvenile court, to the judge in charge of enforcement of criminal sentences and relevant departments of the Ministry of Justice. The psychologist and educator prepare a report every 03 months. Activities of psychologists, educators, social workers and doctors are recorded in a detailed report on the minor's personality report.

330. At the end of the observation period, a meeting chaired by the director will be held in the presence of the above-cited persons.

Second: Rehabilitation service

331. The educators, teachers and staff of rehabilitation are responsible for providing the minors with education, training and proper moral education and to ensure the effective use of free time.

332. Teaching: The planning of educational courses is in accordance with programmes of the Ministry of National Education. The transition to a higher level takes place after passing exams.

333. The training courses are:

- a. Literacy level;
- b. First grade level to 6th grade of basic education;
- c. Seventh grade level to the level of the certificate of basic education.

334. In terms of the higher level of education, the minor may pursue studies through distance learning or by registering in a high school near the centre and after approval of the board of rehabilitation.

335. Training: The minors receive vocational training according to their ability and wishes, taking into consideration the possibility of employment after release. The training is done through theoretical and practical courses in the rehabilitation centre for minors or in a vocational training centre. Success is rewarded with a diploma bearing no mention of the penal situation of the minor or the prison. The minor is under a group scheme and can only be isolated for health reasons, or be forced to wear the prison uniform but in this case he will be entitled to two sets of clothing, one for the summer and one for the winter, since he/she is allowed to keep his/her own clothing. She/he is entitled to a close visitor room, a monthly medical check up and whenever it is necessary. He is entitled to a bath once a week.

336. Visits: The minor is allowed to receive visits from his/her parents, his/her Kafil, cousins, husband, or wife, brothers and sisters, children of his or her spouse and members of the diplomatic corps for foreign nationals exceptionally authorized by the judge in charge of sentence enforcement, the juvenile judge and the president of the rehabilitation Board. He also receives visits from his lawyer.

337. Visits take place twice a week. Minors may be allowed to attend the funeral of their close relative with the authorization of the relevant court, if charged, or the centre director if definitively convicted. To do this, the juvenile leaves the centre accompanied by his guardian under the responsibility of the latter.

338. Leave and exceptional permission: The director of the centre, on the advice of the Rehabilitation Board, is qualified to give minors an annual leave of 30 days during the summer period, as well as during official holidays. He may also, because of good behaviour, give permissions to minors for 10 days every 03 months (Article 125 COP).

339. The minor, in accordance with article 07 of the Family Code, may be authorized either by the Judge of Juvenile Affairs or by the court in charge of sentence enforcement, the juvenile judge, and the president of the rehabilitation Board to marry.

340. Correspondences: The minor is entitled to receive 5 kg of food on weekly basis, but during the month of Ramadhan this ration is increased to 03 kg per day, also during the holidays. He/she is also allowed to receive parcels containing food, clothing, national newspapers, books and magazines. Packages must be opened in his presence.

a. Social and religious assistance

341.The social worker: The social worker is placed under the authority of the judge for the sentences enforcement. She operates in coordination with social services without compromising the safety, discipline and proper functioning of the judicial proceedings. She ensures the restoration of family links and the resolution of social problems that can affect the minor or his family.

342.Religious assistant: According to the agreement signed between the Ministry of Justice and the Ministry of Religious Affairs, minors receive courses on education and religious orientation.

343.In terms of information: It is permissible for minors to read newspapers or periodicals and listen to radio and television programmes from 5.30 pm until the lights are switched off, and under the supervision of the Director. A library is set up in each centre and made available to minors.

344.In the area of culture, education and sport: In each specialised rehabilitation centre for minors, cultural activities, education and sports are organised.

345.Educational action: The minor aged 16, may, upon request, be permitted to perform work as a means for his rehabilitation, promotion and reintegration, and by decision of the principal after consulting the doctor and authorisation of the board of rehabilitation.

