



# VIOLENCE AGAINST WOMEN IN ALGERIA: FOCUS ON ORAN

ALGERIA

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This diagnosis provides an overview of the legal and institutional framework related to gender equality and violence against women (VAW) in Algeria. Taking as a case study the wilaya of Oran, the diagnosis identifies the obstacles and opportunities to combat VAW in a more effective way. The role of the media in the perpetuation of VAW is also analysed.



Women in Communication (Femmes en communication, FEC) consulted with civil society, institutions and the media on the situation of VAW in the Wilaya of Oran.  
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The Euro-Mediterranean Women's Foundation (EMWF) is a non-profit independent organisation launched in 2013. It is structured as a Network of networks bringing different kinds of gender equality actors in the Euro-Mediterranean area with the aim of:

- Advancing in the common fight for equal rights of women and men to participate in political, economic, civil and social life;
- Eradicating all forms of violence and discrimination against women and girls;
- Encouraging a change in attitude and behaviour for gender equality.

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#### Field diagnosis: Violence against women in Algeria: Focus on Oran

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## Local clusters of gender equality actors<sup>©</sup> mobilized since 2016



- |  |   |  |
|--|---|--|
| <b>A</b> Region of Marrakech - Safi (Morocco)          | <b>D</b> South of Giza District (Egypt)             | <b>G</b> Mount Lebanon Governorate (Lebanon) |
| <b>B</b> Wilaya of Oran (Algeria)                      | <b>E</b> Southern part of the West Bank (Palestine) | <b>F</b> Governorate of Irbid (Jordan)       |
| <b>C</b> Governorates of Monastir and Sousse (Tunisia) |   |  |

The Euro-Mediterranean Women's Foundation sets up local clusters of gender equality actors coordinated by associations every year, in the following countries: Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine and Tunisia (1 per country).

Each local cluster of gender equality actors<sup>©</sup> chooses a target territory that can be a region or a province or a metropolitan area of a large city. Subsequently, the local cluster's members define a topic of interest related to gender equality that they consider a priority in this target territory.

Each local cluster is made up of 5 actors working in favour of gender equality in the target territory: associations; research or education institutions; local or regional authorities or ministerial departments in charge of advocating for women's rights; media and enterprises and trade unions. Their mission is to mobilize the gender equality actors through data collection, consultations and exchange of experiences. Thus, they analyse the situation related to the target topic and they follow-up the effectiveness of public policies in this area with a collective and participatory approach.

This bottom-up approach leads to produce a diagnosis of the situation that highlights the main obstacles to achieve gender equality, and to design a collaborative and replicable field project to address those obstacles. A first call for proposals was launched and local clusters were set in Oran (Algeria), Giza (Egypt), Irbid (Jordan), Mount Lebanon (Lebanon), Marrakech - Safi (Morocco), West Bank (Palestine), Monastir and Sousse (Tunisia). These local clusters focus on two main issues: women's participation in political life and combating violence against women. This document presents the diagnosis with regard to Oran.

## A. INTRODUCTION

In the last few decades, the Algerian government has enacted some policies and programmes to empower women and to reduce gender-based violence (GBV). These strategies seem to have been successful in the area of education, as Algerian women in urban regions now graduate from secondary school at higher rates than men. Government-based programmes have made some efforts in addressing stereotypical attitudes that persist around the roles and responsibilities of women and men in the family and society. However, civil society reports show that the government has been unsuccessful in combating violence against women (VAW) because it did not take the necessary steps nor provide resources to implement policies and programmes, many of which have good intentions but lack concrete objectives.

Women's equal access to paid work is a serious concern. Employed women represent only 16.09% of the total labour force and women's wages are approximately one third of those received by men.<sup>1</sup> Patriarchal attitudes may be an underlying cause of these gaps. A 2009 study revealed that 45% of single men said they would not allow their future wives to work.<sup>2</sup>

Female illiteracy continues to be a serious problem in Algeria.<sup>3</sup> Illiteracy rates in rural areas was 41% for women and 21.8% for men in 2008, which is very alarming.<sup>4</sup> As a response, the government adopted a national strategy with the aim of containing the problem and eliminating illiteracy.

In 2005, Algeria's family code was amended and the legal age of marriage for both men and women has increased to 19 years.<sup>5</sup> With 2%, Algeria has the lowest rate of child marriages (defined as women who are married before their 18th birthday) in the Middle East and North Africa (MENA) region.<sup>6</sup> Though, non-governmental organizations (NGOs) support findings that early marriage is still prevalent in rural areas where family traditions prevail.<sup>7</sup>

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1 ERTURK, Yakin. Report of the Special Rapporteur on violence against women its causes and consequences. Human Rights Council (UNHRC), 7th Sess., Add. No. 2, UN Doc. A/HRC/7/6/Add.2.

