

UN CRC	Ratification Date	Care-Related Concluding Observations
	16 April 1993	<p>18 July 2012</p> <p>CRC/C/DZA/CO/3-4</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fDZA%2fCO%2f3-4&Lang=en</p> <p>Family environment and alternative care (arts. 5, 18, paras. 1-2, 9-11, 19-21, 25, 27, para. 4, and 39 of the Convention)</p> <p>Family environment</p> <p>48. While noting the removal of the formal reference to the “inferior” position of women in the 2005 Family Code, the Committee reiterates its concern (CRC/C/15/Add.269, para. 43) that parental responsibilities are still not assigned equally, under law, to fathers and mothers, parental responsibility only lying with the father. The Committee is also concerned that:</p> <ul style="list-style-type: none"> (a) Repudiation of women has not been prohibited and polygamy, though subject to certain restrictions, is still permissible, a situation which affects children negatively; (b) The 2005 Family Code still prohibits the marriage of Muslim women to non-Muslims, which has an obvious negative impact on the rights of children born of such marriages; (c) In case of divorce, article 65 of the Family Code grants the mother custody of male children only until age 10 and of female children until they reach marriage age; (d) In accordance to article 66 of the Family Code, women who remarry after divorce loses the custody of their children; and

		<p>(e) Women and girls only inherit only one half of the share inherited by male members of the family.</p> <p>49. The Committee urges the State party to ensure that mothers and fathers equally share the legal responsibility for their children in accordance with article 18, paragraph 1, of the Convention. The Committee also urges the State party:</p> <p>(a) To revise the 2005 Family Code and ensure that all provisions that discriminate against women and negatively impact on their children, such as those which authorize polygamy, and repudiation be repealed;</p> <p>(b) To recognize by law the marriage between a Muslim woman and a non-Muslim, as already recommended by the Committee on Economic, Social and Cultural Rights (E/C.12/DZA/CO/4, para.14);</p> <p>(c) To review its legislation relating to the custody of the child with a view to ensuring that all decisions taken are based on the principle of the best interests of the child in line with articles 3 and 12 of the Convention and that children can no longer be withdrawn from their mother's custody if she remarries; and</p> <p>(d) To enable women and girls to inherit on terms of equality with men.</p> <p>Illicit transfer and non-return of children abroad</p> <p>50. The Committee reiterates its concern about the difficulty in implementing judicial decisions regarding custody and visitation rights for Algerian children with one parent living outside Algeria and the prevalence of child abduction among children of mixed marriages.</p> <p>51. The Committee reiterates its recommendations (CRC/C/15/Add.269, para. 49) that the State party undertake all necessary efforts to prevent and combat illicit transfer and non-return of children and to ensure proper and expeditious implementation of judicial decisions made with regard to custody and visiting rights. It further recommends that the State party strengthen dialogue and consultation with relevant countries, notably those with which the State party has signed an agreement, regarding custody</p>
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		<p>or visitation rights. The Committee also urges the State party to ratify the Hague Convention on Civil Aspects of International Child Abduction of 1980.</p> <p>Adoption/Kafala</p> <p>52. The Committee notes that there is no system of adoption in the State party and that the State party has a Kafala system in place. The Committee notes as positive the legal provisions regulating the Kafala which enable children in Kafala to acquire the family name of their legal guardian. The Committee is however concerned that the legal situation of children in Kafala remains precarious. In particular, the Committee notes with concern that:</p> <p>(a) An internal circular of the Ministry of Interior reportedly requests the civil registration officials not to register the child in Kafala (Makfoul) on the family record book (<i>livret de famille</i>);</p> <p>(b) In case of divorce, the child in Kafala automatically stays with the Kafil and has no right to live with his/her mother;</p> <p>(c) When the legal guardian (Kafil) dies, the Makfoul (child placed in Kafala) is considered as part of the heritage, and therefore, the legal heirs can decide whether or not to keep him or her in the family, a situation which places them at risk of being re-institutionalized.</p> <p>53. The Committee expresses concern at reported cases of illegal adoption and illegal placement in Kafala of children born out of wedlock.</p> <p>54. The Committee urges the State party to amend its legislation regulating the Kafala system in order to bring it into full compliance with the Convention and in particular to repeal the Ministerial Circular preventing the Makfoul from being registered in the family record book. The State party should ensure that children in Kafala have the possibility to stay with their mothers in case of divorce. The Committee further urges the State party to take all necessary measures to prevent and punish cases of illegal adoption and placement in Kafala of children born out of wedlock.</p> <p style="text-align: right;">Country Report</p>
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OPSC to CRC	Accession Date	Care-Related Concluding Observations
	27 Dec 2006	
OPAC to CRC	Accession Date	Care-Related Concluding Observations
	6 May 2009	<p>CRC/C/OPAC/DZA/CO/1</p> <p>22 June 2018</p> <p>II. General observations</p> <p>Positive aspects</p> <p>4. The Committee welcomes the various positive measures taken in areas relevant to the implementation of the Optional Protocol, in particular:</p> <p>...</p> <p>(b) The adoption of Law No. 15-12 of 15 July 2015 on the protection of children, which provides for the protection of children in emergencies, disasters and armed conflicts;</p> <p>(c) The establishment, pursuant to article 11 of Law No. 15-12 of 15 July 2015, of the National Body for the Protection and Advancement of Children and the National Child Protection Ombudsman;</p> <p>III. General measures of implementation</p>

