



COUNTRY OF ORIGIN INFORMATION REPORT

ALGERIA

29 MARCH 2010

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 24 February 2010. The 'Latest News' section contains further brief information on events and reports accessed from 25 February 2010. This document was issued on 29 March 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous eighteen months. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the UKBA as below.

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INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>

- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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LATEST NEWS

USEFUL NEWS LINKS AND SOURCES

BBC News <http://news.bbc.co.uk/>
 UNHCR Refworld
<http://www.unhcr.org/refworld/publisher,UNHCR,COUNTRYPOS,,,0.html>
 ECOI.net <http://www.ecoi.net/>
 Canadian Immigration and Refugee Board, National
 Documentation Packages
http://www2.irb-cisr.gc.ca/en/research/ndp/index_e.htm?id=1140
 AllAfrica.com <http://allafrica.com/>
 Afrol news www.afrol.com
 Magrebia
http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/homepage/

EVENTS IN ALGERIA, FROM 25 FEBRUARY TO 29 MARCH 2010

- 24 March Activists want the current Family Code to be scrapped and begun anew.
 Magharebia, Women demand expanded rights in Algeria, Morocco , 19 March 2010
http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2010/03/19/feature-03
 Date accessed 24 March 2010
- See section on [Family Law](#)
- 15 March The International Agency for Development expressed its concern over the persistence of enforced disappearances in the Tindouf refugee camps in south-western Algeria, and urged the international community to exert pressure on Algeria so that it assumes its responsibility regarding these human rights violations.
 Morocco.Board.com. NGO calls on international community to look into disappearances in Tindouf, Algeria, 15 March 2010
<http://www.moroccoboard.com/grassroots/52-grassroots/940-ngo-calls-on-international-community-to-look-into-disappearances-in-tindouf>
 Date accessed 16 March 2010
- See section on [Sahrawi Refugees](#)
- 11 March Islamists and human rights activists are locked in a heated public debate over the future of capital punishment in Algeria.
 Magharebia, Algeria resurrects death penalty debate, 11 March 2010
http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2010/03/11/feature-02
 Date accessed 15 March 2010
- See section on [Death Penalty](#)

- 4 March An increase in arms trafficking by drug smugglers is connected to terrorism and will spur security counter-measures, according to Algerian officials.
Magharebia, Algeria claims terrorism tied to drug and arms trafficking, 4 March 2010
http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2010/03/04/feature-01
Date accessed 15 March 2010
- See section on [Al-Qaeda in the Maghreb](#)
- 1 March US defence and counter-terrorism officials report that Al-Qaida's terror network in the Maghreb could become a serious threat to US and its European allies.
Associated Press, Al-Qaida growing in strength and numbers in Africa, 1 March 2010
http://www.google.com/hostednews/ap/article/ALeqM5h-c-mSyZU_qBgpZQdyiSWZzJUMWwD9E60M300
Date accessed 15 March 2010
- See section on [Al-Qaeda in the Maghreb](#)
- 25 February The chief of the national police force has been shot dead in Algiers. He was killed by a colleague during a regular morning meeting in the police headquarters in front of several witnesses.
BBC News, Algeria police chief shot dead at forcer headquarters, 25 February 2010
<http://news.bbc.co.uk/1/hi/world/africa/8536908.stm>
Date accessed 15 March 2010
- See section on [Police Forces](#)

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REPORTS PUBLISHED OR ACCESSED BETWEEN 25 FEBRUARY AND 29 MARCH 2010

United States Department of State (USSD) Country Report on Human Rights Practices 2009, Algeria, published 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136065.htm>

Date accessed 16 March 2010

Freedom House: Women's Rights in the Middle East and North Africa 2010 – Algeria, published 3 March 2010

<http://freedomhouse.org/template.cfm?page=384&key=246&parent=24&report=86>

Date accessed 22 March 2010

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Background information

1. GEOGRAPHY

- 1.01 The official state name is the People's Democratic Republic of *Algeria* or *Al Jumhuriyah al Jaza'iriyah ad Dimuqratiyah ash Shabiyah*. (Programme on Governance in the Arab Region (POGAR), 2007) [23b] (p1) Algeria lies in North Africa, with the Mediterranean Sea to the north, Mali and Niger to the south, Tunisia and Libya to the east, and Morocco and Mauritania to the west. (Europa World online, Algeria, accessed 19 March 2010) [1a] (Country Profile: Location, Climate, etc) It is the second largest country in Africa, with over four fifths of its territory covered by the Sahara desert (US State Department, Consular Information Sheet: Algeria, 30 October 2009) [6e]
- 1.02 The capital is Algiers (el-Djezaïr). There are sixteen other major towns, the largest being Oran (Ouahrán), Constantine (Qacentina), Batna and Annaba. The area of Algeria is 2,381,741 square kilometres (919,595 square miles). (Europa World online, accessed 19 March 2010) [1a] (Country Statistics: Area and Population) "Three distinct regions make up the country: a coastal strip, the Atlas Mountains and the Sahara Desert. The narrow coastal strip...contains the three major population centres of Algiers (the capital), Oran and Annaba...over 80 per cent of the country lies within the dry Sahara Desert, where few Algerians have chosen to make their home." (Jane's Sentinel Country Risk Assessments: Algeria, date posted 11 March 2008) [7a]
- 1.03 Europa World online, Algeria, (accessed 25 January 2010) stated "The country is divided into 48 departments (wilayat), which are, in turn, sub-divided into communes. Each wilaya and commune has an elected assembly." [1a] (Country Profile: Government)
- 1.04 The Central Intelligence Agency (CIA) World Factbook, updated January 2010, estimated that the population in July 2009 was 34,178,188 people. [2a] (People)
- 1.05 The United States Department of State (USSD) *Background Note on Algeria* (updated March 2009) stated: "Ethnic groups: Arab-Berber 99%, European less than 1%. Religions: Sunni Muslim (state religion) 99%, Christian and Jewish 1%. Languages: Arabic (official), Berber (national language), French." [2a] (people)
- 1.06 Europa World online (accessed 25 January 2010) stated "Islam is the state religion, and almost all Algerians are Muslims." [1a] (Country Profile: Location, Climate,...)

For more information see sections on [Ethnic groups](#) and [Freedom of religion](#)

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MAP

1.07.



(CIA World Factbook – *Profile of Algeria*, updated 30 September 2009) [2a]

1.08 [Perry Castaneda](#) library map collection contains a series of Algerian maps

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2. ECONOMY

- 2.01 The Central Intelligence Agency (CIA) *World Factbook, profile of Algeria*, updated 30 September 2009, summarised the economy as follows:

“The hydrocarbons sector is the backbone of the economy, accounting for roughly 60% of budget revenues, 30% of [Gross Domestic Product] GDP, and over 95% of export earnings. Algeria has the eighth-largest reserves of natural gas in the world and is the fourth-largest gas exporter; it ranks 15th in oil reserves. Sustained high oil prices in recent years have helped improve Algeria's financial and macroeconomic indicators. Algeria is running substantial trade surpluses and building up record foreign exchange reserves. Algeria has decreased its external debt to less than 5% of GDP after repaying its Paris Club and London Club debt in 2006. Real GDP has risen due to higher oil output and increased government spending. The government's continued efforts to diversify the economy by attracting foreign and domestic investment outside the energy sector, however, has had little success in reducing high unemployment and improving living standards. Structural reform within the economy, such as development of the banking sector and the construction of infrastructure, moves ahead slowly hampered by corruption and bureaucratic resistance.” [2a] (Economy)

- 2.02 Algeria's economy is dominated by industry (62.5 per cent of Gross Domestic Product (GDP)) followed by the service sector (29.4 per cent) and then agriculture (8.1 per cent). Its main industries included: petroleum, natural gas, light industries, mining, electrical, petrochemical, food processing, pharmaceuticals, cement and seawater desalination. Principal agricultural products were: wheat, barley, oats, grapes, olives, citrus, fruits; sheep and cattle (CIA World Factbook, Algeria, 30 September 2009). [2a] (Economy) The country's Gross Domestic Product (GDP) growth rate in 2009 was estimated to be 4.13 per cent while inflation was estimated to be running at 3.5 per cent. The Government estimated that 11.8 per cent of the population were unemployed in February 2009, but external estimates ranged up to 27 per cent. (US State Department (USSD) Background Note, Algeria, March 2009) [6b] In 2006, 23 per cent of the population were estimated to be living below the poverty line. (CIA World Factbook, Algeria, 30 September 2009) [2a] (Economy)
- 2.03 GDP per person in 2008 was estimated to be US\$8,300 at purchasing power parity (USSD Background Note, Algeria, March 2009) [6b]. According to the Government's statistics office the “... average gross national income per head in 2006 was US\$3,443. This represents a substantial increase over the past five years—in 2002 the figure was US\$1,748—but it is attributable mainly to the sharp rise in oil and gas prices over this period, rather than to a genuine increase in living standards.” (Economist Intelligence Unit, Algeria, Country Profile, 1 April 2008) [37b] In 2008 “... the national minimum wage of [US]\$177 (12,000 dinars) per month [US\$2,124 per year] did not provide a decent standard of living for a worker and family...The standard work week was 37.5 hours...” (USSD Country Report on Human Rights Practices 2008, Algeria, 25 February 2009) [6a] (Section 6e: Acceptable Conditions of Work)
- 2.04 The United States Social Security Administration's Algeria entry in its document *Social security programs throughout the world* updated 2009, outlines unemployment benefits, noting that they are only available through

contributory social insurance schemes. It also gives details of workers' medical benefits; family allowance; and other social benefit schemes. [41a]

- 2.05 XE.com (accessed 13 October 2009) stated that the Exchange Rate was 111.814 dinars per GB £. [21a]

See also [Employment rights](#)

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3. HISTORY

EARLY HISTORY TO 1989

- 3.01 The Foreign and Commonwealth Office country profile of Algeria, updated 17 July 2009, stated:

“The original inhabitants of Algeria were the Berbers. In the classical period the country was colonised by the Phoenicians and by the Romans. The Arabs arrived in the 8th and 11th Centuries introducing Islam. Moors and Jews settled in Algeria following their expulsion from Spain in 1492. In 1518 the country became an integral part of the Ottoman Empire. In 1830 Algeria was annexed and colonised by the French, and ruled as part of metropolitan France from 1848 to 1962. A bitter war of independence was fought between 1954 and 1962, which claimed the lives of up to 1.5 million people. From independence in 1963 until the late 1980s Algeria was a one-party socialist state run by the FLN (National Liberation Front).” [5a] (History)

EVENTS BETWEEN 1988 AND 1998: ELECTIONS, MILITARY TAKEOVER AND CIVIL CONFLICT

- 3.02 The Library of Congress *Country Profile: Algeria*, dated May 2008, stated:

“[During 1980s the Government’s]...reform efforts failed to end high unemployment and other economic hardships, all of which fueled Islamist activism. The alienation and anger of the population were fanned by the widespread perception that the government had become corrupt and aloof. The waves of discontent crested in October 1988, when a series of strikes and walkouts by students and workers in Algiers degenerated into rioting. In response, the government declared a state of emergency and used force to quell the unrest.