2 Ibid.

3 Ibid.

4 Ibid.

5 Ibid.

6 UN Data. *Child Marriage: Algeria*. 24 August 2011. Available at: <http://data.un.org/Data.aspx?q=marriage&d=SOWC&f=inID:87>

7 REFUGEE AND DOCUMENTATION CENTRE (Ireland). *Information on forced marriages and polygamous marriages, including the treatment of women in Algeria*. 22 July 2011. Available at: [www.unhcr.org/refworld/pdfid/4e3ba9952.pdf](http://www.unhcr.org/refworld/pdfid/4e3ba9952.pdf)

VAW is a pervasive problem in Algeria, as elsewhere in the world. It affects all social classes and regions and occurs both inside the home and in the public sphere. Yet, the issue remains largely invisible due to social taboos around violence and the lack of sufficient institutional response and support for survivors of violence.

The government has also not provided resources to address the situation of rural women, who face higher rates of violence within the family and continue to have high rates of illiteracy. However, the Algerian government largely relies on independent NGOs to meet the financial, legal and social needs of victims of violence.

Algeria has ratified a number of international conventions and treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Children Rights Convention, and the Convention for the Rights of People with Disabilities. Despite this, Algeria made significant reservations on CEDAW, such as Articles 2, 9 (paragraph 41), 15 (paragraph 4), 16 and 18.<sup>8</sup> Such reservations undermine the full implementation of the Convention and prevent the transposition of international human rights law into national law.

## **B. DIAGNOSIS OF VAW IN ALGERIA: FOCUS ON ORAN**

The media role is very significant in perpetuating stereotypes that legitimise VAW and reproduce negative perceptions towards women's political participation. Therefore, a pilot action aimed at mobilising the local gender equality actors was led by the Women in Communication in the Wilaya of Oran on the role of the media in the fight to eradicate VAW and a diagnosis was elaborated.

### **Women in communication/ Femmes en Communication (FEC)**

The diagnosis was conducted by FEC, an association which was established in March 1995 in Algiers. Its main tasks are:

- Inform about the condition and status of women with regards to their demand for equality;
- Make women's qualifications and skills visible;
- Fight against social marginalization and gender policy and women's low representation in decision-making bodies;
- Organize lobbying actions for the exercise of women's full citizenship;

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<sup>8</sup> CONGRESSIONAL RESEARCH SERVICE. *Algeria: Current Issues*, 79, 22 February 2011.

- Denounce discrimination and VAW at all levels.

The association focuses on using new technologies of information with the aim to promote female expression in all its forms.

FEC seeks to develop the debate on the situation of the women and gender equality by strengthening the communication and the broadcasting of information among the civil society, through the media. It is indeed, through the web radio “Women’s Voices” that FEC contributed to make visible women’s claims and to reduce their social and political marginalization and their weak representation in the public spheres

### **1. Objectives of the Diagnosis**

This diagnosis highlights the reforms made to the legal framework that governs issues related to gender equality and VAW, and analyses the role of the media in perpetuating VAW in Algeria. It takes the Wilaya of Oran as a case study to contrast the situation of women who live in areas that are remote from the capital with that of Algerian women at the national level. Furthermore, this diagnosis analyses the status of gender equality in the country, with a focus on the Wilaya of Oran. It establishes a correlation between the media and the ongoing VAW, and ultimately provides recommendations at the local and national levels.

### **2. Methodological Framework of the Diagnosis**

The diagnosis was based on a participatory approach, which involved actors in the fight against VAW, and on the following activities:

*Consultations:* three workshops were conducted and involved 114 persons representing civil society groups, local media, and official and state representatives in the region of Oran.

*Literature review:* the project reviewed and analysed official and civil society organisation reports as well as research that had been conducted in relation to gender equality and VAW.

*Dissemination workshop:* a final workshop was organised to share the findings of the research and the recommendations made with the three sectors of media, NGOs and state institutions. It involved 51 participants. The aim of the workshop was to have a roadmap for potential collaboration as well as innovative solutions to the issue of VAW. To reach this end, the workshop discussed the gaps identified in the research as well as the potential for change.

## C. FINDINGS OF THE DIAGNOSIS

### 1. Characteristics of the Wilaya of Oran

Oran is called “the dazzling” and it is the second biggest city in Algeria. It is situated in north-western Algeria (432 km from the capital). It is a harbour city limited to the north by the Mediterranean, to the southeast by the Wilaya of Mascara, to the west by the Wilaya of Ain Témouchent, to the east by the Wilaya of Mostaganem and to the south by the Wilaya of Sidi Bel Abbès.