346.Therefore, he is entitled to one day off per week and during public holidays. The duration of work may not exceed that of a free worker.

c) Provisions for children in emergency situations included in Ordinance No. 72-03 of 10 February 1972 on the Protection of Children and Adolescents

347.Alongside the 347 minors who have violated the law by their criminal actions, and who are supported by the code of the organization of prisons and the rehabilitation of prisoners, there is another category of children and adolescents for whom urgent educational measures need to be taken for prevention. These are taken by Ordinance No. 72-03 of 10 February 1972 on the protection of childhood and adolescence, which aims to protect and assist minors whose safety, morals or education are endangered or whose living conditions or behaviour are likely to affect their future.

348.This text gives to the juvenile court a broader power for everything related to the non-adapted child. The intervention of this specialist magistrate enables to exercise on childhood and adolescence, in danger, a salutary action capable of preventing juvenile delinquency.

349.The matter is referred to the judge by the parents or guardian of the minor, the prosecutor, the probation officers or the President of the Municipal Assembly (art. 2). The minor himself can directly approach the juvenile court when he/she feels threatened. In addition, the juvenile judge has the opportunity to refer the matter to himself. This prerogative based on the law, ensures freedom of action in order to detect and protect the minor in danger. His decision-making power is very broad since he can order the referral of the minor:

a. To his father or his mother who has not the right to custody, however without them being deprived of this right;

- b. To another relative or a trusted person;
- c. To a public service in charge of child care;
- d. A public institution or an educational institution, vocational training or care (art. 5-6).

350. He can also supplement the referral to the parents or a trusted person by a formal observation with an education service and probation and request for this purpose, that an educator follows the minor in their family, school or possibly professional environment (Article 5). All measures taken may at any time be amended by the judge. This ability to change the decision frees the magistrate of any narrow procedural impediment and allows him to act in all circumstances in the exclusive interest of the child (Article 8).

351. Ordinance No. 75-64 of 26 September 1975 establishing facilities and services for the Protection of Children and Adolescents: For a more efficient action of the juvenile judge in the field of prevention and social defence, Ordinance No. 75-64 of 26 September 1975 establishes a board at each institution for the protection and rehabilitation of minors, to coordinate treatment programmes and education of children who are accommodated in the centres. Called "Education Action Board" chaired by the juvenile judge (art. 17), it shall be convened by its chairperson at least once a quarter.

352. In order to ensure the protection of children and adolescents, the Ministry of National Solidarity, Family and the Status of Women is responsible for the implementation of measures to protect minors whose conditions of existence and behaviour may jeopardize their social integration. To enable it to fulfil its mission, the legislature has created various institutions and services:

- a. Specialised rehabilitation centres;
- b. Specialized protection centres;
- c. Observation services and community education;
- d. Multipurpose centres of youth safeguarding.

353. Juvenile judges and juvenile courts are only authorized to order final or temporary placements in the aforesaid centres and services. In any case, temporary placements (defined by article 455 of the Criminal Procedure Code and Articles 5 to 7 of Ordinance No. 72-03 of 10 February 1972) must not exceed six months. Any final placement decision must be preceded by a social inquiry carried out by the observation service and community education in boarding school or observation in the community.

354. In addition to these two (02) ordinances, it should be noted the enactment of four new texts:

- Executive Decree No. 12-165 dated 5 April 2012 concerning the redevelopment status- type specialised institutions for safeguarding children and adolescents;
- The Ministerial Order of 22 May 2013 setting the internal organisation of specialised institutions for safeguarding children and adolescents
- Executive Order No. 12-04 of 4 January 2012 on the status of standard facilities for children in care

- The ministerial order of 22 May 2013 establishing the internal organization of schools for children in care.

b) Probation: in each juvenile division, one or more permanent officers and volunteers provide supervision of juveniles on probation. For each minor, the officer shall be designated either by order of the juvenile court or possibly that of the judge especially in charge of minors, or by the judgment or the decision ruling on the merits of the case.