“The stringent measures used to put down the riots of ‘Black October’ engendered a groundswell of outrage. In response, [President] Benjedid conducted a house cleaning of senior officials and drew up a program of political reform. A new constitution, approved overwhelmingly in February 1989, dropped the word socialist from the official description of the country; guaranteed freedoms of expression, association, and meeting; but withdrew the guarantees of women’s rights that had appeared in the 1976 constitution. The FLN was not mentioned in the document at all, and the army was discussed only in the context of national defense. The new laws reinvigorated politics.

“Newspapers became the liveliest and freest in the Arab world, while political parties of nearly every stripe vied for members and a voice. In February 1989, the Islamic Salvation Front (Front Islamique du Salut—FIS) was founded.

“Algeria’s leaders were stunned in December 1991 when FIS candidates won absolute majorities in 188 of 430 electoral districts, far ahead of the FLN’s 15 seats, in the first round of legislative elections. Faced with the possibility of a complete FIS takeover and under pressure from the military leadership, Benjadid dissolved parliament and then resigned in January 1992. He was succeeded by the five-member High Council of State, which canceled the

second round of elections. The FIS, as well as the FLN, clamored for a return of the electoral process, but police and troops countered with massive arrests. In February 1992, violent demonstrations erupted in many cities. The government declared a one-year state of emergency and banned the FIS. The voiding of the 1991 election results led to a period of civil conflict that cost the lives of as many as 150,000 people. Periodic negotiations between the military government and Islamist rebels failed to produce a settlement.

“In 1996 a referendum passed that introduced changes to the constitution enhancing presidential powers and banning Islamist parties.” [24a]

EVENTS BETWEEN 1999 AND 2009: PRESIDENTIAL ELECTIONS AND THE END OF THE CIVIL CONFLICT

3.03 The Library of Congress *Country Profile: Algeria*, dated May 2008, noted:

“Presidential elections were held in April 1999. Although seven candidates qualified for election, all but Abdelaziz Bouteflika, who appeared to have the support of the military as well as the FLN, withdrew on the eve of the election amid charges of electoral fraud. Bouteflika went on to win 70 percent of the votes. Following his election to a five-year term, Bouteflika concentrated on restoring security and stability to the strife-ridden country. As part of his endeavor, he successfully campaigned to grant amnesty to thousands of members of the banned FIS. The so-called Civil Concord was approved in a nationwide referendum in September 2000. The reconciliation by no means ended all violence, but it reduced violence to manageable levels. An estimated 80 percent of those fighting the regime accepted the amnesty offer. The president also formed national commissions to study reforms of the education system, judiciary, and state bureaucracy. President Bouteflika was rewarded for his efforts at stabilizing the country when he was elected to another five-year term in April 2004, in an election contested by six candidates without military interference. In September 2005, another referendum – this one to consider a proposed Charter for Peace and National Reconciliation – passed by an overwhelming margin. The charter coupled another amnesty offer to all but the most violent participants in the Islamist uprising with an implicit pardon for security forces accused of abuses in fighting the rebels.” [24a]

3.04 The Freedom House *Freedom in the World 2009 Country Report on Algeria* summarised the period following this referendum:

“The [the Charter for Peace and National Reconciliation]... essentially offered a general amnesty to most militants and government agents for crimes committed during the civil war. It also called for victims to receive compensation. Although it received 97 percent support in the referendum, victims’ groups criticized the charter for not addressing the issue of the disappeared, and international human rights groups denounced it for not allowing perpetrators to be brought to justice. Critics also maintained that the vague criteria for determining which militants could benefit from the amnesty were subject to political considerations. While many FIS leaders have been released from prison, they have not been integrated into the political structure in any meaningful way.

“Elections for Parliament’s lower house in May 2007 drew a turnout of just 35 percent, the lowest in Algerian history. Many opposition groups, both Islamist

and leftist, asked supporters not to participate, arguing that the results would be rigged. AQIM also called for a boycott, but the group's popular support was minimal. The FLN lost 63 seats in the voting, though it remained the largest party with 136. The RND took 61 seats, the Rally for Culture and Democracy (RCD) won 19, and the MSP captured 52. Islah retained just 3 seats." [29b]

- 3.05 The Foreign and Commonwealth Office country profile of Algeria, updated 17 July 2009, stated:

"In November 2008 the Algerian constitution was amended following a vote in parliament, which removed the two-term limit on Presidential incumbents. This change enabled President Bouteflika to stand for re-election in the 2009 Presidential elections. Following the election on 9 April 2009 President Bouteflika was re-elected. During his election campaign and following his re-election President Bouteflika promised to extend the programme of national reconciliation and a \$150 billion spending programme to create three million new jobs, the construction of one million new housing units and to continue public sector and infrastructure modernisation programmes." [5a] (Politics)

- 3.06 Europa World online (accessed 25 January 2010), summarised the re-election of President Bouteflika in April 2009 as follows:

"The incumbent President announced in mid-February 2009 his intention to stand for re-election in the April poll. Joining Bouteflika in the presidential contest were: Louisa Hanoune, leader of the PT; Moussa Touati, President of the FNA; Muhammad Djahid Younsi, Secretary-General of El Islah; Ali Fawzi Rebaïne, Secretary-General of Ahd 54 and Mohand Oussaïd Belaïd, a moderate Islamist independent. Bouteflika invited representatives from international organizations, including the Arab League, to observe the electoral process in an effort to appease calls by opposition parties for greater impartiality and transparency in the ballot. However, as in the previous presidential election, in the weeks leading up to the poll Bouteflika faced criticism from opposition parties who claimed that he wielded excessive control over state media and had allocated state funds in favour of his re-election campaign. The President consistently dismissed these allegations.

"Bouteflika was re-elected for a third term of office on 9 April 2009 with a notable majority of the votes. He received 90.2% of the valid votes cast, while his closest challenger, Hanoune, took 4.5%. Touati secured 2.0%, Younsi 1.5%, and Belaïd and Rebaïne both received 0.9%. The rate of participation by eligible voters was reported to be 74.6%, although this figure was considered by opposition parties to be a significant overestimation. Upon learning of the outcome of the election, several of Bouteflika's rivals questioned the legitimacy of the poll; Hanoune stated that she intended to contest the results through the Constitutional Council, while Rebaïne called for a public debate to be held on the matter (and both boycotted Bouteflika's inauguration ceremony on 19 April). However, the Minister of State and Minister for the Interior and Local Authorities, Zerhouni, firmly denied any allegations of electoral malpractice. On 27 April Bouteflika reappointed Prime Minister Ouyahia and the entire Council of Ministers, with the exception of the Minister of State, Soltani Boudjerra, who left the Government at his own request." [1a] (Country Profile: Recent History)

See also [Chronology of major events](#) and Annex C: [Prominent people: past and present](#)

4. RECENT DEVELOPMENTS (MAY 2009 TO FEBRUARY 2010)^[3]

4.01 The Foreign and Commonwealth Office (FCO) Travel Advice on Algeria, updated 22 December 2009, listed the most serious terrorist attacks during 2009: <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/middle-east-north-africa/algeria/> [5d]

4.02 Reuters reported on 22 January 2010 that two Algerian detainees at the Guantanamo Bay detention camp had been returned to Algeria:

“The United States coordinated with the government of Algeria to ensure the transfers took place under appropriate security measures,’ the Justice Department said in a statement. The Justice Department statement identified the two transferred detainees as Hasan Zemiri and Adil Hadi al Jazairi Bin Hamlili... The statement indicated that the two detainees were transferred to ‘the custody and control of the government of Algeria.’ It, however, is not clear if they were released as free men or whether they are to face further investigation and trials in their home country.” [17a]

4.03 The Website Observatorio Electoral TEIM, dated 8 January 2010, reported the results of the senatorial elections of December 2009:

“The outcome of the elections [for the upper house or Senate (Conseil National)], held on December 29 2009, revealed a minimal victory for the FLN (National Liberation Front) (23 out of 48 seats up for grabs, although that number does include 3 independent candidates, dissatisfied at not being elected in the primaries to represent the party). It was closely followed by the coalition ... between the RND (National Democratic Rally) and PT (Workers’ Party), which obtained 20 seats, representing a significant development in the RND’s representation in this house.” [19]

See also [Human rights violations by non-government armed groups](#)

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5. CONSTITUTION

5.01 Europa World online (accessed 20 January 2010) stated:

“A new Constitution for the Democratic and People’s Republic of Algeria, approved by popular referendum, was promulgated on 22 November 1976. The Constitution was amended by the National People’s Assembly on 30 June 1979. Further amendments were approved by referendum on 3 November 1988, on 23 February 1989 and on 28 November 1996. On 8 April 2002 the Assembly approved an amendment that granted Tamazight, the principal language spoken by the Berber population of the country, the status of a national language. On 12 November 2008 the Assembly approved an amendment to abolish the limit on the number of terms a President may serve.” [1a] (**Government and Politics: The Constitution**)

5.02 The full English-language text of the 1996-amended constitution is available via the website of the [Algerian permanent mission to the United Nations](#). [44a]

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6. POLITICAL SYSTEM

- 6.01 The United States Department of State *Country Report on Human Rights Practices 2008*, Algeria (USSD Report 2008), published on 25 February 2009, stated “Algeria is a multiparty republic of approximately 36 million inhabitants whose head of state (president) is elected by popular vote to a five-year term. The president has the constitutional authority to appoint and dismiss cabinet members and the prime minister.” [6a] (Introduction) Europa World online accessed 25 January 2010, reported that “... there is no limit on the number of terms [the President]... may serve. The President presides over a Council of Ministers and a High Security Council. The President must appoint a Prime Minister as Head of Government, who appoints a Council of Ministers.” [1a] (Country Profile: Government)
- 6.02 Europa World online (accessed 25 January 2010) added, regarding the Algerian Parliament:
- “The bicameral legislature consists of the 389-member National People’s Assembly [lower house] and the 144-member Council of the Nation [upper house]. The members of the National People’s Assembly are elected by universal, direct, secret suffrage for a five-year term. Two-thirds of the members of the Council of the Nation are elected by indirect, secret suffrage from regional and municipal authorities; the remainder are appointed by the President of the Republic. The Council’s term in office is six years; one-half of its members are replaced every three years. Both the Head of Government and the parliamentary chambers may initiate legislation, which must be deliberated upon by the National People’s Assembly and the Council of the Nation, respectively, before promulgation.” [1a] (Country Profile: Government)
- 6.03 The same source (accessed 25 January 2010) stated “The country is divided into 48 departments (wilayat), which are, in turn, sub-divided into communes. Each wilaya and commune has an elected assembly.” [1e] (Government)

POLITICAL PARTIES

- 6.04 The USSD Report 2008 stated the following on political parties:
- “The law requires that potential political parties receive official approval from the MOI [Ministry of Interior] to be established. To obtain approval, a party must have 25 founders from across the country whose names must be registered with the MOI. July 14 [2008] amendments to the electoral law provided that a party must receive four per cent of the vote or have received at least 2,000 votes in 25 wilayas (provinces) in one of the last three legislative elections in order to participate in national elections.
- “Membership in the Islamic Salvation Front (FIS), a political party banned in 1992, remained illegal. The government continued to refuse to register Wafa because its perceived ties to the banned FIS constituted a threat to national security, according to the interior minister...The government did not provide an official response to the 1998 registration request of the Democratic Front, which was not active during the year. No party may use religion or ethnic heritage as a basis to organize for political purposes. The law also bans political party ties to nonpolitical associations and regulates party financing and reporting requirements.” [6a] (Section 2d)