The Wilaya of Oran covers a surface area of over 2,114 km<sup>2</sup>. It contains 26 municipalities and nine daïras. According to the last population count<sup>9</sup> by the National Office for Statistics (ONS) in 2008, the population of Oran was estimated at 1,577,556, with 746 inhabitants per km<sup>2</sup>. In 2008, the average annual growth rate of Wilaya of Oran was 2.45%. The active population estimated in 2008 was 521,865 inhabitants and the working population was 469,181 inhabitants. Based on the same year’s statistics, the population under 15 years represents 26% of the total population and is likely, in the coming years, to constitute an important human resource.<sup>10</sup>

#### *a. Education and training*

The Wilaya of Oran has 495 primary schools, 148 high schools (colleges for middle education - CEM) and 57 secondary schools. In the Wilaya of Oran, there are 20 training schools that include institutions specialised in professional training.

The Wilaya has an important university pool including the following universities: Oran-Es-Sénia and the University of Sciences and Technologies. The pool has eight faculties and one institute.

#### *b. Illiteracy*

The rate of illiteracy was nearly 86% at the time of independence in Algeria. In 2014, the illiteracy rate in Algeria was estimated at 14%, compared to 22% in 2008. This was possible due to the efforts made by the National office for literacy and adult education (ONAEA in French) as well as associations specialised in the fight against illiteracy, led by their head association, IQRAA. These efforts are made within the framework of the national strategy for literacy and adult education, adopted by the state in 2007.

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<sup>9</sup> [www.ons.dz/-Population-RGPH2008-.html](http://www.ons.dz/-Population-RGPH2008-.html)

<sup>10</sup> NATIONAL AGENCY FOR INVESTMENT DEVELOPMENT (ANDI), 2015.



Women's limited access to leadership positions in the media impacts the way VAW issues are addressed.  
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The IQRAA association alone, according to its female president, contributed to the education of 1,681,000 citizens, including 1,543,906 women. About 23,000 women aged between 18 and 35 received an education within the Literacy, Training and Women's Integration Programme (AFIF). Target women of this programme benefitted from the tools of assistance in professional insertion and the creation of income-earning activities through the National Agency for the Management of Microcredit(ANGEM).

Literacy classes in the Amazigh language are being opened, according to the president of the IQRAA. Literacy classes are opened by the ONAEA at the level of structured establishments in the Wilaya of Oran, such as the municipalities, universities, hospitals, etc., according to the declarations of the official in charge of the annex of the ONAEA of Oran, on World Literacy Day. To achieve this aim, the ONAEA recruited 421 teachers. There are approximately 17,000 people registered in literacy classes in the Wilaya of Oran and most of them are women. Illiteracy rates underwent a substantial decrease in Oran, estimated at 7%.

### *c. Employment and economic empowerment*

Algeria has set different packages up, which also serve the Wilaya of Oran, with the aim to: provide job opportunities for new graduates; assist young people in employment through the

creation of micro-enterprises; finance the creation of activities at home for disadvantaged populations; and implement programmes targeting disadvantaged populations.

#### *d. Main economic activities and investments in the Wilaya of Oran*

The sector related to industrial transformation takes special importance in the economic landscape of the Wilaya. The petrochemical industry is also as important with its energy and plastic derived products. The Wilaya of Oran benefitted, within the five-year plan in 2010-2014, from 358 billion Algerian dinars (DZD) for all sectors together. Within the same five-year plan, the housing and town planning sector gained 117,756 million DZD, higher education gained 23,306,000 DZ and healthcare gained 16,721,000 DZD.

## **2. Contextual and Situational Analysis: International Obligations and National Laws**

The Algerian Constitution stipulates equality between citizens (men and women) in all areas and before the law (Article 29). The international instruments signed by Algeria surpass the national laws (Article 132 of the Constitution). Algeria is party to the main international and regional instruments related to gender equality; among these, the CEDAW. Algeria signed the CEDAW in 1996 with reservations on Articles 2, 9-2, 15-4, 16, and 29-1. It should be noted that the reservation made on Article 9, paragraph 2, of CEDAW was withdrawn in 2008. However, the optional protocol of the convention has not yet been signed by Algeria.

