



EuroMed Rights
EuroMed Droits
الأورو-متوسطية للحقوق

FACT-SHEET ON:

Violence against Women in Algeria

EuroMed Rights

January 2021

Rue des Comédiens 22, 1000 Bruxelles, Belgium

T +32 (0) 2 513 37 97 – E information@euromedrights.net - www.euromedrights.org

Table of contents

I - LEGISLATIVE FRAMEWORK	3
a) International Conventions	3
b) The Algerian Constitution	3
c) The Algerian Penal Code	4
d) « Le Code de la Famille » : The Family Code	5
II - POLICY FRAMEWORK	5
a) Monitoring	6
III - PROTECTION FRAMEWORK AND ACCESS TO JUSTICE.....	7
a) Protection Systems, Psychological Support and Empowerment Services	7
b) Prevention and Training of Professionals in Contact with Victims	7
c) Specific Vulnerabilities	9
IV - COMBATING VAW IN THE FRAMEWORK OF EUROPE-ALGERIAN COOPERATION.....	9
a) International Observations	9
b) EU-Algerian Cooperation	10
c) Council of Europe-Algerian Cooperation.....	11
d) For Information (extract from a EuroMed Rights press release).....	11
V - RECOMMENDATIONS TO ALGERIA	11

“Violence – whether institutional, physical, symbolic, psychological, economic or sexual – keeps everyone in their place.” (Dalila lamarene Djerbal, Wassila/Avife Network)

I - Legislative Framework

a) International Conventions

Algeria ratified the Convention to End Discrimination Against Women (CEDAW) in 1996, with reservations to Articles: 2 pertaining to discrimination against women, 9(2) pertaining to women’s equal right with respect to the nationality of their children, 15(4) pertaining to the equal right to freedom to choose residence and domicile, 16 pertaining to discrimination in matters relating to marriage and family matters, and 29(1) pertaining to the resolution of conflicts surrounding interpretation of the Convention.¹ The reservation to Article 9(2) was withdrawn in 2005 during the second CEDAW revision cycle, but the remaining three still hold. Furthermore, Algeria has not signed the Optional Protocol to the Convention.

In 2003, Algeria signed the agreement to establish the Arab Women’s Organization and acceded to the UN Convention on the Political Rights of Women in 2004². In 2016, Algeria ratified the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (the Maputo Protocol) with interpretive declarations.³

b) The Algerian Constitution

Article 32 of the Constitution of the Algerian Republic⁴ states that all citizens are equal before the law and prohibits discrimination because of birth, race, sex, opinion, or any other personal or social condition or circumstance and ensures the equality of rights between all persons.⁵ Further articles determine the guarantee of fundamental human rights (Art.38), full participation in economic, social and cultural life for all persons (Art.34), and the promotion of parity between men and women in the labour market (Art.36).

In a draft constitutional review proposed in 2020, Article 40 has been expanded and amended. Originally determining the inviolability of persons and the proscription of all forms of physical and moral violence, the re-drafted version refers explicitly to women in that the State protects women from all forms of violence in all circumstances in the public space, in the professional environment and in the private sphere.⁶ The law guarantees victims’ access to reception structures and care facilities, as well as to appropriate remedies and free legal aid.⁷ At the time of writing, the proposed revision of the constitution has yet to be adopted.

¹ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

² https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVI-1&chapter=16&lang=en

³ <https://arabstates.unfpa.org/sites/default/files/pub-pdf/Algeria%20Country%20Assessment%20-%20English.pdf>

⁴ The text consulted was the 2016 « CONSTITUTION DE LA REPUBLIQUE ALGERIENNE DEMOCRATIQUE ET POPULAIRE ».

⁵ <https://www.joradp.dz/trv/fcons.pdf>

⁶ Redacted from the original French. Sourced from: <https://www.amnesty.org/download/Documents/MDE2826012020FRENCH.pdf>

⁷ Ibid.