- 6.05 The Economist Intelligence Unit, *Country Report*, Algeria, dated 3 January 2010, identified the main political parties as “Front de libération nationale (FLN), previously the sole legal party; Rassemblement national démocratique (RND); Front des forces socialistes (FFS); Rassemblement pour la culture et la démocratie (RCD); Mouvement de la réforme nationale (Islah, Islamist); Mouvement de la société pour la paix (MSP; Islamist); Parti des travailleurs (Labour Party).” [37a]

See also [Political affiliation](#) and subsection [Opposition groups and political activists](#)

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Human Rights

7. INTRODUCTION

- 7.01 Reporting on events during 2009, the Human Rights Watch, *World Report 2010*, chapter on Algeria, released 20 January 2010, noted that:

“Under a state of emergency imposed in 1992, and with President Abdelaziz Bouteflika easily winning reelection to a third term, Algeria continued to experience widespread human rights violations. These included restrictions on freedom of the media and assembly, police abuse of terrorism suspects under interrogation, impunity afforded to members of the security forces and armed groups for past crimes, and continued failure to account for persons forcibly disappeared by state agents during the civil conflict in the 1990s. On a lesser scale than in previous years, militant groups continued their deadly attacks, mostly targeting the security forces.” [27a]

- 7.02 The Freedom House report, *Freedom in the World 2009*, Algeria, covering events in 2008, published 16 July 2009, noted that “The human rights situation remains poor, though there have been significant gains since the peak of the civil war. International human rights activists have accused the security forces of practicing torture.” [29b]

- 7.03 An Amnesty International (AI) Briefing to the UN Human Rights Committee dated April 2008 stated:

“Notwithstanding the decrease in violence and gross human rights abuses associated with the internal conflict that has occurred in recent years, Amnesty International continues to regularly receive reports of incommunicado detention of suspects in unofficial places of detention and torture by the DRS, in the context of the government’s counter-terrorism operations. Further, while the initiative taken by the government in 2004 to enact provisions in national law to criminalize torture was welcome, it can be noted that these new provisions have failed to end the use of torture by the DRS.” [26a]

- 7.04 In its introduction to human rights in Algeria the United States Department of State *Country Report on Human Rights Practices 2008*, Algeria (USSD Report 2008), released 25 February 2009, observed that:

“While the law provided for the right to change the government through elections, restrictions on freedom of association significantly limited citizens’ ability to do so. Other human rights problems included failure to account for persons who disappeared in detention during the 1990s, reports of abuse and torture, official impunity, abuse of pretrial detention, poor prison conditions, limited judicial independence, and restrictions on freedom of speech, press, and assembly. There were also increased limitations on religious freedom and problems with security-based restrictions on movement, corruption and lack of government transparency, discrimination and violence against women, and restrictions on workers’ rights.

“Armed groups committed a significant number of abuses against civilians, government officials, and members of security forces.” [6a] (introduction)

7.05 Algeria has ratified a number of international human rights instruments, including:

- Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
 - International Covenant on Civil and Political Rights
 - International Convention on the Elimination of All Forms of Racial Discrimination
 - Convention on the Rights of the Child
- (UNHCR, Treaty Body Database, accessed 25 January 2010) [35d]

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8. SECURITY FORCES

OVERVIEW

- 8.01 The security forces included the national police, paramilitary groups – the National Gendarmerie, the Communal Guard and Legitimate Defence Militias – the intelligence services (Jane’s, Security and Foreign Forces, updated 2 December 2009) [7c] and the conventional armed forces (comprised of the army, airforce and navy). (Jane’s, Armed Forces, updated 16 October 2009) [83h)
- 8.02 The Library of Congress *Country Profile: Algeria*, dated May 2008 (LOC Profile 2008), observed that “Algeria’s military, paramilitary, and police forces are more concerned about an internal threat from Islamic extremists than a definable external threat. The military is attempting to control the internal threat through operational and surveillance activities.” [24a] (p20)

POLICE

- 8.03 The LOC Profile 2008 stated that:

“Responsibility for maintaining law and order is shared by the 60,000-member Gendarmerie Nationale [National Gendarmerie], under the Ministry of National Defense, and the 30,000-member Sûreté Nationale, or national police force, under the Ministry of Interior. The Gendarmerie Nationale is mainly active in rural and remote areas of the country, while the Sûreté Nationale is primarily an urban police force. Algeria’s various security forces have been involved in counterterrorism operations and have been accused of excesses in the battle against Islamist groups. They also face complaints of harassing journalists.” [24a] (p22)

National police

- 8.04 Estimates for the size of the national police ranged from 30,000 (LOC Profile 2008) [24a], 108,000 (USSD Report 2008) [6a] (Section 1d) to 120,000. (Jane’s, Security and Foreign Forces, updated 2 December 2009) [7c] [The figures may vary depending on what is defined as the national police by the respective sources].
- 8.05 Jane’s *Sentinel Country Risk Assessment*, Algeria, section on Security and Foreign Forces, updated 2 December 2009, reported that:

“The national police force (DGSN) [Direction Generale de la Sureté Nationale - General Directorate of National Security] comes under the control of the Ministry of the Interior. The force carries out routine policing duties, and also has an important role in internal security and in countering subversion. During the civil war, police personnel were extensively deployed on anti-insurgent operations.

“From a territorial point of view, the force is organised in line with Algeria’s administrative structure. There are police commands at the level of province, district and municipality. Every urban area has a police post and larger towns and villages have a police garrison. There is a border police directorate, the

Direction de la Police des Frontières, which has the role of countering illegal immigration.

“There is a judicial police branch which carries out criminal investigations in liaison with the state's prosecution service.” [7c]

- 8.06 The United States Department of State Country Report on Human Rights 2008: Algeria (USSD Report 2008), published on 25 February 2009, noted “All security forces are provided a copy of a code of conduct establishing regulations for conduct and sanctions for abuses. Corruption existed, especially in the customs police... According to human rights attorneys, police officials, and local NGOs, the most frequent abuse of police authority occurred as a result of officers not following established guidelines for arrests.” The same source also noted that the police were generally effective at maintaining order. [6a] (Section 1d)

National Gendarmerie (including the Republican Guard)

- 8.07 The USSD Report 2008 noted that “The National Gendarmerie, under the Ministry of Defense, also performs police-like functions outside urban areas.... gendarmes were generally effective at maintaining order.” [6a] (Section 1d) With regard to the strength of the gendarmerie, the LOC Profile 2008 stated:

“Algeria’s paramilitary forces include the 20,000-member Gendarmerie Nationale [compared to the figure of 60,000 stated by Jane’s – see following paragraph], which is subordinate to the Ministry of National Defense; the 1,200-member Republican Guard, an elite corps of the Gendarmerie Nationale; an estimated 16,000 national security forces in the General Directorate of National Security under the Ministry of Interior...” [24a] (p21)

- 8.08 Jane’s, in its *Sentinel Country Risk Assessment* for Algeria, section on Security and Foreign Forces, posted 2 December 2009, noted that:

“...the National Gendarmerie and the Republican Guard Brigade have taken a prominent role in countering the Islamist insurgency... The Gendarmerie Nationale (National Gendarmerie) is a paramilitary force which has the main responsibility for policing in rural areas. The director of this highly mobile force reports to the Minister of National Defence, and it has a strength of about 60,000. Gendarmes, known as 'Ninjas' because of their black uniforms and balaclavas, are often seen patrolling and setting up checkpoints in areas under threat from insurgents Elite units of the Gendarmerie, such as the Rapid Intervention Group, worked closely with special forces of the army and other security services to combat Islamic insurgency, under a co-ordinating group set up in 1992, known as the Centre for the Conduct and Co-ordination of Anti-subversive Actions (CCC/ALAS). In October 2002, the National Gendarmerie Command established a new unit to combat organised crime. This body, which exists at the level of the National Gendarmerie Command, is responsible for gathering and analysing intelligence and making it available to the regional services, especially for combating drug trafficking.

“The elite Republican Guard Brigade, with a strength of 1,200, is equipped with light tanks and armoured vehicles. The brigade is commanded by General Layachi Grid, who took over command from Major General Ali Djemai in August 2005.” [7c]

The Communal Guard and Legitimate Defence Groups

- 8.09 The LOC Profile 2008 reported that there were an estimated 150,000 militia and guards. [24a] (p22) Jane's, in its *Sentinel Country Risk Assessment* for Algeria, section on Security and Foreign Forces, posted 2 December 2009 noted that:

“Formal security forces have also been supplemented in rural areas by local forces, armed by the state. The Communal Guard was set up by the Ministry of the Interior in 1994 and was reported in recent years to have a strength of 50,000. Local militias known as Legitimate Defence Groups were also formed in towns and villages. It has been estimated that the strength of the Communal Guard and the other local forces local may exceed 150,000...” [7c]

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ARMED FORCES

- 8.10 Jane's noted in its *Sentinel Country Risk Assessment for Algeria* on Armed Forces, posted 16 October 2009, that the armed forces consisted of 110,000 personnel in the army with a further 100,000 reservists, 10,000 in the Navy and 7,500 in the airforce. [7e] (Armed Forces)

- 8.11 The same source added:

“Algeria is a leading military power in the region. However, despite a fleet of aircraft that is the envy of most African countries and well-equipped and well-trained armed forces, the country has been beset by a spate of car bombings and attacks outside military and police outposts that have killed dozens of civilians as well as soldiers. In August 2008 two car bombs aimed at the military command in Bouira killed at least 12 people and wounded 31, the day after a suicide bombing killed 43 people and wounded 45 others at a police training school at Issers, 35 miles east of Algiers. There were more suicide attacks, ambushes and car bombings in 2009.” [7e] (Armed Forces)

- 8.12 In its *Algerian Country Profile – Main Report*, dated 6 November 2009, the Economist Intelligence Unit stated:

“The malign influence of the military elite over the political process during the 1990s has been largely curbed by Mr Bouteflika [the president], but corruption and cronyism remain serious problems and are unlikely to diminish now that he has stated his intention to remain in office. The president has, however, played a key part in the gradual transformation of Algeria since he came to power in 1999, notably by using the authority of his office to marginalise senior members of the military old guard – le pouvoir – who used to be the major powerbrokers in Algerian politics.” [37a]

For details on military service, conscription and desertion see section 11: [Military Service](#)

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OTHER GOVERNMENT FORCES

Intelligence agencies

- 8.13 The Department of Information and Security (DRS - Département de Renseignement et de Sécurité) "... reports to the Defense Ministry and exercises internal security functions but also performs police-like functions in terrorism cases." (USSD Report 2008) [6a] (Section 1d)
- 8.14 Jane's reported in their *Sentinel Country Risk Assessment*, Algeria, Security and Foreign Forces, posted 2 December 2009 that:
- "The DRS is Algeria's military intelligence service...Apart from a military security role, the service also has a prominent role in internal security, and in countering the activities of Islamist insurgents. Under Algerian law, DRS agents are empowered to act as judicial police. It has been alleged that the DRS has been prominently involved in the 'disappearance' of individuals suspected of subversive activity. The DRS also has a role in the gathering of intelligence beyond Algeria's borders." [7c]
- 8.15 Jane's further noted that "Counter-intelligence is handled by a sub-department, Direction du Contre-Espionnage (DCE)." [7c] (Security and Foreign Forces)