The ratification of CEDAW led to legislative reforms in terms of gender equality. Algeria committed to achieving the Millennium Development Goals within the framework of the Millennium Declaration (2000-2015). However, Algeria has not yet signed the Protocol to the African Charter on Human and Peoples' Rights, adopted by the African Union in 2003 at Maputo, which represents an important legal instrument for eliminating discrimination and VAW.

Algeria adopted the official declaration of the African Heads of State on gender equality made at the Conference of the Heads of Governments and States of the African Union in July 2004 at Addis–Ababa. Through this declaration, the African Union recommends that the states do their utmost and head progressively towards parity.

## **3. Legislation and National Laws**

With the exception of the Family Code that remains subject to disagreement, the laws are in favour of gender equality. The following are some examples of the achievements in the legislation:

- The Penal Code which was amended in 2004: sexual harassment is criminalised (Article 341);
- The Family Code amended in 2005;
- The Code of Nationality amended in 2005: women are authorised to exercise their citizenship by giving their nationality to their husbands and their children born in Algeria and abroad;
- Organic Law No. 12-04 of 12 January 2012 relating to political parties: compulsory proportion of women in decision-making instruments in political parties;
- Organic Law No. 12-03 of 12 January 2012: establishing the ways of increasing opportunities for women's representation within the elected assemblies;
- The Labour Law (1990) guarantees full equality between women and men and includes measures of positive discrimination towards them;
- The Real Estate Rights and the right to property are guaranteed by the Civil Code (Article 674) and the Family Code (Article 38);
- The Maintenance Fund Law for divorced mothers having the guardianship of their underage children, promulgated in November 2014;
- Law amending and completing the Penal Code relating to violence towards women (violence in the married couple, sexual violence, and violence in public and economic places) promulgated in December 2015.

We should note that the President of Algeria is in favour of gender equality. The President of the Republic used his right to legislate by presidential order (Article 124 of the Constitution) to establish laws in favour of gender equality.

#### **4. Institutional Tools to Achieve Gender Equality**

In compliance with Article 31 of the Constitution,<sup>11</sup> commitments within the framework of CEDAW and the Beijing Declaration and Platform for Action, the state of Algeria created national instruments to boost vigilance and follow-up of actions aiming at gender equality as follows:

##### *a. The Ministry of National Solidarity, Family Affairs and the Status of Women (MSNFCF)*

Within this ministry and since 2013, the General Directorate of Family Affairs, the Status of Women and Social Cohesion of the MSNFCF is in charge of issues related to promoting

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<sup>11</sup> The state works to promote political rights of women by increasing their chances of access to representation in elected assemblies. The implementing rules of this article are determined by an organic law.

women's rights and gender equality. This section is responsible for conceiving and implementing policies and programmes in this concern in coordination with various government and civil society partners.

It is necessary to specify that the gender instrument, in compliance with Beijing objectives, was implemented in 1996. Since then, this instrument has been under different umbrellas, including – and for the first and only time – a ministry (delegated) on the family and the status of women in 2002.

*b. The National Council of the Family and Women (CNFF)*

Created by decree on 22 November 2006, the CNFF -formerly the Women's Council,<sup>12</sup> is working under the MSNFCF which is competent in terms of gender equality and the promotion of women's rights. This council has two commissions (family and women) and is a permanent instrument of consultation, concentration and action, close to the MSNFCF. The CNFF includes representatives (men and women) from ministries, the public, and civil society organisations.

*c. Shelters for women who are victims of violence under the MSNFCF*

There are three national centres for receiving young girls and women who are victims of violence and in difficult situations (single mothers), which are the centres of Tipaza, Mostaganem and Tlemcen. Two more centres are now being created at Annaba and Tizi Ouzou.

*d. The multidisciplinary units which take responsibility for women and young girls who are victims of violence*

They are located at the Directorates of Solidarity and Social Action (DASS) in the 48 Wilayas. These units are competent in terms of protection, accommodation, psychosocial assistance, family reunification, and professional and economic integration of women in difficult situations.

## **5. Strategies, Action Plans and Reports Related to GBV**

Two strategies have been developed by the MSNFCF and implemented through action plans and specific commissions. The first is the National Strategy of Women's Integration and Promotion 2008-2013, and its Strategy Operational Plan 2010-2014. The second is the National Strategy to Combat VAW (SNLCVFF). The latter was developed within the framework

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<sup>12</sup> Consultative body to the Head of Government, which was created by Executive Decree No. 97-98 of 29 March 1997.

of a partnership with UN agencies in 2006 and launched in 2007. An inter-sector commission gathering different institutional and civil society actors was established on 25 December 2013. It is in charge of implementing the strategy's communication plan and its advocacy programme. This commission outlined an action plan based on the following priorities:

- Provide services for women victims of GBV;
- Provide information and awareness-raising;
- Prevent through encouraging women's independence.