Under the Constitution, there is a duality in Algerian law and a difference in the standards set for women by the two systems: the Algerian Penal Code and the Family Code. The Algerian Penal Code is secular and governs societal and public behaviours; whereas the Family Code, which is applicable in what can very generally be termed 'private matters' (such as marriage and child custody), finds its principles in religion.⁸

c) The Algerian Penal Code

In December 2015, Algeria's Parliament adopted Law no.15-19 which criminalises certain forms of gender-based violence, including domestic violence, sexual harassment, harassment in public spaces, verbal harassment and psychological violence, as well as establishing penalties for assault against a spouse or female family members. In addition, article 41 of the labour code identifies cyberviolence and online harassment as criminal actions.

The penalties vary according to the type of violence perpetrated and an assessment of the harm caused (referred to as 'Total Incapacity for Work' - 'ITT')⁹. This evaluation incurs sentences for perpetrators of violence which are relative to the number of days which the victim will be absent from work to recover from their injuries and the likelihood of the victim making a full recovery. An assault resulting in fatal injuries, for example, will most often result in the award of a life sentence for the perpetrator.¹⁰ The law does not recognise that harm resulting from domestic violence may be the result of several separate or cumulative incidents that cannot be measured in a single medical examination, or that non-visible harm such as brain trauma, stress-related disorders, emotional abuse, and isolation may also have been inflicted without leaving any visible physical trace.¹¹

The progress enshrined in Law 15-19 is, according to women's rights organisations, severely detracted from because of the 'pardon' or 'forgiveness' clause which it contains. Though the law establishes the criminality of violence (and of domestic violence, which is of particular relevance here), it similarly states that the corresponding penalties can be lessened or dropped entirely if the victim forgives the aggressor. The law allows convictions to be dropped or sentences reduced if victims absolve their abusers, but does not take account of the fact that the pardon may not necessarily be given consensually (but ostensibly due to pressure from a victim's family or community or even due to threats of further violence).¹² There is also a huge omission in the law's failure to recognise marital rape as a crime.

Article 308 of the Penal Code determines that abortion is legal in Algeria if it is necessary to preserve the woman's life, but is not permitted in the event of incest or rape. A woman seeking an abortion deemed illegal faces up to two years' imprisonment (Penal Code, 2015: Article 308).

Algerian law additionally criminalises human trafficking, prohibiting any type of exploitation that victimises women, including sex for commercial gain. Female Genital Mutilation is not addressed in any law, but is not commonly or routinely practiced in Algeria.

⁸ <https://agsiw.org/womens-rights-and-family-law-in-the-middle-east-and-north-africa/>

⁹ For more detail on the calculation of ITT, see: <https://www.liberte-algerie.com/dossier/ce-que-dit-le-code-penal-259221>

¹⁰ <https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/DZ.pdf>

¹¹ <https://www.hrw.org/news/2017/05/23/algeria-needs-do-more-end-domestic-violence-0>

¹² <https://www.amnesty.fr/actualites/algerie-une-loi-en-souffrance>

d) « Le Code de la Famille » : The Family Code

The Family Code was adopted in Algeria in 1984 and although some important amendments were made to it in 2005 (following a key campaign by the “Collectif 20 Ans Barakat!”¹³) it still institutes forms of discrimination against women in Algerian society.

The amendments to the Family Code developed in 2005 included: the removal of formal references to the “inferior” position of women; the introduction of the mutual consent of both spouses as a requirement before marriage; the right of adult women to choose their own *wali* (marital guardian); the ability to contract a marriage based on mutually agreed clauses; and introduced women’s right to pass Algerian nationality to their children (irrespective of the father’s own nationality). The amended Code also broadens the grounds on which a woman may call for divorce, establishes the confirmation by a court of a divorce after reconciliation attempts have failed and introduces strict requirements with regard to polygamy.

