

BRIEFING FROM THE GLOBAL INITIATIVE
TO END ALL CORPORAL PUNISHMENT OF CHILDREN

**BRIEFING ON ALGERIA FOR THE COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN**

PRESESSIONAL WORKING GROUP – July 2010

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ALGERIA (third and fourth reports – CEDAW/C/DZA/3-4)

Corporal punishment is lawful in the **home**. Provisions against violence and abuse in the Penal Code (amended 2004), the Family Code (1984) and the Constitution (1976, amended 1996) are not interpreted as prohibiting corporal punishment in childrearing.

Research involving 1,700 Algerian families revealed that 70% whip their children and use violence for “disciplinary” purposes, often resulting in bruising and other injuries. The most commonly used implements were rocks and shoes; parents also reported using their hands to beat children’s faces and heads.¹ Research by UNICEF found that in 2005-6, 86% of children aged 2-14 experienced physical punishment and/or psychological aggression in the family.²

Corporal punishment is prohibited in **schools** in article 21 of Law No. 08-04 (2008). In the **penal system**, it is unlawful as a sentence for crime but is not explicitly prohibited as a disciplinary measure in penal institutions. It is lawful in **alternative care settings**.

The **Committee on the Rights of the Child** first raised concerns about corporal punishment in 1997 (CRC/C/15/Add.76, Concluding observations on initial report, paras. 21 and 35). In its concluding observations on the second report in 2005, the Committee recommended explicit prohibition in the home and all other settings (CRC/C/15/Add.269, paras. 41 and 42). In 2008, the **Committee Against Torture** recommended that the government prohibit corporal punishment of children in the family (CAT/C/DZA/CO/3, Concluding observations on third report, para. 19). During examination by the Human Rights Council under the **Universal Periodic Review** process in 2008, a recommendation was made to prohibit corporal punishment of children which was supported by Algeria (A/HRC/8/29, Report of the Working Group, paras. 28 and 69(3)).

We hope the Committee on the Elimination of Discrimination Against Women will add to the growing pressure on the state party to fulfil its human rights obligation to prohibit all forms of corporal punishment of children in all settings, including the home, penal institutions and alternative care settings, supported by appropriate public education and professional training on positive, participatory and non-violent forms of discipline.

¹ Reported in *Echorouk Online*, 6 January 2008

² UNICEF (2009), *Progress for Children: A report card on child protection*, NY: UNICEF