HUMAN RIGHTS VIOLATIONS BY THE SECURITY FORCES

Arbitrary arrest and detention

- 8.16 The USSD Report 2008 stated:
- "Prolonged pretrial detention remained a problem. The law does not provide a person in detention the right to a prompt judicial determination of the legality of the detention. Persons charged with acts against the security of the state, including terrorism, may be held in pretrial detention as long as 20 months according to the penal code; the prosecutor must show cause every four months for continuing pretrial detention.
- "Judges rarely refused prosecutorial requests for extending preventive detention, which can be appealed to a higher court but was rarely overturned. Should the detention be overturned, the defendant can request compensation. Most detainees have prompt access to a lawyer of their choice, and if the detainee is indigent, the government provides a lawyer." [6a] (Section 1d)
- 8.17 Amnesty International noted in its *Annual Report 2009 - Algeria*, published May 2009 and covering events in 2008, that:
- "The authorities, including the Department for Information and Security (DRS) military intelligence agency, continued to detain terrorism suspects incommunicado, putting them at risk of torture and other ill-treatment. Those detained included several Algerian nationals returned from other states... People suspected of subversive activities or terrorism continued to face unfair trials. Some were denied access to legal counsel while held in pre-trial detention. The courts accepted as evidence, without investigation,

‘confessions’ that defendants alleged had been obtained under torture or other duress.” [26b] (Counter-terror and Security)

- 8.18 Human Rights Watch’s *World Report 2010*, Algeria, covering events in 2009, released on 20 January 2010, noted:

“Reports of long-term ‘disappearances’ have been exceedingly rare in recent years. However, security services in plainclothes often carry out arrests without showing warrants and then sometimes hold terrorism suspects longer than the permitted 12 days before presenting them to a judge, and do not comply with the legal obligation to notify the family. The United Nations Committee against Torture, in its May 2008 examination of Algeria’s report to the committee, expressed concern about reports that the legal limit of 12 days in pre-charge detention in terrorism cases ‘can, in practice, be extended repeatedly’ and that ‘the law does not guarantee the right to counsel during the period of remand in custody, and that the right of a person in custody to have access to a doctor and to communicate with his or her family is not always respected’.” [27a]

For details of the law on arrest and detention, see section [Arrest and detention – legal rights](#)

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Torture and extra-judicial killings

- 8.19 The USSD Report 2008 stated:

“The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment; however, NGO and local human rights activists reported that government officials employed such practices to obtain confessions. Government agents can face prison sentences of up to 10 to 20 years for committing such acts. Nonetheless, impunity remained a problem. Local human rights lawyers maintained that torture continued to occur in detention facilities, most often against those arrested on ‘security grounds’.” [6a] (Section 1c)

- 8.20 Human Rights Watch in the Algerian chapter of its *World Report 2009*, published 14 January 2009 and covering events of 2008, noted:

“Algeria amended its penal code in 2004 to make torture an explicit crime. Nevertheless, Amnesty International ‘continues to regularly receive reports of incommunicado detention of suspects in unofficial places of detention and torture by the DRS (Department for Information and Security)’ The International Committee of the Red Cross regularly visits ordinary prisons in Algeria but not DRS-run places of detention.” [27a]

- 8.21 The Amnesty International report, Algeria: Briefing to the Committee Against Torture, dated April 2008, noted:

“There are fewer reports of torture and other ill-treatment today than there were during the height of the violence in the 1990s. However, suspects detained by the DRS continue systematically to be held in secret detention

and denied any contact with the outside world, often for prolonged periods, in conditions which facilitate torture and may constitute ill-treatment... Most allegations of torture and other ill-treatment received by Amnesty International refer to detainees held at secret detention centres by the DRS. However, the organisation has also received reports of torture and other ill-treatment by other security forces or in official detention centres.” [26a]

Impunity

8.22 The USSD Report 2008 observed that “Impunity remained a significant problem. The government did not provide disaggregated public information on the numbers, infractions, or punishments of police, military, or other security force personnel.” [6a] (Section 1d)

8.23 Commenting on impunity of the security forces (and members of insurgent armed groups) for human rights violations in 1990s, Human Rights Watch’s *World Report 2010* observed:

“Over 100,000 Algerians died during the political strife of the 1990s. Thousands more were ‘disappeared’ by security forces or abducted by armed groups fighting the government, and have never been located, dead or alive. Perpetrators of atrocities during this era continue to enjoy impunity. The legal framework for that impunity is the 2006 Law on Peace and National Reconciliation, which provides an amnesty to security force members for the actions they took in the name of combating terrorism, and to armed group members not implicated in the most heinous acts.

“The law promises compensation for families of ‘disappeared’ persons but at the same time makes it a crime to denigrate state institutions or security forces for the way they conducted themselves during the period of political strife. Organizations representing the families of the ‘disappeared’ condemned the continued failure of the state to provide a detailed account of the fate of their missing relatives.” [27a]

See [Non-government armed groups](#) for information about violations committed by Al Qaeda in the Maghreb

See also [Judiciary](#)

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9. NON-GOVERNMENT ARMED GROUPS

OVERVIEW

- 9.01 Jane's observed in its *Sentinel Country Risk Assessment, Algeria*, Executive Summary Section, updated on 30 November 2009, that:

"The Islamist insurgency continues to pose a threat to Algeria, albeit one of considerably diminished significance since the 1990s...Currently, the main active terrorist group is Al-Qaeda in the Islamic Maghreb (AQIM), which prior to January 2007 was called the Groupe Salafiste de la Predication et le Combat (GSPC). While the GSPC was never strong enough to seize power and it remains doubtful that this is AQIM's strategic objective, its operatives are still capable of destabilising attacks that undermine the government's claims that stability has been restored." [7b]

AL QAEDA IN THE ISLAMIC MAGHREB (AQIM)

- 9.02 Jane's reported in its section on non-state armed groups, updated 30 November 2009, that:

"Al-Qaeda Organisation in the Islamic Maghreb (AQIM) [was] formerly known as the Salafist Group for Preaching and Combat (Groupe Salafiste pour la Prédication et le Combat: GSPC). The GSPC was an offshoot of the Groupe Islamique Armée (Armed Islamic Group: GIA), and emerged largely as a result of divisions within GIA ranks over strategy. The GIA is itself a breakaway from the more mainstream Islamist movement, the Front Islamique du Salut (Islamic Salvation Front: FIS)... The combination of AQIM's enhanced profile through its association with Al-Qaeda with the GSPC's well-established infrastructure and training apparatus has helped transform AQIM into an important regional threat." [7d]

- 9.03 The report continued:

"The GSPC was founded in 1998 and re-branded as AQIM in January 2007 following the group's pledge of allegiance to Al-Qaeda on 11 September 2006 which was announced by senior Al-Qaeda leader Ayman Al-Zawahiri... The name change is indicative of the group's desire to transform itself into an Al-Qaeda regional affiliate, expand its aims beyond Algeria to create a regional caliphate, and adopt a pan-Islamic, as opposed to nationalistic, jihadist ideology." [7d]

- 9.04 Jane's described the group's aims and objectives:

"AQIM's aim is to overthrow the Algerian regime and to replace it with an Islamic state under sharia (Islamic law). It seeks to achieve this by attacking regime targets including the military, police and security services. The attacks in August 2008 show a continuation of this policy and a desire to include operations against economic targets and their associated foreign workers...[The group has assisted] associated cells in nearby countries in establishing their own operations and providing training support. Given the setbacks suffered by AQI [Al-Qaeda in Iraq] in the course of 2008, the activities of AQIM have gained in prominence as the overall Al-Qaeda

organisation seeks to maintain its ability to recruit people to its vision of an Islamic caliphate.” [7d]

9.05 The report continued:

“AQIM continues to pose a daily threat to the lives of Algerian security and government personnel and foreign workers in spite of the government's ongoing counter-terrorism campaign and their associated claims of success...The combination of AQIM's enhanced profile through its association with Al-Qaeda with the GSPC's well-established infrastructure and training apparatus has helped transform AQIM into an important regional threat.” [7d]

9.06 The United States Department of State *Country Report on Terrorism 2008 - Algeria* (USSD CRT 2008), published 30 April 2009, noted:

“The majority of attacks have occurred in rural and suburban areas. The terrorists were very careful to establish remote bases, communicate sparingly, and planned and carried out attacks meticulously. AQIM appeared aware of the need to avoid civilian casualties, but this has been difficult to accomplish as its police and military targets often operated among civilians. Roadside bombs and ambushes persisted despite the efforts of the security forces. In some cases, however, approaching terrorists were intercepted before they could successfully complete their attacks. The combination of a population weary of civilian casualties from over a decade of Islamic terrorist violence, and the growing availability and use of cell phones has made the terrorists more vulnerable to detection and attack by the police.” [6f]

9.07 Jane's section on non-state armed groups, dated 30 November 2009, gave the total strength of AQIM, based on an Algerian Ministry of Interior estimate, as 500 plus. It stated its leader was Abdelmalek el-Droukdel (alias Abu Musab Abd al-Wadud). [7d]

9.08 The USSD CRT 2008 stated “AQIM, thanks in part to high unemployment among Algerian youth, was partially successful in replenishing its numbers after the arrests, surrender, or death of an estimated 1,000 terrorists. Those remaining appeared to be more hard-line and resistant to the government's amnesty offer.” [6f]

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HUMAN RIGHTS VIOLATIONS BY NON-GOVERNMENT ARMED GROUPS

9.09 The Human Rights Watch *World Report 2010* referring to events in 2009 and published on 20 January 2010 stated:

“Militant attacks were down dramatically compared to the mid-1990s, but Al Qaeda in the Islamic Maghreb (AQIM) continued to launch fatal attacks, directed mostly at military and police targets. Many of the attacks involved roadside ambushes using explosive devices and gunfire, such as a June 17, 2009 attack on a convoy near Bordj Bou Arreridj, 180 kilometers east of Algiers, that killed between 18 and 30 gendarmes, according to reports. AQIM also killed civilians at times. For example, it reportedly claimed responsibility for assassinating a shepherd in Houdjbet, near the eastern city of Tebessa, on March 14 on suspicion of collaborating with authorities.” [27b]

9.10 The USSD CRT 2008 reported that:

“It was estimated that the Algerian security services killed, wounded or arrested 1,000 terrorists in 2008... Although the total number of attacks rose in 2008 to 295 compared to 218 in 2007, the number of civilian casualties decreased. The counterterrorism successes of the Algerian services, combined with the public rejection of terrorists, possibly reduced AQIM's overall effectiveness. One of the most effective counterterrorism operations took place in August when 12 terrorists were killed in the forests of Ouacif and Ain Elhamam, in the wilaya of Tizi Ouzou. The surge in terrorist activity in late August may have been revenge attacks for this operation. In addition, over 300 terrorists were sentenced (often in absentia, with sentences never carried out) to capital punishment during the year, of which 257 were sentenced by the court of Boumerdes alone. The Government of Algeria instituted a program to hire 100,000 new police and gendarme officers, reinforce the borders, augment security at airports, and increase the overall security presence in the city of Algiers. The initiative was effective in reducing the impact of terrorist incidents during the year and also demonstrated the government's determination to fight terrorism.” [6f]

9.11 The report concluded “Despite the upsurge of AQIM activity in August [2008], the overall security situation remained greatly improved from the situation of the late 1990s.” [6f]

9.12 The International Institute for Strategic Studies, Armed Conflict Database, in its 2009 review of Human Security Development in Algeria, undated, stated:

“There was a notable decrease in the number of targeted attacks in the urban centres of Algeria in 2009. However, AQIM continued to launch ambush attacks on Algerian security services in the provinces encircling Algiers, as well as in the south of the country.