A five-year plan to combat VAW (2007-2011) was implemented. An evaluation of the SNLCVFF strategy was made by the MSNFCF in 2014. The evaluation document/report was not published.

The National Award for Combating VAW was created by the MSNFCF on 25 November 2015.

The active associations in the field of the protection of women's rights and fighting against discrimination and violence towards women have not been involved in the implementation of the strategy and its evaluation.

Since 2000, two reports related to the implementation of the Millennium Development Goals (MDGs), mainly MDG no. 3 Promote gender equality and empower women, were prepared and published by Algeria (the first one in 2005, the second in 2010). Periodical reports related to the follow-up of the implementation of the CEDAW were submitted by the government to the CEDAW Committee in 1998, 2003, 2009 and 2012. The Beijing follow-up report (Beijing +20) was submitted by the MSNFCF in 2014 to the competent United Nations commission.

## **6. Correlation between the Media and the Fight Against GBV in the Wilaya of Oran**

### *a. Media landscape in Algeria*

The Algerian media landscape includes 5 public television channels and 43 private television channels. In some cases, the regulatory texts aimed at framing the work of these channels are still in preparation.

There are generally 150 daily papers and 3 national radio stations; 2 of them are thematic stations and there are 32 regional stations. These radio stations have about 20 million listeners in Algeria and they broadcast their programmes in Arabic, Amazigh and French. In 2012, a new law was promulgated on information (replacing the law of 1990, which for the first time had

established media pluralism). A regulatory body has been established by this law. It is the Authority for Audiovisual Regulations (ARAV), which includes nine members appointed by decree.

Several channels were accused in July 2015 of praising hate speech, discrimination against women, and stigmatising their acts. Indeed, the Minister of Religious Affairs complained to the RAV, especially about individuals who declare themselves as religious guides.

#### *b. The image of women in the media in Algeria*

Within the framework of a pilot project monitored by the work group Mena Media Monitoring (MMM) in partnership with the Algerian League of Defence of Human Rights (LADDH), a statement on the issue of gender in the Algerian media was compiled and published in 2015. This was accomplished based on a sample including four public channels (there are not yet any private radio stations), a public television channel, and three private channels during a span of time from 8.30 am to 11.30 pm. This study produced a series of conclusions and recommendations, including the following:

- Women still have little presence in the Algerian media with an estimated rate of only 29%;
- On the radio, out of a total of seven people, only one is a woman;
- On television, women represent only 20.26%;
- Out of 5 persons invited to a debate only one is a woman (21.80%);
- The average rate of women sources (who produce information) on television and radio is estimated at 27% (so only one person out of four is a woman);
- The media continues to convey a very negative image of women and expresses macho prejudices. All the “classic” well-known misogynistic prejudices are present in the media, especially in the category of news briefs.

Among the recommendations addressed to the ARAV are the following:

- Creation of a permanent monitoring unit, which is dedicated to observe the media from a gender perspective;
- Integration, in the specifications dedicated to the media, of measures that oblige any entity applying for a licence to guarantee the presence of women in their programmes with an effective presence in debates, with respect to the principles of choosing competent and specialised women according to the topics.

Similar research was done by Mrs. Amina Chekroun in Wilaya of Oran by means of the newspaper *The Voice of Orania* in 2014. It is a thesis entitled “Is there an impact of gender on the linguistic forms used by journalists of the daily newspaper *La voix de l’Oranie*?”<sup>13</sup>

This analysis which builds on a study conducted by UNESCO (2007) entitled *Feminine Maghreb Journalism* shows that “the presence of women in the journalism sphere in Algeria is a well-rooted reality.” However, the study reveals that “in terms of access to high positions, women are in lower positions in comparison with their male colleagues. Out of 119 high-ranking positions in the media sector, only six women occupy high positions in the public media and four in the main private press institutions.

This study also reveals that 75% of training sessions dealt with “journalistic techniques” and 33% with “computer sciences and the multimedia”.

According to the daily newspaper *Liberty*, women today represent over 43% of journalists, a proportion that is likely to increase since 60% of students at the National Institute of Information and Communication Sciences are female. These women journalists, who are often asked to write for columns considered as feminine, such as social affairs, education and family, ended up writing in the sports, economic and even political columns.

According to Mrs. Naïma Nefla Boulares, editor of the daily newspaper *The Young Independent*, “Women are more and more numerous in the field of communication. However, there are very few of them in higher positions. Although some of them are editors-in-chief or deputies, they have never reached any positions at a higher level.”