355. Probation officers are responsible for monitoring the material and moral conditions of the existence of the minor, his health, his education, his work and the good use of his/her leisure time. They report their work to the juvenile court through quarterly reports. They must also send an immediate report in case of misconduct or moral peril of minors, in case of abuse suffered the minor, or systematic obstacle justifying a change in the type of placement or custody (Art. 479 PPC).

356. Permanent officers are responsible for directing and coordinating the action of the volunteers, under the authority of the juvenile judge. They perform further monitoring of minors that the judge assigned to them personally. Volunteers delegates are appointed by the juvenile judge among those individuals aged at least 21 years, trustworthy and able to counsel minors.

357. Permanent officers are recruited among special educators. In all cases where the system of probation is decided, the minor, his parents, guardian, the person who has custody, are warned of the character and purpose of this measure and the obligations it entails. In case of death, serious illness, change of residence or minor's unauthorized absence, parents, guardians, custodians or employers, must, without delay, inform the officer.

358. If an incident reveals a lack of supervision characterized by the parents, guardian, or custodian or systematic obstacles to the exercise of the mission of the officer, the juvenile judge or the juvenile division, regardless of the decision in respect of the minor, may sentence the parent or guardian or caretaker to a civil fine of 100 to 500 AD (Art. 481 CCP).

c) Death penalty: A review of the legal provisions of the Algerian Criminal Code and various ordinances mentioned the special interest shown by the Algerian legal system in the minor's age and situation as a child.

359. **In terms of criminal responsibility**, the minor aged 13 to 18 years can be sentenced to death or to life imprisonment under article 50 of the Criminal Code which provides that "if it is decided that a minor aged between 13 and 18 should be subject to a criminal conviction, the sentencing options are as follows:

a. If he has incurred death penalty or life imprisonment, he shall be sentenced to a term of imprisonment from 10 to 20;

b. It has incurred life imprisonment he shall be sentenced to one-half of the adult sentence. "

360. It is in this case a sentence incurred by the minor and which is a prison sentence and not life imprisonment, which the minor will perform, in a juvenile facility or an area reserved for minors. In this case, the treatment is different and it will be reserved for the treatment provided for minors. Article 49 of the Criminal Code states that "**a child aged below 13 years may only be subject to protective measures and rehabilitation.**"

d) Children of Imprisoned Mothers (article 30 of the ACRWC):

361. Special treatment for pregnant mothers and mothers of infants and young children who have been legally convicted: Several provisions of Act 05-04 of 6 February 2005 on the organization of prisons and the social reintegration of prisoners support this category. Indeed, an inmate who has become pregnant receives appropriate conditions of detention as a balanced diet, ongoing medical care as well as visits and the close parlour (Article 50). The administration of the penal institution shall in coordination with the departments responsible for social affairs, arrange the placement of the newborn in a place suitable for ensuring its care and education. Without this place, the imprisoned mother can keep her child with her until the age of 03 years (Article 51).

362. When a birth occurs in a prison, the civil registry and birth certificate must not include have any indication nor the prison or the detention of the mother (art 52). The benefit of temporary postponement of the execution of custodial sentences may be given to a pregnant woman or mother of a child below 24 months (Article 16).

e) Children in situations of exploitation (article 15 of the ACRWC):

363. Economic exploitation including child labour: Governments apply immediate measures to prevent and eliminate child labour. National laws, rules and policies to prevent and fight against child labour as such comply with the standards of the International Labour Organisation. Furthermore, an intersectoral action plan to prevent and fight against child labour has since 2003 agreed on specific targets for the prevention against the economic exploitation of children, ensuring the involvement and mobilization of all stakeholders. It also is subject to a very particular monitoring.

364. The legal protection of children through the national labour law: Algeria has taken all legislative and administrative measures necessary to implement the rights recognized by international labour standards in the prevention and fight against all forms of exploitation of children, particularly with regard to respect of the legal age for access to work. Act No. 90/11 of 21 April 1990 relating to labour relations, as amended and supplemented (Article 15) provides that the minimum age for recruitment shall in no case be less than sixteen (16) except in the context of learning contracts established in accordance with the laws and regulations in force and that the minor can be recruited only on presentation of an authorisation issued by his legal guardian.