“Although figures vary slightly depending on whether the information is gathered from government sources or declarations delivered by AQIM, Algerian media sources estimate that approximately 123 AQIM operatives have been killed this year, while 126 members of the Algerian security forces have perished as a result of AQIM attacks.

“Kidnappings proved an effective tool for AQIM in disrupting the relationship between Algeria and its international counterparts.” [45]

9.13 The United States Department of State (USSD) *Country Report on Human Rights Practices 2008*, Algeria, published 25 February 2009 stated “During the year [2008] radical Islamic extremists issued public threats against all ‘infidels’ and ‘apostates’ in the country, both foreigners and citizens. The country's terrorist groups generally did not differentiate between religious and political killings.” [6a]

See [Security forces](#) for further information on the Government's response to AQIM. Also see [Latest news](#) and the FCO webpage, [Travelling and Living Abroad, Algeria](#), for information on recent terrorist incidents.

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10. MILITARY SERVICE

- 10.01 The Coalition to Stop the Use of Child Soldiers (CSUCS), *Global Report 2008*, on Algeria, released May 2008, covering the period between April 2004 and October 2007, reported that:

“The legal basis for conscription into the regular armed forces remained the National Service Code. Algerian men were liable for 18 months compulsory conscription between the ages of 19 and 30, and an additional six months service as a reservist up to the age of 50. Some 375,000 young men were estimated as reaching military service age annually.... The minimum age for voluntary recruitment into the armed forces or paramilitary forces was unclear.” [39a]

- 10.02 Jane’s noted in its *Sentinel Country Risk Assessment for Algeria on Armed Forces*, posted 16 October 2009, that “Once compulsory service has been completed, soldiers must remain available to the Ministry of Defence for five years and may be recalled at any time, after which they become part of the reserve forces for a further 20 years.” [7e] (Armed Forces)

- 10.03 The Consulate of Algeria stated on its *national service* page of its website, updated 21 October 2009, that “National Service registration (Recensement) is compulsory and takes place at the age of 18. This procedure is automatically carried out by the Consulate for all Algerian nationals born in the UK... as well as those who are registered at the consulate. However National Service can be deferred for the entire period of your studies.” [42a]

- 10.04 The Consulate website also noted that deferment can be sought whilst studying in the United Kingdom and exemption sought for medical reasons and for presidential exemptions: “In 1999, His Excellency President Abdelaziz Bouteflika took important decisions to enable Algerian Nationals to regularise their National Service situation. People entitled to this scheme must be over the age of 22 and have finished their studies.” [42a]

- 10.05 The United States Department of State *Country Report on Human Rights Practices 2008*, Algeria (USSD Report 2008), released on 25 February 2009, noted “The government did not permit young men eligible for the draft, who had not yet completed their military service, to leave the country without special authorization; however, such authorization was granted to students and to persons with special family circumstances.” [6a] (section 2d)

- 10.06 The Country of Return Information Project May 2009 *Country Sheet for Algeria* stated:

“Algerian citizens must perform their military duties. The Algerian army has evolved towards a professional army, meaning traditional conscription is progressively being reduced to the recruitment of professionals who will make a career in the army. However, military service is still maintained due to the existence of terrorism. A new presidential decree issued in July 2008 aims at implementing new and more rigorous measures concerning exemptions of military obligations for health reasons. New appeal and consultative commissions have to guarantee that the law be respected and an equal approach as for medical abilities, imputability and discharge.

“The regularisation applications regarding national service are always granted and examined in accordance with the calendar of the ad-hoc commission which travels abroad each semester. Therefore there is no deadline for making a regularisation application.

“The regularization which started in the framework of presidential measures affects citizens born between January 2nd 1959 and December 1st 1980. Young Algerians born before December 31st 1981 do not have to justify their position on military service when leaving the national territory.

“According to the website of the Algerian embassy in Ottawa, Algerians can request to be exempted from national service for medical reasons or if they are ‘the sole supporter of an ascendant or of a collateral relative who is disabled or a minor’, or if they are older than 27 years and have paid work ... The regularisation of the national service is granted to draft evaders of the class of 2002 (i.e. people born in 1982), and to ‘citizens of previous classes who have [completed] or left their studies on 31 December 2001’ ... According to the consular section of the same embassy, this regularisation is granted to persons born in or before 1983 (24 May 2005).

“... The consular section of the Algerian embassy in Ottawa, in its written communiqué of 24 May 2005, has confirmed that the regularisation procedure regarding national service is the same in Algeria and abroad. The consular section has stated that an Algerian citizen who does not comply with the timetable for the regularisation may be considered to be absent without leave by the Algerian authorities (Algerian embassy 24 May 2005).

“Moreover according to the consular section, ‘It is possible that persons who are in an irregular situation with regard to the national service may not obtain a passport. But these are rare occasions since the implementation of regularisation measures.’

“According to the consular section of the Algerian embassy in Ottawa, two types of documents are issued to persons who have regularised their situation: the provisional deferment card (for persons who continue their studies and who have provided proof thereof) or the exemption card (for persons who have requested regularisation).” [10] (Military Service)

CONSCIENTIOUS OBJECTION

10.07 War Resisters’ International (WRI) stated in its report of 29 June 1998 on Algeria that:

“There is no legal provision for conscientious objection and no substitute service. Any individual claiming to be a CO [conscientious objector] will be considered a draft evader (insoumis).

“Professional serving members of the armed forces have no right to discharge if they have conscientious objection. If they do not wish to renew their contract, they have to announce this one year in advance. If they ask for discharge, they often face accusation of having given way to the pressure of the Islamic movement and not being credible anymore. In the worst cases they are accused of desiring to join the armed insurgent groups and may be interrogated and even tortured.” [57]

DRAFT EVASION AND DESERTION

10.08 The CSUCS *Global Report 2008* noted that “Evading conscription was punishable by a five-year prison sentence in accordance with Article 254 of the Algerian Military Justice Code 8.” [39a]

10.09 WRI also noted in its Algerian report of 29 June 1998 that:

“Draft evasion and desertion are punishable under the 1971 Military Penal Code (Code de Justice Militaire (CJM)).

“According to art. 40 of the Military Code, a state of emergency is equivalent to a state of war. Algeria has been in state of emergency since 9 February 1992 [and remains in a state of emergency as of February 2010]. This means that since 1992 the punishments as applicable in wartime prevail.

“Concerning penalties for draft evasion and desertion, no distinction is drawn between conscripts and professional soldiers. For officers the penalties are heavier.

“Draft evasion and refusal to perform military service (insoumission) is punishable by 3 months' to 5 years' imprisonment in peacetime. In wartime the penalty is from 2 to 10 years' imprisonment...Insoumis are those called up who have not reported to the military within 30 days of a call-up notice.

“The penalties for desertion are prescribed in arts. 255 to 270, depending on whether the deserter fled within the country, went abroad, or deserted to the enemy, and whether the deserter was alone or in a group.

“Desertion within the country is punishable by 6 months' to 5 years' imprisonment in peacetime; 2 to 10 years' in wartime. If more than two men desert together this is considered desertion with conspiracy and punishable by one to 6 years' imprisonment in peacetime; 5 to 15 years' in war time.

“Desertion abroad is punishable by 2 to 10 years' imprisonment in peacetime; 10 to 20 years' in wartime. In aggravated circumstances - for instance in case of desertion with conspiracy, desertion of officers, or if the deserters carried arms or ammunition - the penalty may be up to life imprisonment.

“If deserters flee to an armed group or to the enemy the maximum punishment is execution.

“Those who incite others to desert may be punished by 6 months' to 5 years' imprisonment in peacetime; 5 to 10 years' in wartime (art. 271).

“Those who hide deserters or try to keep them away from prosecution may be punished by two months' to two years' imprisonment (art. 272).

“Self-mutilation (in order to be unable to serve) is punishable by one to 5 years' imprisonment in peacetime; 5 to 10 years' in wartime (art. 273).” [57]

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11. JUDICIARY

- 11.01 The UN Development Programme on Governance in the Arab Region (POGAR) website, undated, accessed 14 December 2009, stated:

“The legal system of Algeria is based on Civil Law and Islamic legal traditions. The principal of an independent judiciary is enshrined in Article 138 of the Algerian Constitution. As a practical matter, however, military courts have assumed many judicial functions since Algeria declared a state of emergency in 1991. The Military Tribunal courts try matters relating to espionage, state security, and other offenses committed by military personnel. They consist of three civil judges and two military judges.

“The structure of the judiciary is three-tiered. At the first level are the tribunal courts, or *daira*, which are composed of a single judge. Civil and commercial litigation and some criminal matters are submitted to the tribunal courts. At the second level are the provincial, or *wilaya*, courts, which consist of panels of three judges. In all there are 48 *wilaya* courts, organized regionally into four chambers: civil, criminal, administrative, and accusation. These courts hear appeals from the tribunal courts.

“The High Judicial Council, established by the 1976 constitution, is responsible for presiding over issues of judicial discipline and implementation and the appointment of judicial officials. The president of the nation serves as president of the council, and the minister of justice serves as vice president. The council is also charged with advising the president on the exercise of his power to pardon.

“The highest judicial authority in Algeria is the Supreme Court. Located in Algiers, the Court comprises a Private Law chamber for civil and commercial cases, a Social Division that administers social security and labor cases, a Criminal Court, and an Administrative Division. Specialized criminal courts in Oran, Constantine, and Algiers have exclusive jurisdiction over economic crimes against the state. Their decisions may not be appealed. A separate Council of State with jurisdiction over administrative matters was re-established (after its abolition in the 1960s) in 1998. A Tribunal of Conflicts adjudicates jurisdictional disputes between the Council of State and the Supreme Court.” [23a] (Algeria judiciary)

- 11.02 The United States Department of State Country Report on *Human Rights Practices 2008*, Algeria, (USSD Report 2008) published 25 February 2009, noted:

“The High Judicial Council is responsible for judicial discipline and the appointment of all judges. President Bouteflika serves as the president of the council.

“The judiciary is composed of civil courts, which hear cases involving civilians facing charges not related to security or terrorism, and military courts, which can hear cases involving civilians facing security and terrorism charges.

“Regular criminal courts can try cases involving security-related offenses at the local level. Legal decisions regarding family matters are based on Shari'a (Islamic law) as well as civil law.

“Military courts in Oran, Blida, Constantine, and Bechar try cases involving state security, espionage, and other security-related offenses involving military personnel and civilians. Each tribunal consists of three civilian judges and two military judges. Although the president of each court is a civilian, the chief judge is a military officer. Defense lawyers must be accredited by the military tribunal in order to appear. Public attendance at the trial is at the discretion of the tribunal. Appeals are made directly to the Supreme Court. Military tribunals try cases but only occasionally disclose information on proceedings. There was no public information available on any cases before them during the year.