The three remaining reservations to the CEDAW fall under the remit of the family code and create a gap between this body of regulations and the Penal Code itself which allow for severe discriminations, particularly against divorced women, women in polygamic relationships, women’s rights in relation to the custody of children, and in inheritance. The Family Code does not establish equal rights between men and women. To take one example, on the questions of divorce and child custody, priority in guardianship is given to the mother, but this right is lost if she subsequently remarries.

Most notably, the Family Code which, as aforementioned, governs “private” matters, contains no provision relating to domestic violence. According to one Algerian newspaper, in this respect the Family Code can be seen as the foundation for legitimating violence within the family and the domestic sphere.¹⁴

II - Policy Framework

The Algerian government has a national strategy to combat violence against women. The main pillars of the strategy are: the reinforcement of institutional capacity to provide protection and support to victims; the implementation of empowerment strategies that contribute to socio-economic reintegration; greater public awareness and social mobilisation; and the creation of coalitions in the design and implementation of policies, programmes and legislation. However, there is a lack of sustained funding to support policies and actions aimed at effectively implementing these pillars, particularly those relating to the reinforcement of institutional capacity to provide support services and to the implementation of empowerment strategies for victims¹⁵.

The National Council on Family and Women was established in 2006 and has 48 members. It develops and evaluates programmes addressing the needs of women, conducts research, and provides advice on legislation and policy affecting women. The National Strategy to Combat Violence Against Women was introduced by the Delegate Ministry for the Family and the Status of Women in 2007. The National Strategy recommended the establishment of centres for victims of violence.

¹³ For more information, see: <http://20ansbarakat.free.fr/presentationducollectif.htm>

¹⁴ <https://www.liberte-algerie.com/contribution/le-code-de-la-famille-est-le-fondement-des-discriminations-226905>

¹⁵ See UN Mission in Algeria report: <https://evaw-global-database.unwomen.org/-/media/files/un%20women/vaw/country%20report/africa/algeria/algeria%20srvaw.pdf?vs=5933>

It also called for new mechanisms for the registration of complaints by women, the establishment of special police units to refer victims to shelters, a standard protocol on handling gender-based violence cases, and the training of female officers on gender-based violence. A 2008 National Strategy for the Promotion and Integration of Women includes combating gender-based violence as a core principle.

In 2016, a presidential decree established the inter-ministerial Anti-trafficking Committee under the auspices of the Prime Minister's office. The Committee coordinates implementation of the national Anti-trafficking Action Plan which has a specific focus on women as one identified vulnerable group.¹⁶ Prosecuting traffickers and identifying victims form part of the 2019-2021 national anti-trafficking action plan. In addition, and in consultation with UN bodies¹⁷, the Algerian state prepared a draft anti-trafficking law and a draft national victim referral mechanism. However, it remains without effective implementation procedures and mechanisms for victim protection services. The same situation applies to victims of domestic violence and other forms of violence against women. Even though these types of crimes are explicitly stated in the law, there is no guaranteed mechanism of support for victims or any financial investment from the political sector to develop a protective and preventive system.

a) Monitoring

The government took some steps to address violence against women and human trafficking by implementing a legislative framework and similarly by developing a number of studies on gender-based violence through cooperation with civil society organisations.

In 2006, the Delegate Minister for the Family and the Status of Women conducted a national survey on violence against women which provides the most recent accessible national statistics. The study revealed that Algerian women had encountered physical violence often or with regular to daily frequency within the family: 9.4 per cent of Algerian women aged between 19 and 64 years had encountered physical violence often or daily within the family, and 31.4 per cent had been regularly subjected to threats of physical or psychological violence. Marital rape and other forms of sexual abuse were also duly noted, with 10.9 per cent of women admitting having been subjected to rape on more than one occasion by their intimate partners.¹⁸