365. Hence, the child may not be employed in dangerous and unhealthy work, harmful to their health or detrimental to his morals. In case of failure to comply with these conditions, the employment relationship is deemed void under the provisions of article 135, which states, "it is null and void any working relationship that does not comply with the provisions of the law. "As such, and except in cases of an apprenticeship in accordance with the laws and regulations in force, hiring a young worker who has not reached the age prescribed by law, shall be punished by a fine of 1000 AD to 2000 AD. In case of recidivism, imprisonment of fifteen (15) days to two (2) months may be imposed, without prejudice to a fine, which may amount to twice than planned. (Article 140)

366. Moreover, any person contravening the provisions relating to conditions of employment of young workers and women is punishable by a fine of 2,000 dinars to 4000 AD applied as many times as there are violations reported (Article 141). Article 28 of the Act provides that "workers of either sex below 19 years of age cannot take a night job." Anyone infringing this provision is liable to a fine of 500 to 1000 AD, applied as many times as there are workers concerned (Article 143).

367. In addition, Act No. 88-07 of 26 January 1988 on the hygiene, safety and occupational medicine provides in article 11 that the employing agency must ensure that the work entrusted to women, underage workers and workers with disabilities require no effort beyond their strength. In case of violation, the offender is liable to a fine of 500 to 1500 AD. For repeat offenses, he faces a prison term of three (3) months or less and a fine of 2,000 dinars to 4000 AD, or one of the two penalties. (Article 38).
368. Article 16 of Executive Decree n ° 93-120 of 15 May 1993 on the organization of occupational medicine provides that besides apprentices, workers below 18 are subject to special medical supervision. Act No. 85-05 of 16 February 1985 on the protection and promotion of health amended and supplemented, has also introduced several provisions to ensure the child health surveillance at all stages of its development.
369. **International standards ratified:** Algeria has begun the process of ratification of international instruments in order to curb the problem of child labour:
- a. The International Convention No. 138 concerning Minimum Age for Admission to Employment, adopted by the General Conference of the International Labour Organization (ILO), 26 June 1973, ratified by Algeria on 3 September 1983;
 - b. International ILO Convention No. 006 on the Worst Forms of Child Labour;
 - c. Convention No. 010 of the ILO Minimum Age in agriculture;
 - d. Convention No. 058 of the ILO Minimum Age in the Sea;
 - e. The International Convention No. 182 on the Worst Forms of Child Labour and Immediate Action for the Elimination, adopted by the General Conference of the ILO, 17 June 1999, ratified by Algeria on 28 November 2000.
370. **The national strategy for prevention and fight against child labour:** In 2003, the Intersectoral Commission for Prevention and Fight against Child Labour was set up; it is composed of twelve (11) governmental departments and the representative of the Trade Union Organization UGTA. This committee coordinates sectoral aspects especially in terms of control and awareness for the fight against child labour.
371. Annual programs are adopted and implemented by different sectors including actions around school or para school and in recreational settings to remind children about the dangers of early labour. Similar actions are also carried out on a larger scale to educate more broadly across the society on this issue, particularly through audiovisual and outreach actions directly involving young children, in schools, in camps holiday or through the association network.
372. Thus, since the installation of the interministerial commission, valuable steps in monitoring this issue have been registered in the country. Indeed, the Commission's responsibilities include planning activities, educating the public about the harmful effects of child labour, coordinating the intervention of various government departments and institutions and contributing to the adaptation of legislation pertaining to children.
373. In 2004, the Intersectoral Commission has set up an integrated and coordinated multiannual and annual programme with specific goals and targets.
374. **Actions carried out:** The latest assessment of the Intersectoral Commission for Prevention and Fight against Child Labour states the achievement of the following:

- Organization of 14 days of information and sensitization for parents during the period from 3 to 17 May 2004, in collaboration with the National Federation of Parents Associations and with the participation of the sectors of education, Health and Religious Affairs;
- Organization of an inaugural lesson for school children pertaining to child rights and the consequences of the phenomenon of child labour, during the first day of the 2004-2005 school year at the three cycles: primary, middle and secondary schools all across the country;
- Participation in television and various radio stations on the prevention against child labour;
- Production of a guide on child rights;
- Participation of the decentralized services of the Labour Inspectorate to "open days" organized by the Ministry of Justice on 25, 26 and 27 April 2006 on the prevention against child labour
- Inclusion by the Ministry of Religious Affairs and Endowments of the issue of fight against child labour in the sermon Friday, 2 June 2006 at all mosques
- Commemoration of the World Day against Child Labour 12 June 2006 under the patronage of the Minister of Labour, Employment and Social Security and with the participation of ILO, UNICEF, economic and social partners as well as the Algerian Muslim Scout
- Organisation of awareness days "summer without child labour" in collaboration with the Ministry of Youth and Sports. An operation which involved coastal wilayas for two (2) sessions: July 31, 2006 and August 14, 2006 at leisure centres and holiday
- Organisation in collaboration with the health sector, of awareness days on the evils of child labour during the period from November 18 to 30, 2006 with the participation of local Inspectorate of Labour, Health and Vocational Training in 48 provinces. The operation involved 300,000 children in institutions from the Education and Vocational Training sector;
- Organisation of awareness campaigns against child labour by the Ministry of Training and Professional Education in all schools and training institutions and this during a period from 27 to 30 May 2007. This action has involved 5,873 trainees and apprentices, 561 craftsmen and 718 representatives of the business sector;
- Organisation of an information day on the topics "Citizenship, Environment and Fight Against Child Labour" by the Ministry of Youth and Sport on the occasion of World Children's Day. 3,000 children took part in this activity;
- Commemoration of the World Day Against Child Labour 12 June 2007 under the patronage of the Minister of Labour, Employment and Social Security and with the participation of ILO, UNICEF, economic partners and social as well as the Algerian Muslim Scout. It was dedicated to "the elimination of child labour in agriculture";
- Organisation of 48 information days on the fight against child labour by the Ministry of Youth and Sports at the youth institutions offices (ODEJ) in October 2007;
- Celebration of the World Day Against Child Labour 12 June 2008 under the patronage of the Minister of Labour, Employment and Social Security and the slogan was: "education is the right response to child labour. "This event was attended by representatives of specialised international organizations (UNICEF and ILO), the

representative of the Commander of Algerian Muslim Scouts and representatives of ministerial departments, members of the National Commission for the Prevention and Fight Against Child Labour In parallel with the ceremony, there was an exhibition on the rights of the child with the help of the services of Mrs Deputy Minister for the Family and the Status of Women;

- Organisation of seven (7) days of regional information and awareness at seven (7) Regional Inspectorates of Labour (Annaba, Oran, Constantine, Batna, Tiaret Ouargla and Bechar) on the occasion of the commemoration of the World Day Against Child Labour on 12 June 2008. This action was carried out in collaboration with wilaya Directorates responsible for national education, training and vocational education and civil society;

- Organisation of information 150 days by the Ministry of Youth and Sports in collaboration with the Inspectorate of Labour at 108 centres in holiday camps. 21,132 children including 2,465 girls benefited from this action which took place as a session of 2 to 27 days, during which documentary films were screened about the dangers of child labour, presentation of theatrical performances and photo exhibitions on the Rights of the Child;

- Organisation of the Parliamentary Day of the Child by the Ministry of Education of the on 17 March 2008, under the slogan "No to child labour";

- Organization of awareness campaigns about the risks of child labour, by the directorates of the department of Education in collaboration with wilaya inspectorates for work, during national events organised at the end of the school year 2007-2008;

- 48 days of awareness of prevention against the work children were launched by the wilaya Directorates of Social Action and Solidarity (DASS), under the Ministry of National Solidarity, Family and the Status of Women, from January 2009. These meetings are particularly concerned with evaluating the phenomenon of children working on their own account in order to help their families. They aim to educate families concerned and to define the modalities of setting up a local network to help low-income families with children who work. These operations are underway and being carried out in collaboration with the wilaya departments responsible for employment, trade, national education, labour inspection and representatives of civil society....

