

child rights connect

Country session: Algeria

Date of session: 17th May 2018

Context

The Committee has underlined through its Concluding observations urgent measures related to the recruitment of children into armed forces, with special emphasis on the lack of control and monitoring of the government related to the drafting of minors to fight in armed groups.

Background information

[OHCHR press release:](#)

[Webcast](#)

[Audio file: \(insert link\)](#)

Reporting

Reporting methodology

- Regular reporting procedure Simplified reporting procedure Concluding Observations with urgent measures

State report:

Common core document	
Initial submission	13 February 1996
Updated document	14 December 2015
Annexes	-

CRC		OPAC		OPSC	
No. of report	-	No. of report	1 st	No. of report	-
Due date	-	Due date	9 Jun 2011	Due date	-
Submission	-	Submission	14 Dec 2015	Submission	-

Written replies	
Submission	23 February 2018
Due date	

No public reports from children's rights defenders

Alternative reports	
NGOs	<ul style="list-style-type: none">• Child Soldiers Intl• Human Rights Watch
NHRIs	None



State delegation

The delegation was composed by Toufik Djouama, Permanent Representative of the Mission of Algeria in Geneva, together with the representative of the Ministry of Defence and two Secretaries of the Permanent Mission in Geneva.

Committee's Task Force members

Name & Last Name	Country
Suzanne Aho Assouma	Zimbabwe
Bernard Gastaud	Monaco

Dialogue description

i. Character of the dialogue

The atmosphere of the dialogue was in general cooperative, but it lacked a more in depth and technical discussion on the subject.

ii. General assessment made by the Committee

The Committee congratulated Algeria for ratifying the OPAC and mentioned that they have noticed the efforts of the government to pursue its guides. However, they felt that progress was limited, especially concerning the translation of the protocol to national law and policies, recommending that more efforts should be done in this way.

iii. Main issues discussed:

- **Conditions of military cadets:** The Committee asked questions concerning the freedom of cadets in the armed forces to be allowed to exit the military school without penalties, expressing concern that schools would be used to train military personnel. The delegation replied that cadets are allowed by law to quit the military as well as their recruitment is done in voluntary basis. They have also denied that schools were being used as military bases.
- **Recruitment:** The Committee questioned the delegation whether they had any monitoring mechanism to monitor the drafting of children below 18 years old for participating in the armed forces, including preventive measures to protect them against violence. The delegation replied that the official minimal age for a person to integrate the armed forces is 19 years old and for voluntary recruitment is 18 years old, in which they demand psychological and physical qualification in order to be apt to be part of the army.
- **Syrian Refugees:** The Committee questioned the delegation about the conditions of protection of refugee children in the west of the country that have served or have been drafted to take part in conflicts in the region. The delegation replied saying that Algeria is a country of reception, where refugees are granted access to services, including free schooling.
- **Enactment of laws:** the current national law does not translate the current protocol. The Algerian legislation does not incriminate the drafting of minors in the armed forces.
- **Coordination:** The Committee have mentioned that they could not find any reliable information on protection and coordination mechanisms.
- **Anti-terrorism:** The Committee showed concern over the precedents that the measures anti-terrorism in Algeria can affect children, referring to several cases of incarceration of children together with adults. On the other side, the Committee questioned the delegation whether the Algerian government had laws to criminalize the recruitment of children by terrorist groups



Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew attention to the need of **urgent measures** concerning the following 5 areas:

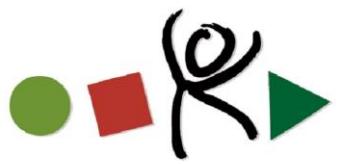
Legislation: The Committee urges the State party to review and amend the existing legislation in order to fully comply with the object and purpose of the Optional Protocol and the interpretation provided by the Committee, especially with regard to the definition of the participation of children in hostilities, in line with article 1 of the Optional Protocol.

Data: 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.

Recruitment: the Committee urges the State party to: Ensure that children under the age of 18 are not recruited in “people’s defence forces” nor subject to military training, and are prevented from taking direct part in hostilities in all circumstances; Amend its legislation, including Executive Decree No. 97-04 of 4 January 1997, to set the minimum age for recruitment into GLD and any other armed groups established, controlled, condoned, armed or permitted to bear arms by the State party, at 18 years, and set up an effective monitoring mechanism to ensure that, in practice, children are not recruited and used by such groups.

Prevention of recruitment by non-State armed groups: The Committee urges the State party to develop a strategy to tackle the growing problem of extremism and radicalization in order to ensure that no children on its territory are recruited by non-State armed groups and to: Address the root causes of the recruitment of children by armed groups and launch a public information campaign to ensure that communities are aware of the dangers of child recruitment and aware of how to protect their children; Pay particular attention to the prevention of recruitment of children in vulnerable situations, and increase the security and protection of civilian populations in border areas, in particular by controlling borders effectively and strengthening cross-border frameworks of cooperation with neighbouring countries.

Criminal legislation and regulations in force: The Committee urges the State party to: Explicitly prohibit and criminalize the recruitment and use of children under 18 years of age in hostilities by the armed forces, people’s defence forces, non-State armed groups and private security companies; Define and punish the recruitment of children under the age of 15 as a war crime, and consider ratifying the Rome Statute of the International Criminal Court (2000).



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Sustainable Development Goals

None

Next State report

CRC	
No. of report	2 nd and 3 rd
Due date	14 Dec 2025

Disclaimer: Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.