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**Committee on the Elimination of Discrimination  
against Women**  
**Pre-session Working Group for the thirty-second session**  
10-28 January 2005

**List of issues and questions with regard to the consideration of  
periodic reports\***

**Algeria**

The Pre-session Working Group, after examining the second periodic report of Algeria (CEDAW/C/DZA/2), formulated the following list of issues and questions:

**Reservations**

1. Please describe any progress concerning withdrawal of Algeria's reservations with regard to articles 2, 9, paragraphs 2, 15, paragraphs 4, 16 and 29, paragraph 1 of the Convention.

**Constitution, legislation and national machinery for the advancement of women**

2. The report (English version, p. 8; French version, p. 9) states that "in a decision dated 20 August 1989, the Constitutional Council reaffirmed the constitutional principle that international treaties ratified by Algeria take precedence over domestic law and that after its ratification and as soon as it is published, any convention becomes part of domestic law ... and acquires an authority higher than that of the law, allowing any Algerian citizen to invoke it before the courts". Please clarify whether the Convention has been published, as well as widely disseminated, and provide information on court cases, if any, where the provisions of the Convention have been invoked, and the outcome of such cases.

3. In its previous concluding comments (paras. 58 and 68), the Committee noted that the Government was considering amending the Family Code whose discriminatory provisions conflicted with the provisions of the Convention. The report (English version, p. 10; French version, p. 11), states that "a multidisciplinary working group composed of experts in the relevant legal areas was set up to review the Family Code ...". Please provide details regarding the status of the review of the

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\* The page numbering in the present list of issues and questions refers to both the English and French versions of the report.

Family Code and whether this review aims to bring the Family Code in line with the provisions of the Convention, especially regarding matters of marriage, divorce, inheritance and child custody.

4. The report (English version, p. 10; French version, p. 11) indicates that “the Ministry for the Family and the Status of Women was created in June 2002 primarily to complete the process of Algerian women’s emancipation”. Kindly clarify whether other focal points or units dealing with women’s issues exist elsewhere within the governmental framework. Please indicate the percentage of the national budget allocated to the Ministry.

5. What is the relationship between the Ministry for the Family and the Status of Women and the National Advisory Committee on the Promotion and Protection of Human Rights in respect of women’s human rights?

### **Violence against women**

6. The Committee, in its previous concluding comments (para. 79) expressed its concern about the absence of legal texts that specifically protect women who are victims of domestic and sexual violence. Please provide an update on the status of the work of the committee established by the Minister of Justice in January 2000 to revise the Criminal Code and the Code of Criminal Procedure, particularly with regards to the offences of harassment, domestic violence, sexual assault and the definition of rape (English version, p. 17; French version, p. 20), and clarify whether the Government is considering adopting specific legislation on violence against women.

7. What legislative and other measures has the State party taken regarding the provisions of the Criminal Code that excuse the perpetrator in the case of rape of the minor if he is prepared to marry his victim?

8. Please provide information on education, awareness-raising and training measures on violence against women undertaken by the Government for police officers, judges, doctors and the mass media, as recommended by the Committee in its previous concluding comments (para. 80).

9. The report (English version, p. 16; French version, p. 19) highlights the issue of terrorism “which affects all categories of people in Algeria, including women, particularly rural women, who are victims of murder, abduction, rape and other cruel, inhuman or degrading treatment”. Please describe the efforts made by the Government to stop or prevent the occurrence of such violent acts against women and ensure that proper investigation is conducted to bring offenders to justice.

### **Participation in decision-making**

10. Please provide detailed statistical information about the number of women, as compared to men, in elective bodies at the national and local levels, governmental bodies, and in the country’s foreign service, at all levels.

11. The report (English version, p. 23; French version, p. 27) indicates that “over the past two years ... there has been a considerable increase in the number of women working both in central administration and at the local level as a result of reforms introduced”. Please provide information on the measures taken by the

Government to encourage women to become more actively involved in politics, either as voters or as candidates in the various elections.

### **Employment and economic empowerment**

12. The report (English version, pp. 38-39; French version, pp. 45-48) states that “the percentage of women in the labour force was 15.21 per cent in September 2001” and that “employed women are mostly young (over one third are under 30)”. Describe efforts by the Government to increase the presence of women, including women who are over 30 years old, in the labour force, in both urban and rural areas, since the last report and the impact of such efforts.

13. The report (English version, p. 13; French version, p. 15) states that, under article 17 of Labour Relations Act No. 90-11 of 1990, “certain facilities are accorded to married women, such as the option of taking leave of absence to raise a child under the age of five or to look after a disabled child”. Are these facilities also accorded to men in order to ensure that men take on the responsibilities of child rearing to the same extent that women do? Please provide details.