375. During the year 2013, for example, the following actions were taken:

- Vocational training Sector: organizing awareness days and information in coordination with the services of the Labour Inspectorate

- Health Sector: organization of a workshop and awareness among employers and workers, led by medical officers and labour inspectors on the occasion of the celebration of World Day against child labour.

- Justice Sector: Pursuing the child protection bill, and actions of magistrates dealing with cases related to child exploitation.

- Solidarity Sector: development of awareness raising actions with the assistance of the Departments of Social Action for Children, especially those in difficulty.

376. Statistics on child labour: The statistical information elements as well as investigations on the issue of child labour indicate that the phenomenon does not reach significant proportions and is circumscribed to low proportions in connection with certain activities.

377. Thus, a first survey which was carried out by the Inspectorate of Labour in 2002 found that out of 5,847 controlled firms with a workforce of 16 895, firms, 95 employed young workers that have not reached the legal age to work or a percentage of 0.56% of the total workforce.

378. A second survey was conducted in 2006. It revealed that out of about 3,853 companies with a workforce of 28,840 employees, there were 156 children who have not reached the legal age of 16 years, a rate of about 0.54% of the total workforce.

379. Finally, a third survey conducted in 2008 confirmed the low rate of employment of children in the economic sector. So out of 4,820 organisations employing 38,650 workers, it was recorded that there were 68 children below sixteen (16) years, a rate of 0.17%.

380. In terms of control, the various assessments prepared for information, in the last ten years show that child labour reaches a maximum rate of 0.5% at most, and that action is taken in a systematic way by the Inspectorate of Labour to fight against child labour. This rate is calculated based on the number of young workers below 16 years, calculated from the total number of workers in business, and who act as part of a working relationship employer-employee

381. With regard to protection against the use of drugs (Article 28 of the ACRWC): A national strategy in this area is conducted by the National Office against Drugs and Drug Addiction (O.N.L.C.D.T), in coordination with sectors and national organizations active in this in the field.

382. 12 hospital services specialised in child psychiatry within Hospital Institutions specialised in psychiatric support of children and adolescents, primarily on an outpatient basis

383. 188 intermediate mental health centres have also been established at the Public Institutions of Care (EPSP). A new development programme of child psychiatry is in progress, while government's efforts are underway to address the issue of addiction. In this context, the following should be noted:

- Creation in 1992 of a multi-sectoral national commission to fight against drug abuse chaired by the Ministry of Health;
- Creation in 1997 of the National Office for the Fight against Drugs and Drug addiction;
- Establishment in 2004 of a national sectoral committee to fight against drug abuse (according to Decree No. 13 of 31 May 2004). This committee developed a health plan related to the orientations of the national master plan
- Organizing awareness seminars in schools, universities and vocational training;
- Organisation of study days across the country on the prevention and treatment of substance abuse, including in prisons;
- Organization in November 2006 of training seminars on the care of the addict in prison by the General Directorate of the Prison Service in collaboration with UNICEF;

- Organization of radio and television programmes;
- Celebrating the "June 26" of each year's for the World Day against drug abuse;
- - Development of information materials (posters, brochures, magazines...)
- Organisation of training seminars on drug prevention: for schools, universities doctors and health professional training;
- Organisation of training seminars in collaboration with the National Office for the Fight against Drugs and Drug Addiction and the Pompidou Group of the Council of Europe;
- - A Certificate of Special Studies in addiction is being set up.

