

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Algeria: global reform needed to combat gender-based violence

As the Council of the Nation prepares to vote on amendments to the Criminal Code aimed at improving women's protection from some forms of violence, Amnesty International calls upon the Algerian authorities to adopt a global reform to combat violence against women generally, including sexual violence.

These amendments to the Penal Code, announced by the Algerian government in June 2014 and approved by the National Popular Assembly on 5 March 2015, do represent progress. They establish physical and/or psychological violence against a spouse as specific offences punishable by a prison sentence. They stipulate the same for acts of indecent assault on women and girls in public places, while broadening the current provisions on sexual harassment and increasing the related penalties. Finally, they prohibit the use of coercion or intimidation against a spouse with the aim of acquiring their assets or financial resources.

These amendments do, however, contain problematic clauses that increase the vulnerability of victims to theft or domestic violence. Several provisions allow a spouse responsible for theft, coercion, intimidation or violence (unless causing permanent disability or death) to escape prosecution if the victim forgives them, thus exposing victims to higher risks of pressure or violence aimed at forcing them to withdraw their complaint. These "forgiveness clauses" already exist in the current Penal Code for unpremeditated minor bodily harm, ambush or carrying of firearms, as well as for family abandonment and theft from family.

Algerian women's rights organisations and Amnesty International have [denounced](#) statements made during the parliamentary debates claiming that these amendments to the Penal Code would break up families. They have also criticised the delay in the vote since the authorities' announcement last year.

The proposed amendments represent an important step in the right direction but should under no circumstances be considered a substitute for global reforms aimed at preventing, punishing and eliminating sexual and gender-based violence in Algeria. According to the latest figures issued by the Ministry of Justice, 3,200 cases of violence against women involving family members and 767 other cases of violence in the workplace were recorded in 2014. These figures are undoubtedly much higher in reality as many victims of violence do not report the abuse they have suffered for fear of stigmatisation or reprisals.

Amnesty International [calls on the Algerian authorities](#) to adopt a comprehensive law on violence against women without delay, in close cooperation with survivors and Algerian women's rights organisations, who can bring invaluable experience and expertise in this regard; ensure that laws, policies and practices adequately address all forms of sexual violence; adopt measures to adequately prosecute perpetrators of rape and other forms of sexual violence; and improve access to justice, health and support services for survivors of sexual violence.

Public document

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