It should be noted that research conducted pertaining to the correlation between gender and media did not deal clearly and precisely with the issue of VAW in the media. Rather, the focus was on women’s access to decision-making positions within media institutions. However, it is important to note that dealing with such a topic by the media remains dependent on women’s access to decision-making positions in terms of media policy. In other words, issues related to VAW will not be addressed appropriately by the media unless women’s representation and positions in the media increase.

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<sup>13</sup> CHEKROUN, Amina. *Gender in the journalists’ discourse (La voix de l’Oranie); Problem: Is there a gender influence in the linguistic forms used by journalists working for the daily La voix de l’Oranie?*. Cited in Linguistics. University Paul Valéry - Montpellier III, 2014.

## 7. Challenges to Improving the Current Situation in Algeria

Despite the institutional instruments that exist at the level of decision-making structures, there is not yet a real appropriation of gender equality. Hence, there is a lack of severity in the application of the laws in favour of equality and the development of integrating the gender dimension at the level of public policies.

In reality, in their daily life, women – in Oran as well as the rest of the country - face discrimination in the public and private spheres. Many women undergo domestic and conjugal violence, often silently through fear of retaliation and because of the lack of legal protection and financial means.

Statistics related to women who are victims of violence and who gained the protection of DASS structures in the Wilaya of Oran show, for example, that in the first quarter of 2015, 98 cases of VAW were registered, in the second quarter 65 cases and, in January 2016, seven cases.

Maintaining the reservations expressed regarding CEDAW, particularly on Article 2, perpetuates the discrimination measures against women which are in the Family Code, despite the breakthroughs of 2005. These measures are in contradiction with the Constitution and CEDAW. The additional protocols to CEDAW and to the African Charter on Human and Peoples' Rights (Protocol of Maputo) have not yet been signed by Algeria.



The Euro-Mediterranean Women's Foundation reinforces the leadership of the associations to promote actions in favor of women's rights.

During the decade of armed violence that Algeria underwent, women were the target of various terrorist acts, including assassinations, systematic rape and kidnappings. Some *Fetwa*<sup>14</sup> were announced, which prevented active women from practising their professions, mainly outside their homes. These events had a negative impact on the situation and even the status of Algerian women.

Indeed, at first, raped women during the black decade were not recognised as victims of terrorism and included among the people who “have the right” to compensation (Executive Decree no. 99-47 of 13 February 1999). It was not until later in January 2014 that they received justice through the Executive Decree no. 14-26 of 1 February 2014.

The study on the economic participation of women, undertaken in 2006 by the National Centre of Research in Social and Cultural Anthropology - CRASC<sup>15</sup> for the MSNFCE, revealed that over half the women who took part in the study have been victims of an act of violence (verbal 46.93%, psychological 41.96%, and physical 11.10%). The main constraints raised by the women answering the questionnaire, are transportation, which represents a major problem,<sup>16</sup> the family environment, contempt (*hogra*<sup>17</sup>), the lack of child day care centres, harassment, and working hours.<sup>18</sup>

Article 341a of the Penal Code, which was amended in 2004 following a strong mobilisation from the feminist movement, condemns harassment. Despite this measure, harassment remains predominant and is rarely reported. This is largely due to the fear of retaliation (which entails the risk of putting an end to work outside the home) from the immediate environment of the victim as well as the difficulty of gathering evidence because of the lack of legal protection.<sup>19</sup>

Other acts of violence remain unspoken of by women, particularly those who suffer from economic dependence. Most often, when they take legal action, they drop the cases under pressure from the family. Women in difficult situations, mainly single mothers, are stigmatised and rejected by society. In the case that they find a job (often as house cleaners), they face exploitation and sexual abuse from employers. Women with disabilities suffer from double discrimination based on disability and sex.

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14 Legal opinions or learned interpretations that a qualified jurist or mufti can give on issues pertaining to Islamic law.

15 CENTRE DE RECHERCHE EN ANTHROPOLOGIE SOCIALE ET CULTURELLE (CRASC). *National Sample Survey on Women and Socioeconomic Integration*. May 2006.

16 Women face verbal and sexist violence on public transport. Women driving their cars are also victims of verbal violence.

17 Local expression meaning contempt.

18 “Whatever the age, matrimonial situation, education level and situation, in urban or rural areas, all women raised the same problems.”

19 Protecting witnesses is claimed by women’s rights associations.

The armed conflicts in some areas in the Arab world and the Sahel generate migration flows to Algeria. These migration flows include many women and children. They suffer various forms of violence. The most recent case is that of Marie-Simone from Cameroon, who was a victim of gang rape on the night on 1 October 2014 and faced discrimination from security services and the hospital staff of the University Medical Centre (CHU in French) of Oran.