In a 2017 study to evaluate the implementation of policies to end violence against women was conducted by the 'Association Nationale Femmes en Communication' (ANFEC), in association with the Euro-Mediterranean Women's Foundation, under the umbrella of a Union for the Mediterranean development project. While the study recognised that the Algerian government had made concerted legislative efforts over the past 20 years to combat gender-based violence, and had achieved a certain level of success in the domains of education and combatting media and/or socio-cultural stereotypes, civil society reports revealed that the government had failed to concretely combat violence against women by virtue of not having put sufficient resources or follow-through into its own policies.¹⁹

¹⁶ <https://arabstates.unfpa.org/sites/default/files/pub-pdf/Algeria%20Country%20Assessment%20-%20English.pdf>

¹⁷ <http://unicri.it/sites/default/files/2019-11/Download%20the%20report.pdf>

¹⁸ <https://www.hrw.org/report/2017/04/23/your-destiny-stay-him/state-response-domestic-violence-algeria>

¹⁹ <https://www.euneighbours.eu/fr/south/stay-informed/news/publication-dune-etude-sur-la-violence-contre-les-femmes-en-algerie>

III - Protection Framework and Access to Justice

a) Protection Systems, Psychological Support and Empowerment Services

Algeria does not have protection orders or systems, which leaves women exposed to violence and threats of retaliation when they seek help. Algerian law focuses almost exclusively on the criminalisation of gender-based violence.

In the event of experiencing domestic violence, many women risk finding themselves without a fixed permanent address and with little-to-no recourse for protection. Trials take a long time to be pushed through the courts and the alimony fund (FPA) is still not operational. In their assessment, Human Rights Watch stated that “Algerian Law no.15-19 is (...) silent on shelters and assistance for domestic violence survivors. The country of 41 million people has only three state-run shelters specifically for women victims of violence. The government instead leaves it to non-governmental organizations to run shelters, and these are scarce, underfunded, and concentrated in urban areas”.²⁰

The feminist organisation Tharwa Fatma n’Soumer initiated a project to build a platform to provide sustained psychological support to women victims of violence which was scheduled to launch in January 2019. Due to the complex socio-political climate in Algeria, the launch of this project has been indefinitely postponed, for the time being, and no equivalent state-level system is in place to pick up this shortfall. Similarly, the most comprehensive legal support for women victims of violence is provided by the Wassila/AVIFE NGO network of lawyers. However, much work remains to be done to better adapt the judicial system and the police response to crimes in which VAW is involved. There is also a lack of data available on violence against women and the accessible figures are mainly from police services. Because many women do not even denounce the violence they face, this data is relatively underreported.

In addition to legal and immediate to long-term psychological support, survivors of sexual violence need to be able to access emergency contraception in order to prevent pregnancy as a result of rape, as well as appropriate health care services and information on potential sexually-transmitted diseases. However, the reality for survivors of sexual violence in Algeria is that they do not have access to such services and often additionally suffer from stigmatisation, which may extend to children born out of rape.²¹ The UN Special Rapporteur on Health noted in his 2016 report on the right to health in Algeria, that this lack of access and other barriers for the realisation of sexual and reproductive health rights represent “a serious challenge for women in Algeria to fully realise their right to health”.²²

b) Prevention and Training of Professionals in Contact with Victims

Algerian civil society organisations - among them the NGO’s “Centre d’Information et de documentation sur les droits de l’enfant et de la femme/Fondation pour l’Égalité” (CIDDEF) and “SOS Femmes en détresse” – deplore the lack of legislative measures to prevent violence against women, particularly in relation to domestic violence. They are actively working to integrate a strategy against VAW in their advocacy, by providing training, promoting partnerships and creating a reliable system to protect victims. However, state institutions are not involved. Feminist associations point out that mechanisms are failing to protect and to facilitate women’s access to justice.