		<p>Data</p> <p>17. The Committee notes that the National Body for the Protection and Advancement of Children is mandated to establish a national information system to monitor the situation of children in Algeria. It is, however, concerned about the absence of data relating to the implementation of the Optional Protocol, including data on asylum-seeking, refugee, migrant and unaccompanied children who enter the State party and may have been recruited or used in hostilities abroad.</p> <p>18. The Committee urges the State party to establish a centralized mechanism for the comprehensive collection of information and statistical data, disaggregated by age, sex, nationality and ethnic origin, on the implementation of the Optional Protocol, and for the identification and registration of all children under its jurisdiction who may have been recruited or used in hostilities abroad, including asylum-seeking, refugee, migrant and unaccompanied children.</p>
ICCPR	Ratification Date	Care-Related Concluding Observations
	12 Sept 1989	
ICESCR	Ratification Date	Care-Related Concluding Observations
	12 Sept 1989	
CEDAW	Accession Date	Care-Related Concluding Observations
	22 May 1996	
CRPD	Ratification Date	Care-Related Concluding Observations
CRPD/C/DZA/CO/1	4 Dec 2009	21 September 2018

		<p>https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fc%2fdZA%2fCO%2f1&Lang=en</p> <p>B. Specific rights (arts. 5–30)</p> <p>Children with disabilities (art. 7)</p> <p>16. The Committee is concerned that:</p> <ul style="list-style-type: none">a) Disability is not mainstreamed within national laws, policies and strategies on childhood;b) Children with disabilities reportedly experience high levels of violence and neglect, including in the home, in schools, and in alternative care residential institutions;c) There is an insufficient quantity of trained child care assistants, teachers and other professionals to carry out a policy of inclusive development and empowerment of children with disabilities;d) Children with disabilities do not benefit from the required support to enjoy their rights on an equal basis with others, notably their right to access healthcare services, social protection, and inclusive education;e) A large number of children with disabilities, particularly children with psychosocial and intellectual disabilities, are still living in residential alternative care institutions. <p>17. In line with the Convention and target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <ul style="list-style-type: none">a) Mainstream disability into national legislation, policies and strategies on childhood;b) Adopt legislation and implement specific measures to protect children with disabilities from abuse and neglect and to investigate and sanction perpetrators;
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		<p>d) Increase efforts to ensure recovery, rehabilitation, reintegration, empowerment and independence of persons with disabilities, survivors of exploitation, violence and abuse.</p> <p>Living independently and being included in the community (art. 19)</p> <p>32. The Committee is concerned that the State party has not initiated a process of deinstitutionalization of persons with disabilities and notes with concern the lack of measures taken to ensure respect for the right of persons with disabilities to independent living and inclusion in the community.</p> <p>33. The Committee recommends that the State party introduce and implement policy measures to initiate the process of deinstitutionalization of persons with disabilities in close consultation with representative organizations of persons with disabilities taking into account its General Comment No. 5 (2017) on article 19.</p> <p>Respect for home and the family (art. 23)</p> <p>38. The Committee is concerned with the lack of financial and counseling support as well as the absence of community-based support to parents and families of children with disabilities and for parents with disabilities.</p> <p>39. The Committee recommends that the State party provide the necessary financial and counseling support and ensure the availability of community-based support for parents with disabilities and families with children with disabilities to guarantee enjoyment of the right to family on an equal basis with others.</p>
UPR	Date of Consideration	Link to Page
	29 May 2012	http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZSession13.aspx

Hague Intercountry Adoption	Accession Date	Link to Country Profile
	N/A	N/A

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review