“The nine-member Constitutional Council reviews the constitutionality of treaties, laws, and regulations. Although the council is not part of the judiciary, it has the authority to nullify laws found unconstitutional, confirm the results of any type of election, and serve as the final arbiter of amendments that pass both chambers of the parliament before becoming law.” [6a] (Section 1e)

Shari'a

11.03 The USSD Report 2008 stated “Legal decisions regarding family matters are based on both Shari'a (Islamic law) as well as civil law”. [6a] (Section 1e)

11.04 The USSD *International Religious Freedom Report 2009*, published 26 October 2009, added:

“Some aspects of the law and many traditional social practices discriminate against women. The Family Code, which draws on Shari'a, treats women as minors under the legal guardianship of a husband or male relative ... Women suffer from discrimination in inheritance claims. The Family Code ... states that women are entitled to a smaller portion of a deceased husband's estate than his male children or brothers.” [6c] (Section II legal/policy framework)

See also Women, [Family law](#)

INDEPENDENCE AND FAIR TRIAL

11.05 The USSD Report 2008 noted:

“Although the constitution provides for an independent judiciary, the president exercises supreme judicial authority, and executive branch decrees and influence limited judicial independence. The constitution provides for the right to a fair trial; however, in practice authorities did not completely respect legal provisions regarding defendants' rights and denied due process... Defendants are presumed innocent and have the right to be present and consult with an attorney, provided at public expense if necessary. Most trials are public and nonjury. Defendants can confront or question witnesses against them or present witnesses and evidence on their behalf. Defendants and their attorneys occasionally were denied access to government-held evidence relevant to their cases. Defendants have the right to appeal. The testimony of men and women is considered of equal weight under the law... The judiciary was not fully independent and impartial in civil matters and lacked

independence in human rights cases. Family connections and status of the parties involved reportedly influenced decisions. Individuals may bring lawsuits, and there are administrative processes related to amnesty, which may provide damages for human rights violations and compensation for alleged wrongs.” [6a] (Section 1e)

- 11.06 The same source noted in a section on civil judicial procedures and remedies that:

“The judiciary was not fully independent and impartial in civil matters and lacked independence in human rights cases. Family connections and status of the parties involved reportedly influenced decisions. Individuals may bring lawsuits, and there are administrative processes related to amnesty, which may provide damages for human rights violations and compensation for alleged wrongs.” [6a] (Section 1e)

- 11.07 The Freedom House report, *Freedom in the World 2009*, Algeria, stated “The judiciary is not independent and is susceptible to government pressure” [29b] (Political rights and Civil Liberties).

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12. ARREST AND DETENTION – LEGAL RIGHTS

For details of human rights violations by the security forces, including arbitrary arrest and detention, see the section on [Human rights violations by the security forces](#).

- 12.01 The United States Department of State Country Report on *Human Rights 2008, Algeria* (USSD Report 2008), published 25 February 2009, stated, with regards to arrest and initial detention, that:

“According to the law, police must obtain a summons from the prosecutor’s office to require a suspect to appear in a police station for preliminary questioning. Summonses are also used to notify and require the accused and/or the victim to attend a court proceeding or hearing.

“The government issues warrants under three different circumstances: to bring an individual from work or home to a court; to execute a prosecutor’s approved request to place a person into custody pending trial; or to arrest a suspect considered to be a flight risk. Police may make arrests without a warrant if they witness an offense taking place. Lawyers reported that procedures for warrants and summonses were usually carried out properly.

“The constitution specifies that a suspect may be held in detention for up to 48 hours without charge. If more time is required for gathering additional evidence, the police may request that the prosecutor extend the suspect’s detention to 72 hours. Those suspected of terrorism or subversion may legally be held for 12 days without charge or access to counsel. In practice, the security forces generally adhered to the 48-hour limit in non-terrorism cases.”
[6a] (Section 1d)

- 12.02 The USSD Report 2008 stated that:

“Prolonged pre-trial detention remained a problem. The law does not provide a person in detention with the right to a prompt judicial determination of the legality of the detention. Persons charged with acts against the security of the state, including terrorism, may be held in pre-trial detention as long as 20 months, according to the penal code; the prosecutor must show cause every four months for continuing pre-trial detention.

“Judges rarely refused prosecutorial requests for extending preventive detention, which can be appealed to a higher court but was rarely overturned. Should the detention be overturned, the defendant can request compensation. Most detainees have prompt access to a lawyer of their choice, and if the detainee is indigent, the government provides a lawyer. In November 2007, according to the prison administration, pretrial detainees represented 6,100 individuals, or 11 percent, of the individuals held by prison authorities.

“There is no system of bail, but in non-felony cases suspects are usually released on ‘provisional liberty’ while waiting for trial. Under provisional liberty, suspects are required to report weekly to the police station in their district and are forbidden from leaving the country”.

“The penal code requires detainees in pre-trial detention to be immediately informed of their right to communicate with family members, receive visitors,

and be examined by a doctor of their choice at the end of detention. In addition, any suspect can request a medical examination once on police premises or before facing the judge. In practice, however, detainees were typically examined only at the end of their detention. Reports that these rights were not extended to detainees continued during the year.” [6a] (Section 1d)

12.03 Amnesty International in its *Algeria: Briefing to the Committee against Torture*, dated April 2008, stated:

“Algerian law allows for individuals suspected of terrorist activity to be held without charge and without access to lawyers for prolonged periods. Amnesty International has received reports of torture and other ill-treatment of detainees during the first 12 days of detention. In addition, the time limits defined under Algerian law are frequently violated by the DRS [Department of Information and Security].

“The DRS sometimes hold suspects without charge or access to legal counsel for periods far longer than the 12-day limit prescribed by law. Such arbitrary detentions can be prolonged indefinitely, for months or even years. Sometimes detainees held in excess of the period of garde à vue are subjected to ‘house arrest’. Detainees held by the DRS under such conditions, outside of the legal framework, are not able to challenge the lawfulness of their detention, as they have no access to judicial review until they are first brought to a judge, which may not be until months after their arrest.

“Further existing safeguards under Algerian law designed to protect detainees who have not been charged are generally not respected by the DRS, meaning that the detainee’s physical safety is put in grave danger as a result of the excessive time limit allowed for garde à vue.” [26a] (Prolonged Detention Without Charge)

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13. PRISON CONDITIONS

- 13.01 The United States Department of State *Country Report on Human Rights 2008: Algeria* (USSD Report 2008), published 25 February 2009, stated:

“During the year the government permitted the International Committee of the Red Cross (ICRC), the UN Development Program (UNDP), and the Red Crescent Society to visit regular, nonmilitary prisons. ICRC visits to persons held in places of detention run by the Ministry of Justice (MOJ) and to those detained in police stations and gendarmeries were carried out in accordance with ICRC standard practices. The government denied other human rights observers visits to military and high-security prisons and detention centers.

“In February an ICRC delegation visited the El Harrach prison after reports that security guards used violence against prisoners. According to press reports, prisoners complained about the closure of the prayer room.

“On June 9 [2008], Mokhtar Felioune, the director general of the Prisons Administration, announced that 7,547 prisoners benefited from temporary release as part of a government effort to reduce overcrowding in the country's prisons. Felioune also noted that 1,390 prisoners benefited from work/study release programs while 8,268 received parole for good conduct. During a December 22 press conference, Felioune stated there were 65,000 prisoners in the country's penal system. In 2007 Felioune stated there were 54,000 persons held in 127 prisons.

“Overcrowding was a problem in many prisons. According to human rights lawyers, the problem of overpopulation was partially explained by the abusive recourse to pretrial detention. Pretrial detainees were held separately from convicted prisoners. In his October 2 statement, Felioune expressed concern about overcrowding in prisons. In some cases overcrowding meant that juveniles were held with adults; however, the country, in general, maintained separate juvenile detention centers. On December 15, a local newspaper reported that the CNCPPDH (National Consultative Committee for the Promotion and Protection of Human Rights) conducted 34 prison visits during the year and highlighted concerns with overcrowding, insufficient bed space, as well as poor lighting, ventilation, nutrition, and hygiene.

“In its May report, UNCAT (United Nations Convention against Torture) expressed concern over reports that the Department of Information and Security (DRS), the military intelligence agency tasked with internal security, ran secret detention centers inside military barracks in Algiers that operated outside judicial authority.” [6a] (Section 1c)

- 13.02 Amnesty International, in its *Algeria: Briefing to the Committee against Torture*, dated April 2008, stated:

“Article 52 of Algeria's Code of Criminal Procedure provides that all places in which detainees are held in garde à vue may be inspected at any time by the prosecutor in order to ensure that they satisfy the guarantees provided under Algerian law. However, as far as Amnesty International is aware, the barracks used by the DRS to hold and interrogate suspects are never subject to such inspections. In May 2005, Ministry of Justice officials told a visiting Amnesty

International delegation that all detention facilities were open to inspection by prosecutors, including detention facilities used by the DRS, but they were unable to provide details indicating that such visits had been carried out to DRS barracks.

“Former detainees have told Amnesty International that there were no inspection visits by the public prosecutor when they were being held at DRS barracks, and human rights lawyers have also stated that they are unaware of any such visits having been made.

“The Algerian authorities’s use of secret detention facilities was recently cited also in a report on the involvement of European states in ‘renditions’ submitted to the Council of Europe, where it is stated: ‘the transfer of other detainees on [the United States’] rendition circuit must have entailed detainees being transferred out of Kabul to alternative detention facilities in different countries ... drawing upon official flight data, the probable existence of secret detention facilities can be inferred in Algeria...’.” [26b] (**Secret Places of Detention visiting places of detention**)

- 13.03 The Human Rights Watch *World Report 2009* on Algeria, published 14 January 2009, in a section titled *Torture, Incommunicado Detention, and the Death Penalty*, summarised:

“Algeria amended its penal code in 2004 to make torture an explicit crime. Nevertheless, Amnesty International ‘continues to regularly receive reports of incommunicado detention of suspects in unofficial places of detention and torture by the DRS (Department for Information and Security).’ The International Committee of the Red Cross regularly visits ordinary prisons in Algeria but not DRS-run places of detention. The UN Committee Against Torture, in its May 2008 examination of Algeria’s report to the committee, expressed concern about reports that the legal limit of 12 days in pre-charge detention in terrorism cases ‘can, in practice, be extended repeatedly’ and that ‘the law does not guarantee the right to counsel during the period of remand in custody, and that the right of a person in custody to have access to a doctor and to communicate with his or her family is not always respected’.” [27a]

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14. DEATH PENALTY

14.01 Hands Off Cain reported on Algeria, dated, 1 January 2009, that:

“Algeria’s laws prescribe the death penalty for a range of crimes including ordinary crimes. In 1992 the scope of the death penalty was extended to terrorist offences. The Penal Code provides for the application of the death penalty for serious offences including: treason and espionage, attempts to change the regime or actions aimed at incitement, destruction of territory, sabotage to public and economic utilities, massacres and slaughters, participation in armed bands or in insurrectionary movements, counterfeiting, murder, acts of torture or cruelty, kidnapping and aggravated theft.... The last executions took place in August 1993, when seven armed Islamists were executed. They had been condemned to death for a 1992 attack on Algiers airport by special courts, which have since been dissolved... On December 18, 2008, Algeria co-sponsored and voted in favour of the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly.” [47a]

14.02 Amnesty International, in its *Algeria: Briefing to the Committee against Torture*, dated April 2008, stated, with regard to minors, that: “Emergency measures introduced under the framework of the state of emergency in 1992 lowered the age of criminal responsibility to 16 years. However, minors accused of terrorist or subversive offences are not sentenced to death and courts take into account their age. These children are often sent to centres for juvenile offenders.” [26b] (Death Penalty)

See Children, [Judicial and penal rights](#)

14.03 Amnesty International, in its report *Death Sentences and Executions in 2008*, published 24 March 2009, stated that at least 200 people had been sentenced to death in Algeria in 2008. The report also noted that no executions have taken place for “some years” in Algeria. [26d] (p16)

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15. POLITICAL AFFILIATION

For information about freedom of expression generally, see [Freedom of speech and media](#). See also [Human rights institutions, organisations and activists](#) for information about the restrictions placed on members of civil society.