Despite these dramatic events, there are initiatives, mainly from civil society organisations, which aim to protect women. The group campaign “Stop Violence! Rights for Women Now”, of which Women in Communication (FEC) is part, has demanded a law on VAW since 2010 and promoted many amendments to the Penal Code, which have lately been adopted and promulgated (December 2015).

In their argumentation, the group campaign used statistics from services of national security and the National Guard. According to these data, in 2014 over 6,800 women were victims of violence, among them 4,113, 58% of the victims, were beaten within the family households.

A group for the “Promulgation of the Law Related to Violence Towards Women” was set up in Oran on 3 December 2015 – before the adoption of this recent law - by the following associations: Association Féminine pour l’Épanouissement de la Personne et l’Exercice de la Citoyenneté (AFEPEC), the women’s empowerment group, Algerian women doctors, the CIVIC, the LADDH, Bel Horizon, the Little Reader, Santé Sidi and Houari (SDH).

Reception and drop-in centres are coordinated by associations such as SOS Women in Distress (Algiers), Femmes Algériennes Revendiquant leurs Droits - FARD (Oran), Association des Femmes Algériennes pour le Développement - AFAD (Annaba), and AMUSNAW (Tizi-Ouzou). These centres provide understanding, psychological assistance, and legal advice to women who are victims of violence. These centres are operational despite their limited resources.

The “International Women’s Congress for a Culture of Peace” was held in Oran from 28 to 31 October 2014 by two Muslim associations: International Sufi Alâwiyya (AISA) and the Foundation Djanatu al Arif in partnership with the MSNFCF. There were a total of 3,198 participants (men and women), with different nationalities and ideologies, including Algerian feminists as well as representatives of international institutions. The activities ended with the adoption of a work platform for the establishment of peace in the world (Declaration of Oran). This activity was carried out within the framework of the efforts made by the Algerian government

for the reinforcement of the role of women in resolving conflicts and establishing peace in compliance with Resolution 1325 of the United Nations Security Council in relation to the role of women in conflicts, which was adopted unanimously in October 2000. This Resolution takes into account the gender dimension in armed conflicts and peace building.

### **8. Opportunities for Change**

During the consultation workshops which were led during the pilot action for mobilizing gender equality actors, a good practice was identified in the Wilaya of Oran. It is an informal network in terms of taking care of women who are victims of GBV and women in distress as a whole. It is coordinated by the DASS of Oran. According to the DASS, there are 10 reception centres which are affiliated with the multidisciplinary units of DASS at the level of the Wilaya of Oran. In general, the units work in partnership with six associations. In rural/semi-urban areas, the association's partners are the following: El Moustakbal, Nihal, Houlm Etifl, and Nour Elhouda. In the city of Oran, the partner associations are FARD and IQRAA. The AFEPEC does not collaborate with the DASS network according to DASS officials.

The woman in charge of DASS showed a clear awareness of the issue of taking care of women victims and the fight against violence. In addition to this, she endorses the need for institutionalised coordination. This was an encouraging element, even a catalyst in consultation activities and the design of the project which resulted from this diagnosis. This project aimed at establishing a helpline/drop out centre to receive and support women who are victims of GBV.

### **9. Challenges**

The main obstacles to improving the current situation have been identified as follows:

- Lack of consideration of gender equality;
- Lack of severity in the application of laws in favour of gender equality and developing the integration of the gender dimension at the level of public policies;
- Maintaining reservations to CEDAW reinforces the discriminatory measures of the Family Code, which are in contrast with the Constitution and CEDAW;
- The additional protocols to CEDAW and the African Charter of Human and People's Rights are not yet signed by Algeria;
- Lack of legal protection and financial means prevents denunciation and confine women who are victims of violence to silence;
- Single mothers suffer from stigmatisation and rejection from society;
- Women with disabilities suffer from double discrimination;

- Migrant women suffer from different forms of violence. Several recent cases were noticed in the Wilaya of Oran.

The challenges in Oran that emerged through consultations with the different participants in the workshops (lawyers, representatives, and association members) about fighting against VAW and in taking care of the victims of this violence are:

- Lack of structures to receive and protect women victims of violence;
- Lack of awareness and training of the various stakeholders in charge of taking responsibility of victims, including the media;
- A socio-cultural context that favours violence against women.

## **10. Summary of the Main Findings and Results**

### *a. Gender equality is established in the Constitution*

The Algerian Constitution stipulates equality between citizens in all areas and before the law (Article 29).