Civil society recommends implementing detoxification schemes in closed environment for children / homeless addicts as this category suffers from the absence of the family and no one can ensure the support of such minors or ensure regular care

384. **Children in situation of abuse and ill treatment:** In order to protect the child from all forms of violence, exploitation, cruel, inhuman or degrading treatment, the state has implemented special measures in accordance with the law. When the family is a danger to education, health or development of the child, he/she is immediately removed and placed by court decision either in a foster family or in an appropriate institution.

385. The Algerian criminal law prohibits trafficking of human beings and exploitation for prostitution (Articles 342-346 of the Criminal Code). Some of these provisions deal specifically with criminalising the recruitment of minors for debauchery and solicitation in accordance with the provisions of the ACRWC and optional protocol to the Convention on the Rights of the Child.

386. With regard to the abduction, the Criminal Code devotes an entire section to freedom violations, kidnapping, abduction and sequestration.

387. Indecent assault or attempted without violence on a minor is punishable by imprisonment of five to ten years. Imprisonment from five to ten years is planned against the ascendant perpetrator of indecent assault on the minor. Indecent assault or attempted with violence against a minor below 16 years of age is punishable by imprisonment for 10 to 20 years.

388. Rape perpetrated against a minor below 16 years of age is punishable by imprisonment for 10 to 20 years, if the perpetrators are ascendants of the victim. If the perpetrator has authority over the child, or if the perpetrator whoever he/she is has aided in the crime by one or more persons, the penalty is imprisonment of 10 to 20 years and life imprisonment, in case of violence.

389. As part of the protection of society from all forms of crime especially against women and children, the Criminal Code has undergone several amendments, including focusing on the criminalization of the phenomenon of human trafficking in respect of compliance of national legislation with the Convention on the fight against transnational organized Crime and its Additional Protocol.

390. Thus, trafficking is punishable under articles 303 bis 4 to 303 15 bis introduced in the Criminal Code under Act No. 09-01 of 25 February 2009 which defines it as "the recruitment, transportation, transfer, harbouring or receipt of one or more persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of authority or a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control

over another person for the purpose of exploitation. Exploitation includes the exploitation of the prostitution of others or other forms of sexual exploitation, the exploitation of others in begging, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs "

391. Abduction is punishable under articles 291 to 293 bis of the Criminal Code, which applies equally to everyone (minor and major). The penalty varies depending on the duration of the confinement and the objective pursued by the kidnapping. If removal is less than a month, the penalty is imprisonment of five to ten years. It is ten to twenty years of duration if the sequestration is greater than one month.
392. When the abduction is carried out to obtain payment of a ransom, or was followed by physical torture, the sentence is life imprisonment.
393. For its part, civil society highlights that with regard to the exploitation and sexual abuse, Algeria has ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of children, by Presidential Decree No. 06-299 of 2 September 2006.

It notes that the Algerian criminal code, in particular article 334 et seq. provides a particularly damning repressive scheme when the victim of the rape or indecent assault is a minor.

VI. Conclusion

By ratifying the African Charter on the Rights and Welfare of the Child, Algeria has confirmed its willingness to participate actively in the development of the African regional system for the promotion and protection of human rights, the essence being to meet the needs of African countries and people and sticking to African realities.

It ensures the implementation of the Charter's provisions by harmonizing its domestic legislation and complying with the Charter, while supporting this adaptation of the legislative and regulatory arsenal through actions and achievements in the field, both in terms of promotion than that of protection.

Under the promotion, all the sectors concerned and the National Advisory Commission for the promotion and protection of human rights, ensure the dissemination of the provisions of the Charter.

Under the protection, Algerian law and the resulting measures have consistently expanded spaces for the enjoyment of child rights and child well being.

It is in this spirit of full adherence to the Charter, that this report was prepared. His presentation stems from the desire of the Government of Algeria to develop its cooperation with the Committee and to provide additional information or answer any questions that he may deem it useful to provide, under the procedure of pre-session.