FREEDOM OF POLITICAL EXPRESSION

15.01 The United States Department of State *Country Report on Human Rights Practices 2008*, Algeria, (USSD Report 2008), published 25 February 2009, noted “The constitution provides citizens with the right to change their government peacefully through periodic elections based on universal suffrage. Although elections have been generally transparent, there were restrictions on political party activity which limited this right.” [6a] (Section 3)

15.02 The USSD Report 2008 further noted that:

“Opposition candidates complained that the MOI (Ministry of the Interior) regularly blocked registered parties from holding meetings and denied them access to larger and better equipped government conference rooms, but meanwhile the MOI facilitated the activities of the pro-Bouteflika National Liberation Front (FLN). The law requires that potential political parties receive official approval from the MOI to be established. To obtain approval, a party must have 25 founders from across the country whose names must be registered with the MOI. July 2007 amendments to the electoral law stated that a party must receive 4 percent of the vote or have received at least 2,000 votes in 25 wilayas (provinces) in one of the last three legislative elections in order to participate in national elections.” [6a] (Section 3)

15.03 The Freedom House report *Freedom in the World 2009*, Algeria, published 16 July 2009, stated:

“Algeria is not an electoral democracy. However, Algerian parliamentary elections are more democratic than those in many other Arab states. The military still plays an important role in politics despite fluctuations in its prominence in recent years. The June 2008 appointment of Ahmed Ouyahia as prime minister in a cabinet shuffle appeared to signal an increase in military influence, as he had first held the post as part of the military-dominated regime of the 1990s.” [29b]

FREEDOM OF ASSOCIATION

15.04 The USSD Report 2008 stated “The constitution provides for freedom of assembly and association; however, the government severely restricted the exercise of these rights in practice.” [6a] (Section 2b)

15.05 With regard to freedom of association the USSD Report 2008 stated:

“The constitution provides for the right of association; however, the emergency decree and government practice severely restricted this right. The MOI must approve all political parties before they may be legally established. The

government restricted the registration of certain NGOs, associations, and political parties on 'security grounds,' but declined to provide evidence or legal grounds for refusing to authorize other organizations that could not be disqualified on security grounds. The government frequently failed to grant official recognition to NGOs, associations, and political parties in an expeditious fashion. The MOI may deny a license to or dissolve any group regarded as a threat to the government's authority or to the security or public order. Political activities by anyone responsible for having used religion leading to the 'national tragedy' are prohibited by the law implementing the amnesty.

"The government issues licenses and subsidies to domestic associations, especially youth, medical, and neighbourhood associations. The MOI regarded organizations unable to attain government licenses as illegal. Domestic NGOs encountered bureaucratic obstacles to receiving financial support from abroad. Although not illegal, financial support from abroad is conditioned on a series of authorizations from the ministries of interior and national solidarity. These authorizations were difficult to obtain.

"Membership in the Islamic Salvation Front (FIS), a political party banned in 1992, remained illegal. The NGO SOS Disparus and two political parties, the Democratic Front of Sid-Ahmed Ghozali and the Wafa party of former prime minister Ahmed Taleb Ibrahimi (generally regarded as the political heir to the FIS), remained unrecognized but operated without interference." [6a] (Section 2b)

- 15.06 The Freedom House report, *Freedom in the World 2009* – Algeria, released on 16 July 2009, stated:

"The Ministry of the Interior must approve political parties before they can operate legally. While there are dozens of active political parties, movements that are deemed too radically Islamist are outlawed, and many of the Islamist groups that were banned in the 1990s remain illegal. Parties close to the president and prime minister dominate the legislative branch, meaning laws sought by the government are passed with relative ease." [29b] (Political Rights and Civil Liberties)

- 15.07 The USSD Report 2008 noted that "No party may use religion or ethnic heritage as a basis to organize for political purposes. The law also bans political party ties to nonpolitical associations and regulates party financing and reporting requirements." [6a] (Section 3)

See section on [Human rights institutions, organisations and activists](#) for more information on restrictions placed on civil society activists.

FREEDOM OF ASSEMBLY

- 15.08 With regard to freedom of assembly the USSD Report 2008 stated:

"The constitution provides for the right of assembly; however, the emergency decree and government practice continued to curtail this right. A 2000 decree continued to ban demonstrations in Algiers. Authorities required citizens and organizations to obtain permits from the government-appointed local governor before holding public meetings. The government frequently granted licenses to

political parties, NGOs, and other groups to hold indoor rallies, although licenses were often granted on the eve of the event, thereby impeding publicity and outreach.

“During July and August [2008], police prevented a series of weekly sit-ins organized by trade unions and contract teachers who attempted to demonstrate near the presidential offices. The police blocked walking routes to prevent persons from gathering. Eyewitnesses reported the police pushing and shoving participants but no beatings.

“The LADDH [The Algerian League for the Defence of Human Rights] reported continuing difficulties in obtaining permission to hold outdoor meetings and seminars. Groups opposing the Charter on Peace and Reconciliation had difficulty securing permission to hold public gatherings.

“In 2007 security forces banned an international seminar on forced disappearances organized by several NGOs, and the government denied visas for Roberto Garreton, a UN expert on human rights, and Anne Laurence Lacroix, deputy director of the World Organization Against Torture, to attend.

“On July 5, the NGO SOS Disparus marked the tenth anniversary of its weekly sit-in in front of the CNCPPDH (National Consultative Committee for the Promotion and Protection of Human Rights) headquarters to urge President Bouteflika to take further action on the problem of the disappeared. In 2007 the government broke up at least four marches, protests, and demonstrations outside the capital in El Oued, Ain Talout, Oran, and Boussaada.”[6a] (Section 2b)

15.09 The Freedom in the World 2009 report stated:

“As terrorist attacks continued to disturb the country in 2008, the government grew increasingly wary of large public gatherings and restricted freedom of assembly and association. The police sometimes disperse peaceful gatherings, and the government generally discourages demonstrations featuring clear or implicit criticism of the authorities. Permits are required to establish nongovernmental organizations (NGOs). Those with Islamist leanings are regarded with suspicion by the government.” [29a] (Political Rights and Civil Liberties)

See section on [Human rights institutions, organisations and activists](#) for more information on restrictions placed on civil society activists.

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

15.10 Jane’s observed in its *Sentinel Country Risk Assessment (SCRA) Algeria* Internal Affairs section, updated 20 March 2009, that:

“In general, parties remain weak in the Algerian system, a trend that may be exacerbated should [President] Bouteflika succeed in amending the constitution to give more power to the presidency. Moderate Islamist parties are tolerated by the government, indeed many of their supporters have been co-opted by the more mainstream secular parties like the Rally for Culture and Democracy (Rassemblement pour la Culture et Démocratie: RCD) and FLN

(National Liberation Front). The FIS [Front Islamique du Salut – Islamic Salvation Front], however, remains banned although there have been repeated suggestions since 2005 that the government is considering lifting this.” [7g](Political Parties)

See also [Political system](#) and [Annex B - Political organisations](#)

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16. FREEDOM OF SPEECH AND MEDIA

OVERVIEW

- 16.01 The United States Department of State *Country Report on Human Rights Practices 2008*, Algeria, (USSD Report 2008), published 25 February 2009, summarised the situation regarding freedom of speech as follows:
- “The constitution provides for freedom of speech and press; however, the government restricted these rights in practice through accusations of defamation and informal pressure on publishers, editors, and journalists.
- “Individuals generally were able to criticize the government privately without reprisal. However, citizens generally self-censored public criticism. The government attempted to impede criticism by monitoring political meetings.”
[6a] (Section 2a)
- 16.02 Human Rights Watch, in its *World Report 2010 – Algeria*, covering events in 2009, released on 20 January 2010, stated:
- “The broadcast media are state-controlled and air almost no critical coverage of, or dissent on, government policies, but they do provide live telecasts of parliamentary sessions. Privately-owned newspapers enjoy a considerably freer scope, but repressive press laws, dependence on revenues from public sector advertising, and other factors limit their freedom to criticize the government, the military, and the powerful.
- “The penal code and press law impose prison terms of up to two years along with fines for defaming, insulting, or gravely offending the president, government officials, and state institutions.” [27a]
- 16.03 Freedom House’s survey, *Freedom in the World 2009*, covering events in 2008, released in July 2009, stated that:
- “Private newspapers have been published in Algeria for nearly two decades, and journalists have been aggressive in their coverage of government affairs. Journalists still face an array of government tools designed to control the press, but current restrictions bear little resemblance to those during the peak of the civil war in the mid-1990s, when journalists and intellectuals were regularly murdered for their work. While Arabic and French-language satellite channels are popular, the government keeps tight control over local television and radio broadcasts. The government monitors web content to some extent, but it has not policed the internet as aggressively as do neighbors like Tunisia.” [29b]
- 16.04 The Freedom House report, *Freedom in the Press, Map of Press Freedom, Algeria (2009)*, covering events in 2008, released in April 2009, observed:
- “The constitution guarantees freedom of expression. However, the 1992 state of emergency remained in effect throughout 2008, allowing the government to legally penalize any speech deemed threatening to the state or public order. A 2001 amendment to the Press Law further restricts press freedom by criminalizing writings, cartoons, and speech that insults or offends the

president, the parliament, the judiciary, or the armed forces.” The report also rated Algeria as “not free”. [29b]

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PRINT MEDIA

16.05 The USSD Report 2008 noted:

“The country’s print media consisted of numerous publications that supported or opposed the government to varying degrees. According to Ministry of Communication statistics, 29 newspapers circulated in excess of 10,000 copies each. The government owned two French-language and three Arabic-language newspapers. Many political parties, including legal Islamic parties, had access to the independent press and made use of it to express their views. Opposition parties also disseminated information via the Internet and in communiqués.

“The law permits the government to levy fines and imprison members of the press in a manner that restricts press freedom. The government directly and indirectly censored and intimidated the media into practicing self-censorship. The government used defamation laws to harass and arrest journalists, and the press faced government retaliation for criticizing government officials.