### *b. There is an opportunity to achieve equality and end VAW as international law supersedes national laws*

The international instruments signed by Algeria prevail over national laws (Article 132 of the Constitution). The political discourse (specifically from the President) is in favour of equality.

### *c. With the exception of family law, civil laws stipulate equality between women and men*

Important breakthroughs in terms of gender equality at the levels of legislation and institution were achieved. The national laws, with the exception of the Family Code, which remains subject to disagreement, are in favour of gender equality.

### *d. Strategies and national mechanisms established recently provide an opportunity for combating VAW*

There are institutional instruments favourable to gender equality such as the Ministry of National Solidarity, Family Affairs and the Status of Women (MSNFCE). There are also strategies, action plans, and reports relating to the issue of GBV, including the National Strategy of Fighting against Violence towards Women (SNLCVFF), launched in 2007.

### *e. The media still do not respect the international and national laws related to women and gender equality*

Women's representation in the Algerian media is still low and the media continues to portray a negative image of women and express misogynistic prejudice:

- Women's presence in journalism in Algeria is a well-rooted reality;
- Women are disadvantaged in relation to their male colleagues in terms of access to positions of responsibility.

*f. Civil society organisations implement initiatives that contribute to the eradication of VAW*

There are some initiatives, mainly from civil society organisations, that promote the empowerment of women and provide assistance and aid for survivors of violence, such as:

- The group campaign "Stop Violence! Rights for Women Now", which was a boost to the amendments brought into the Penal Code that have recently been promulgated (December 2015).
- The group campaign for the "Promulgation of the Law Relating to Violence against Women", which was also created in Oran on 3 December 2015.
- Drop-in and/or reception centres managed by some associations despite their limited means.
- The "International Female Congress for a Culture of Peace", held in Oran in October 2014, which was concluded with the adoption of a work platform for establishing peace in the world. These activities are within the efforts deployed by the Algerian government to reinforce the role of women in resolving conflicts and establishing peace.

## **D. RECOMMENDATIONS**

### **1. Recommendations for governmental institutions**

Rely on specialised associations in terms of defending women's rights/gender equality to:

- Ensure awareness-raising and training in terms of gender and legal gains, mainly addressed to legal staff, justice assistants, civil servants, local authorities, and elected representatives in order to fill the gap related to ignoring the legal framework (national and international) favourable to gender equality;
- Establish drop-in centres/shelters through involving the different departments/units that provide care services and empower women victims of GBV (forensic medicine, national security, national guard, judges' associations, DASS/proximity units, National Agency for Micro-Credit Management in Algeria - ANGEM, and National Employment Agency - ANEM);
- Train the different units on how to provide psychological care, legal assistance and advice for women.

## **2. Recommendations for the media**

- Ensure awareness-raising and training of journalists (men and women) on the gender dimension and the fight against gender discrimination;
- Promote awareness of the media in their role in the fight against VAW;
- Adopt a charter of good practices/journalism ethics related to addressing and covering issues related to VAW.

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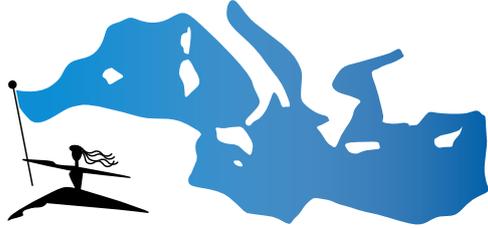
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مؤسسة نساء الأورو-متوسط  
Euro-Mediterranean Women's Foundation  
Fondation des Femmes de l'Euro-Méditerranée

According to its mandate, the **Euro-Mediterranean Women's Foundation (EMWF)** analyses women's local realities and public policies through consultations and dialogues at a grass-roots level. Concretely, the Foundation sets up **local clusters of gender equality actors**® every year, in the following countries: Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine and Tunisia (1 per country).

Each local cluster of gender equality actors© is coordinated by an association as the Foundation recognises that civil society is the real motor of change in our societies to improve women's conditions.

The local clusters' approach is an innovative and participatory process, which supports networking and sharing of good practices in favour of gender equality at a decentralized level and promotes the emergence of projects rooted in the territory.

The Foundation systematizes the results obtained through the local clusters and transfers them to the policy-makers in the Region's countries and at the Euro-Mediterranean level. All the information related to the local clusters' results is available on the Foundation's website ([www.euromedwomen.foundation](http://www.euromedwomen.foundation)) and widely disseminated across the Region among key stakeholders, policy-makers and international organisations.

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