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Algeria: An opportunity to better protect women from gender-based violence despite the regressive statements expressed in parliament.

As a draft law is currently being debated to strengthen women's protection from certain forms of violence, members of the National People's Assembly of Algeria should adopt the provisions in the bill which make physical violence against a spouse and sexual harassment in public places criminal offences.

The Assembly is debating amendments to the Penal Code announced by the government in June of last year which seek to tackle domestic violence and improve the legislation on sexual harassment. As well as the amendments which explicitly make physical violence against a spouse and indecent assaults on women in public places criminal offences punishable with prison sentences, the draft law presented by the government also proposes penalties in the event that a man abandons his wife and for resorting to force or intimidation in order to acquire the financial resources of one's spouse.

However, Amnesty International is alarmed at a clause in the draft law which allows legal proceedings to be halted in the event that the victim forgives the perpetrator and calls for it to be categorically rejected. Such a clause could in effect allow the perpetrators of gender-based violence to escape prosecution. Such a provision not only disregards the reality of the power relations and inequality between men and women but also exposes women to an increased risk of violence and the use of coercive means to get them to withdraw their complaints.

Amnesty International is also concerned about certain unacceptable statements that have been expressed during the debates, likening the draft law to an "attack on the family" and attributing responsibility for gender-based violence to the women and girls who are exposed to it.

The provisions currently under discussion, though certainly insufficient, would nevertheless constitute a step forward in a country where many women who experience gender-based violence are not adequately protected by the law. According to figures provided by the police, some 7,000 women suffered gender-based violence during the first nine months of 2014, 58 per cent of which were cases of domestic violence. These figures, according to the police themselves, are certainly an underestimate because many women keep quiet about the violence to which they are subjected.

Amnesty International reiterates the urgent need for Algeria to adopt a comprehensive approach to adequately combat gender-based violence, including sexual violence. Up until now, the authorities' approach has been selective, piecemeal and symbolic, as the draft law currently being debated shows.

In a report entitled [Algeria: Comprehensive reforms needed to end sexual and gender-based violence against women and girls](#), published on 25 November 2014, Amnesty International stressed the need to

tackle the underlying causes of gender-based violence, the main one being discrimination in both law and practice.

In particular, Amnesty International called on the Algerian authorities to adopt a comprehensive law to combat gender-based violence, including sexual and domestic violence, in close collaboration with victims and Algerian women's organizations; to ensure that laws, policies and practice adequately address all forms of sexual violence; to adopt measures to ensure that the perpetrators of rape and other forms of sexual violence can be effectively prosecuted; and to improve access to justice and health care and support services for survivors of sexual violence.

Public document

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