²⁰ <https://www.hrw.org/news/2017/05/23/algeria-needs-do-more-end-domestic-violence-0>

²¹ <https://www.amnesty.org/download/Documents/212000/mde280102014en.pdf>

²² <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19935&LangID=E>

Among women who seek support, higher levels of violence are experienced by married women aged between 25 and 44 years, having two or more children and who do not work outside the home (despite having completed secondary or higher education). While psychological and physical violence are the most widely reported forms of abuse (86 and 68 per cent of cases, respectively), most women seeking support indicated that they had been subjected to multiple forms of violence. Sexual violence constitutes 35 percent of all cases reported, 17 percent of which are cases of marital rape and 4 percent are cases of incest. The most extreme forms of violence, however, tend to be enacted against young and often unmarried women. By early October, 38 femicides committed by men intimately known to the victims had been reported in Algeria in 2020, and the majority of victims were under the age of 30.²³ By the end of that same month, a women's rights organisation interviewed for the purpose of informing this fact sheet quoted 40 femicides since the beginning of the year. "Femicides Algeria"²⁴, an organisation monitoring the phenomenon, tracked 60 deaths in 2019 but believe the actual number is "far higher as many such killings go unreported or misreported due to a lack of legal definition of femicide".²⁵ The focus on the criminalisation of violence against women has created a situation whereby not enough is done in terms of prevention or protection. When reports of forms of violence go un-investigated situations often escalate: In one of the most shocking and mediatised cases in very recent times, a 19-year old woman was raped and murdered by a man she had previously reported to police 5 years earlier (incidentally for the same crime of rape) but where no charges had ever been levied.

Under Article 32 of the Constitution, all citizens are equal in the eyes of the law.²⁶ The 2016 amendments to the Constitution also introduced a clause in Article 57 indicating the right to legal assistance for those without the means ("deprived persons") to pursue legal proceedings independently.²⁷ Professionally, women are represented in the justice system, but as victims they face multiple barriers to accessing justice, including low awareness of their legal rights and lack of financial means. No legal provisions pertain to a woman's right to sue and be sued.²⁸

It is difficult to find data on or examples of trainings on sensitisation to gender-based violence which have taken place for civil servants (police officers, judges etc.). However, referring to an Amnesty report published in 2014, it would seem that much more still needs to be done: "In addition to legal reforms, effective programmes to raise awareness and train professionals who may come into contact with survivors of sexual violence" must be implemented.²⁹ It includes trainings for "state officials, law enforcement agencies and judicial institutions, as well as the medical profession".³⁰ As required by international human rights standards, the Algerian state must reinforce efforts to "implement programs to train police, prosecutors and the judiciary about gender-based violence, including sexual violence and develop policies and programmes that protect victims from further abuse, such as social, psychological and health services for victims".³¹

²³ <https://www.bbc.com/news/world-africa-54465180>

²⁴ <https://www.facebook.com/femicidesdz>

²⁵ <https://www.bbc.com/news/world-africa-54465180>

²⁶ The text consulted was the 2016 « CONSTITUTION DE LA REPUBLIQUE ALGERIENNE DEMOCRATIQUE ET POPULAIRE ».

²⁷ *Ibid.*

²⁸ Gender Index: <https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/DZ.pdf>

²⁹ <https://www.amnesty.org/download/Documents/212000/mde280102014en.pdf>

³⁰ *Ibid.*

³¹ *Ibid.*

c) Specific Vulnerabilities

While domestic violence cuts across lines of class and education, poor women or women with little education experience greater vulnerability. Widows, women who are separated or divorced were found to be at a particularly high risk of violence, as they are often deprived of family and community support and live in precarious situations. Evident stigmatisation and hostility towards unmarried mothers also remain particularly challenging. Ostracised and rejected by their families and communities, many women leave their homes or are thrown into the streets, where they may be subjected to exploitation and further abuse. Single women also face a wide range of discrimination, being on many occasions victims of violence and lacking rights such as access to family planning health care. There is no available data on the situation of disabled women in Algeria.