14. Has the Government made an assessment of the Labour Relations Act No. 90-11 of 1990 to evaluate its impact on women, and if so what are its findings? Also, please clarify whether the Act provides for equal pay for work of equal value. As a consequence, does the Government intend to change the provisions of the legislation which discriminate against women, such as the prohibition of night work for women, and other legislative provisions which prohibit the employment of women on legal holidays as stated in the report (English version, p. 15; French version, p. 17)?

15. Please provide sex-disaggregated data on part-time work, and describe whether in part-time work there is a proportional payment of social benefits.

16. Kindly provide statistical information about the number of women working in the informal sector as compared to the formal sector, and the areas of work in the informal sector where women are mostly found.

17. Please provide details on the type of programmes that have been set up to address the economic situation of women heads of households, including the number of women that benefit from such programmes (English version, p. 16; French version, p. 18). Please also describe whether such programmes have been assessed, and if they have been expanded to illiterate and/or rural women heads of household, as was intended.

### **Education and stereotypes**

18. The report (English version, p. 28; French version, p. 33) indicates that “there are far fewer girls [than boys] enrolled in technical courses, although these courses are open to both girls and boys”. What efforts is the Government making to encourage girls and women to pursue non-traditional studies and careers?

19. The report (English version, p. 13; French version, p. 14) indicates that “... women account for 43 per cent of teachers in primary education ... 45 per cent in intermediate education ... and 33 per cent in secondary education”. Please provide data on women teachers at the university level and describe the efforts made

by the Government since the last report to increase the number of women teachers at all levels, and the impact of such programmes.

20. Please describe the results of the evaluation undertaken with regard to the 1990 literacy programme for women and girls launched by the National Adult Literacy and Education Office, with the support of the United Nations Children's Fund, as described in the report (English version, p. 32; French version, p. 38). Will the programme be extended to those *wilayate* which have not yet been covered?

21. The Committee, in its previous concluding comments (paras. 71, 73 and 75), expressed concern at the numerous religious principles, cultural patterns, stereotypes and patriarchal values which together keep women in a lower status than men, are not conducive to the elimination of all forms of discrimination against women and violate women's human rights. Please provide information on actions taken to address the above concerns in light of the Committee's recommendations in paragraphs 72, 74 and 76 of its previous concluding comments and indicate what has been the impact of such actions.

### **Health**

22. Please provide details regarding the status of implementation of the structural reform in the health sector adopted by the Government in September 2000, as noted in the report (English version, p. 48; French version, p. 61), and its implications for women.

23. The report (English version, pp. 52-53; French version, pp. 65-66) states that the national survey conducted in 1999 in every commune in Algeria "provided useful elements for strengthening the national programme to combat maternal and perinatal mortality". The report further states (English version, p. 56; French version, p. 69) that neonatal mortality "currently accounts for 60 per cent of all deaths among children". Further to the 1999 survey, what measures is the Government implementing to improve maternal health and combat perinatal and neonatal mortality?

24. Kindly provide details on the progress made with regard to implementation of the policy objectives and strategies for 2001-2010 related to reproductive health prepared by the National Population Committee (English version, p. 50; French version, p. 63). Has women's access to reproductive health services, including family planning and referral services, increased since the policy was put in place?

25. Please provide details on the measures undertaken under the programme to combat sexually transmitted diseases and AIDS, particularly with regard to the main areas of focus for the period 2002-2006.

26. The report (English version, p. 56; French version, p. 70) states that "continuing attention is paid to the health of adolescents and young adults through, inter alia, school and university health programmes". Please provide information on the study, concluded in January 2002, to evaluate young people's needs in reproductive health, including whether the recommendations of the study have been implemented. Are there any public education programmes on adolescent reproductive health outside the school system and, if so, do they reach all adolescents?

27. The report (English version, p. 57; French version, p. 70) indicates that “the care of older persons has ... been included among Algeria’s health and population objectives; in particular prevention programmes for age-related ailments (cardiovascular disease, diabetes and osteoporosis) will be developed”. Please provide detailed information on the status of such programmes, and how they are contributing to the Government’s objectives in the health and population area.

**Rural women**

28. The report (English version, p. 60; French version, p. 74) notes that 41 per cent of women live in rural areas, many of whom are heads of households. Please describe the impact of all the efforts undertaken by the Government to improve the situation of rural women, including their access to health, education and land, and their participation in decision-making processes at all levels.

**Nationality**

29. In its previous concluding comments (para. 83), the Committee expressed concern about the fact that mothers cannot transmit their nationality to their children in the same way that fathers can. What steps is the Government taking to implement the Committee’s concluding comments and ensure that the legislation governing nationality is consistent with the provisions of the Convention?

**Optional Protocol**

30. Please indicate any progress made with respect to ratification or accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

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