Migrant women, many of whom are from sub-Saharan Africa and working in low-skilled sectors, face discriminations and violence based on both gender and race. From verbal harassment, economic violence and extortion to assault and rape, migrant women are a demographic which is particularly exposed to the risk of violence. Yet, their claims are often met with impunity on the part of the authorities when violence occurs.^{32 33} In addition, arbitrary deportations are commonplace, exposing women to new threats of violence if they are returned to countries of origin.³⁴

All gender identities aside from strict heterosexuality are considered criminal in Algeria and Article 338 of the Penal Code criminalises “acts of homosexuality” between both women and men with a maximum penalty of two years and a fine. The penalty increases if these ‘offences’ are committed in public and the LGBTIQ+ community in Algeria is therefore effectively ‘invisibilised’ and extremely marginalised.³⁵³⁶ Statistics on violence perpetrated against LGBTIQ+ persons cannot be cited in this research as they are not recorded.

IV - Combating VAW in the Framework of Europe-Algerian Cooperation

a) International Observations

In its concluding observations from the 2010 review of Algeria, the Committee on the Elimination of Discrimination against Women recognised the legislative changes which removed forms of discrimination from the law, but expressed “concern that many provisions remain, in laws such as the Family Code and the Criminal Code, that are contrary to the State party’s obligations under the Convention and other relevant international human rights instruments”.³⁷

³² <https://www.awid.org/news-and-analysis/combating-violence-against-women-algeria-mobilizing-and-challenges>

³³ Of interest: AWID: “The case [of Marie Simone, a Cameroonian migrant who was gang-raped in 2015] incited substantial mobilization by civil society organizations and on social media because of the refusal of the Police to consider the complaint made by her. Following the case, Femmes Algériennes Revendiquant leurs Droits (Algerian Women Claiming their Rights, FARD) published a statement signed by a dozen NGOs as well as an online petition recalling Algeria’s obligations to respect the right of all individuals to file a complaint. The mobilizations led to the filing of the complaint, but reveal the deeper issue of access to justice for women victims of violence in Algeria” (reference as above).

³⁴ <https://www.aljazeera.com/features/2018/12/24/your-skin-colour-was-a-crime-african-migrants-in-algeria>

³⁵ Law: <https://www.humandignitytrust.org/country-profile/algeria/>

³⁶ <http://www.lejournalinternational.info/en/homosexuels-en-algerie-une-communaute-invisibilisee/>

³⁷ <https://evaw-global-database.unwomen.org/-/media/files/un%20women/vaw/country%20report/africa/algeria/algeria%20cedaw%20co.pdf?vs=5845>

In the United Nations Human Rights Council's most recent country review of Algeria (the 2017 UPR), numerous recommendations were made relating to the situation of violence against women in Algeria. Among others, these included:

- Take necessary measures to ensure the effective implementation of the law relating to violence against women, notably by guaranteeing access to justice for victims (Switzerland);
- Establish an assistance mechanism for women and girls who are victims of violence, particularly victims of sexual or gender-based violence, to facilitate the filing of complaints with the police and to provide them with legal, medical and psychological assistance, as well as adequate protection (Belgium);
- Develop focal points or specialized units on domestic violence, with trained and sensitized personnel, in police institutions throughout the whole country (Mexico);
- Continue its efforts in addressing the issue of violence against women, building on the adoption of the 2015 law criminalizing domestic violence against women (Cyprus);
- Reform the family code to remove remaining discriminations against women (Germany).

b) EU-Algerian Cooperation

The EU and Algeria have a partnership in the form of an Association Agreement within the framework of the European Neighbourhood policy which came into force in 2005. In 2017, the Partnership Priorities of the Agreement were reevaluated for the next three-year period and were determined as: political dialogue and good governance; cooperation, inclusive socio-economic development, and trade; environment and sustainable development; strategic dialogue and security; and migration and mobility.³⁸ There is no reference to gender-based violence or the promotion of women's rights; the only mention of women in the Priorities is on the reinforcement of their participation in society.³⁹

Subsequently, in 2008, the Union for the Mediterranean (UfM) was formed to promote cooperation between the EU and its Mediterranean neighbours. The EU and Algeria agreed upon action plans in the areas of economic development, integration and trade, security and strategy, energy and environment, dialogue and governance, migration, and culture. There are no Priorities relating to women's rights or violence in this initial agreement with Algeria.

In more recent, and more positive, developments, in 2019, the EU launched its own three-year funded project to contribute to "the elimination of all forms of violence against women and girls (VAWG) in the Southern Neighbourhood" (Algeria included) to be implemented via the European Feminist Initiative in collaboration with a network of CSOs on the ground.⁴⁰ Following in 2020, the UfM launched a new "regional intergovernmental mechanism to monitor the progress made on women's rights, evaluate gender gaps and provide recommendations to policymakers" in all member countries. The conclusion from this review in Algeria should be closely monitored.⁴¹

³⁸ https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/10_pps_alg_text_council_09_03_2017_st03101.fr17.pdf

³⁹ https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/10_pps_alg_text_council_09_03_2017_st03101.fr17.pdf

⁴⁰ <https://www.euneighbours.eu/en/south/stay-informed/projects/combating-violence-against-women-southern-mediterranean>

⁴¹ <https://ufmsecretariat.org/international-womens-day-2020/>

c) Council of Europe-Algerian Cooperation

Cooperation between these two parties occurs via the South Programme, which, in every three-year cycle (currently 2020-2022) has a stated main focus to end all forms of violence against women.⁴² The CoE works through promoted partnerships and in close connection with civil society organisations (notably the CIDDEF) to implement projects.⁴³

d) For Information (extract from a EuroMed Rights press release)⁴⁴

On 26 November 2020, the European Parliament adopted an urgency resolution highlighting “The deteriorating human rights situation in Algeria”. The adopted text recalls the EP’s urgency resolution from 28 November 2019 on the situation of civic freedoms in Algeria, and expresses solidarity with “all Algerian citizens – women and men, from diverse geographic, socioeconomic and ethnic backgrounds – who have been peacefully demonstrating since February 2019”. It highlights that “in 2020 women’s rights movements have intensified in their denunciation of the increasing violence against women” and have called for “the review of existing laws in order to guarantee full equality”.

V - Recommendations to Algeria

- Review the Penal Code to include key elements of prevention, protection, and prosecution in combating domestic violence.
- Reform the Family Code to remove all enduring forms of discrimination enshrined in its provisions relative to women’s marital, economic and domestic rights.
- Develop a more consolidated interpretation of the Algerian bodies of law and ensure their effective implementation so as to create better linkages between all structures, services and supports available to women victims of violence.
- Withdraw all reservations to the CEDAW and ratify its Optional Protocol.
- Implement training for all professionals working with victims of VAW, especially the police and prosecutors.
- Help victims to reach safety, including in emergencies, by introducing a law pertaining to protection orders and increasing funding for domestic violence shelters.
- Run public awareness campaigns that emphasise zero tolerance for domestic violence.
- Develop a network of shelters for victims of violence, paying particular attention to covering rural areas.
- Amend the Penal Code to ensure it outlaws all forms of assault and violence irrespective of whether or not they cause visible injuries.
- Criminalise all types of sexual harassment via the Penal Code, not only those contained in the Labour Code relating to sexual extortion based on an abuse of authority.
- Raise awareness of women’s rights: Facilitate women’s access to key information and encourage reporting on the basis of the fundamental right to live free from violence.
- Collect more complete data and regularly publish studies on gender-based violence in Algeria.

⁴² <https://rm.coe.int/brochure-programme-sud-iii-en/16808d2182>

⁴³ <https://www.ciddef-dz.com/pages-index/revue38.php>

⁴⁴ <https://euromedrights.org/publication/algeria-european-parliament-calls-for-action-on-human-rights-and-expresses-solidarity-with-demonstrators/>