“The government continued to influence the independent press through the state-owned advertising company, Agence Nationale d’Edition et de Publicite (ANEP) which decided which independent newspapers could benefit from advertisements placed by state-owned agencies and companies. ANEP, and therefore the government, controlled the largest source of income for most newspapers. As has been the case in recent years, independent advertisers played a considerably smaller, but increasingly visible, role in advertising revenue.” [6a] (Section 2a)

16.06 The *Freedom in the Press 2009* report on Algeria stated “The government uses its control over the country’s printing presses and a state advertising agency to influence the independent print media. On several occasions, authorities have punished critical newspapers by suddenly demanding payment for debts owed to the state printer.” [29a]

RADIO AND TELEVISION

16.07 The USSD Report 2008 stated:

“Radio and television are government-owned, with coverage favorable to the government. During non-election periods, opposition spokesmen were generally denied access to public radio or television. Some opposition parties had severely limited access to television. These limitations, however, were less evident for radio. Political parties and independent candidates received the same amount of radio access time during the three-week campaign period prior to the May 2007 legislative elections and again prior to the November 2007 local elections. Several opposition parties said that their daily media allotment during the three-week period was the first time they had been allowed media access since the last election cycle”. [6a] (Section 2a)

- 16.08 The BBC News, Country Profile: Algeria, updated 21 October 2009, stated “Satellite TV is popular; stations based in France target viewers in Algeria and European channels are widely-watched.” [60b]

INTERNET

- 16.09 The USSD Report 2008 stated:

“Access to the Internet was generally unimpeded by the government; however, the government monitored email and Internet chatrooms and in some cases prosecuted persons for content published on personal Web sites. In June 2007 a court fined blogger Abdulsalam Baroudi 10,000 dinars (\$167) for posting defamatory material on a personal blog. Internet service providers can face criminal penalties for the material and Web sites they host, with the objective to prevent access to material ‘incompatible with morality or public opinion.’ No cases were brought during the year.” [6a] (Section 2a)

- 16.10 The *Freedom of the Press 2009* report on Algeria stated:

“The government exercises little control over the internet, but online news is not a major source of information for most Algerians. In 2007, 10.4 percent of Algeria’s population accessed the internet, which reflected a 7,000 percent increase since 2000. However, the government does monitor e-mail and internet chat rooms. Internet service providers are legally liable for the content on their websites, and bloggers are not immune to defamation charges.” [29a]

- 16.11 The BBC Country Profile of Algeria, updated 21 October 2009, stated:

“Most internet users rely on dial-up connections and cybercafes for access. Access is not restricted, but users and ISPs [Internet Service Providers] can face prosecution over material deemed to be offensive or harmful to public order.

“Writing in Arabic, English and French, Algerian bloggers cover social, cultural and political topics. There are more than 5,000 Algerian blogs, a newspaper suggested in late 2008.” [60b]

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TREATMENT OF JOURNALISTS

- 16.12 The USSD Report 2008 stated, in relation to treatment of journalists during 2008, that:

“The law permits the government to levy fines and imprison members of the press in a manner that restricts press freedom. The government directly and indirectly censored and intimidated the media into practicing self-censorship. The government used defamation laws to harass and arrest journalists, and the press faced government retaliation for criticizing government officials... The government used these defamation laws regularly in an attempt to pressure editors, journalists, and the owners of printing houses. In December [2008], Reporters without Borders (RSF) criticized the defamation laws as ‘repressive legislation.’ In October 2007 the International Federation of

- Journalists condemned actions taken by the government against journalists.”
[6a] (Section 2a)
- 16.13 Reporters Without Borders stated in its 2008 Annual Report, covering events in 2007, released 13 February 2008, that:
- “Algerian journalists are in a vulnerable position and the authorities continue to ignore their repeated calls for revision of the press law to eliminate prison sentences for press offences. The regime still tries to control the media, including privately owned outlets. State advertising is a powerful weapon to keep papers in line and the national publishing and advertising agency channels the best part of it to pro-government papers. Broadcasting media are under complete control of the government, which still refuses to open it up to private capital, saying that “foreign competition is increasingly tough. Journalists who reported on the 2007 bomb attacks in the country were up against often rough-and-ready security officials”. [62a]
- 16.14 On 28 April 2008 Magharebia reported that an executive decree was adopted by the government on 22 April 2008 on the special status of journalists. The new decree abolished criminal punishments for offensive articles. The decree also guaranteed certain basic rights to journalists, including copyrights, insurance coverage when reporting dangerous events, protection from violence whilst searching for information and the freedom of political views. [32c]
- 16.15 Reporters Without Borders reported on 10 April 2009 that two Moroccan journalists working for the Moroccan weekly, *Assahrae Al Oubouiya*, were arrested and prevented from covering the 2009 presidential election. They were subsequently removed from the country following the intervention of officials from the Moroccan embassy. [62b]
- 16.16 The International Federation of Journalists (IFJ) reported on 20 July 2009 that on 16 July 2009 a court in Tebessa jailed Rabah Lamouchi, the local correspondent of *Al Nahar* newspaper, an Arabic daily, for alleged defamation and working without an accreditation. The IFJ went on to report that “The editor of *Al Nahar*, Anis Rahmani, reportedly refuted the allegation against Rahab of working without accreditation. It is believed that, at the time of his arrest, the journalist was investigating the security forces in the Tébesse area whom he had publicly accused of withholding security information without good reason.” [58]
- 16.17 The Committee to Protect Journalists (CPJ) reported on 8 October 2009 that Hafnaoui Ghouli, a freelance journalist and human rights activist affiliated with the Algerian League for the Defence of Human Rights, was facing numerous charges – including criminal defamation, insulting government agencies, and contempt – after he published articles in local papers. The CPJ stated “Hafnaoui Ghouli has been the target of harassment by Algerian officials for years. He has been repeatedly detained, beaten, and persecuted because of his writing.” [31a]
- 16.18 The Amnesty International Report, 2009 (AI Report 2009), Algeria, released in May 2009, stated “Journalists... continued to face harassment. Some were prosecuted on defamation or other criminal charges for criticizing public officials or institutions.” [26d]

For details of incidents involving particular journalists and/or publications see the [USSD Report 2009](#), [Reporters Sans Frontier Algeria country page](#) and the [Committee to Protect Journalists Algeria country page](#)

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17. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

For further information regarding political organisations and freedom of expression generally, see sections on [Political affiliation](#) and [Freedom of speech and media](#).

- 17.01 The Freedom House report *Freedom of Association Under Threat: the New Authoritarians' Offensive Against Civil Society*, section on Algeria, dated 13 November 2008, stated:

“The main statute controlling nongovernmental organizations (NGOs) is the Associations Law of 1990, which is often criticized for its restrictive nature. The law stipulates that there must be at least 15 founding members for each organization, and if an association is suspended, the founding members may face financial penalties or even prison. Moreover, the law grants the government significant discretion in rejecting applications for registration. Any organization whose founders have ‘demonstrated conduct contrary to the interests of the fight for national liberation’ can be denied registration. The vagueness of this stipulation leaves it particularly open to abuse, and the Ministry of Interior (MOI) has denied recognition to several NGOs that are critical of government policies. The MOI can also refuse to register any group charged with disturbing public order, and it has rejected some applications on security grounds without providing evidence to support the decisions.” [29c]

- 17.02 The International Federation for Human Rights (FIDH) *Observatory for the Protection of Human Rights Defenders, Annual Report 2009* (FIDH Report 2009), section on Algeria, covering events in 2008, dated 18 June 2009, stated:

“The right of association was still not guaranteed in Algeria. Indeed, Article 7 of Law No. 90-31 on Associations provides for a system of declaration for the creation of an association. However, the practice established by the authorities makes approval an obligation that in effect deprives many associations of the legal recognition they need to do their job. Several human rights associations are still not able to file their registration application. This was notably the case for the associations SOS-Disappeared (SOS-Disparu[e]s) and Citizen Generations (Génération[s] citoyennes), which, as at the end of 2008, had still not obtained legal recognition.” [12a] (p449-450)

- 17.03 The FIDH Report 2009 also observed that:

“Public assemblies and demonstrations are governed by Law No. 91-19 of December 2, 1991, which does not require an authorisation prior to holding a public meeting, but provides for a simple declaration to be made to the ‘Wali’ (Governor) (Articles 4 and 5). However, the 1992 Decree establishing the state of emergency requires that associations that wish to organise a public assembly or demonstration should obtain authorisation from the Wali, as the Government authority responsible for maintaining public order. Granting of this authorisation is therefore at the Government’s discretion. In practice, the Algerian authorities systematically refused to authorise independent human rights associations to organise demonstrations or hold public meetings. In addition, a law dating from June 18, 2001, which is still in force today, forbids peaceful marches or any form of public demonstration in Algiers.

“As a result, human rights defenders who organised public rallies despite the regulatory restrictions faced again in 2008 the reprisals of the authorities and the Algerian justice... Finally, whilst assemblies that are not open to the public do not require prior Government authorisation (Article 14 of Law No. 91-19), in 2008 the Algerian authorities put pressure on organisations not to host meetings that dealt with 'political' matters in Algeria.” [12a] (p450-451)

17.04 The same source stated:

“In 2008, the ordinance voted in February 2006 on the implementation of the Charter for Peace and National Reconciliation (Charte pour la paix et la réconciliation nationale) remained in force, restricting the freedoms of action and expression of human rights defenders. This ordinance indeed provides for prison sentences of three to five years and fines for any individual who, ‘by speech, writing, or any other act, uses or exploits the wounds of the national tragedy to harm the institutions of the Democratic and Popular Republic of Algeria, to weaken the State, or to undermine the good reputation of its agents who honourably served it, or to tarnish the image of Algeria internationally’. The law therefore punishes a large part of the activities of human rights defenders, especially those relating to the fight against impunity and the search for truth and justice carried out notably by the Collective of the Families of the Disappeared in Algeria (Collectif des familles de disparus en Algérie - CFDA) or the associations of families of disappeared persons and the associations of families of victims of terrorism. Although these provisions were never used, they contributed to the climate of self-censorship within civil society, especially in the media, and were a dissuasion against holding any critical debate on the conflict of the last decade.” [12a] (p452-453)

17.05 The United States Department of State *Country Report Human Rights Practices 2008, Algeria*, (USSD Report 2008), published 25 February 2009, noted:

“The government continued to restrict and harass some local NGOs and impeded the work of international NGOs. The government interfered with attempts by some domestic and international human rights groups to investigate and publish their findings. Although some human rights groups, including LADH [The Algerian League for Human Rights] and LADDH [The Algerian League for the Defence of Human Rights], were allowed to move about freely, the most active and visible organizations reported interference by government authorities, including surveillance and monitoring of telephone calls, difficulty in securing meeting spaces, and difficulty in obtaining approval for international speakers to speak on sensitive issues.

“Domestic NGOs must be licensed by the government and are prohibited from receiving funding from abroad without approval from the minister of national solidarity. However, approximately 100 unlicensed NGOs, such as women's advocacy groups and charity organizations, operated openly. Unlicensed NGOs did not receive government assistance and citizens were at times hesitant to be associated with these organizations”. [6a] (Section 4)

17.06 The USSD Report 2008 report continued:

“The most active independent human rights group was the LADDH, a legally recognized NGO with members throughout the country. The LADDH was not permitted access to government officials for human rights advocacy or research purposes or to prisons, except for normal lawyer-client consultations.

“The smaller LADH is an independent organization based in Constantine. LADH was licensed and members throughout the country monitored individual cases.

“If an NGO is not legally recognized by the MOI, it is not allowed to conduct investigations. Sometimes, however, even legally recognized NGOs were prevented from conducting investigations. For example, the LADDH did not have access to prison camps or detention centers. Domestic NGO Djazairouna, also legally recognized, faced indirect government pressure.”
[6a] (Section 4)

17.07 The Freedom House *Freedom of Association Under Threat* report added:

“Civil society organizations report significant administrative delays in obtaining approval for their registrations, which in practice can take months or even years. Furthermore, the government frequently fails to provide written confirmation of the registration, exposing NGOs to the risk of arbitrary closure when they are unable to prove their legal status. However, some associations that were refused official recognition continue to operate. SOS Disparus, an NGO calling for an investigation regarding the thousands of Algerians who vanished during the 1990s, is one such group. In February 2007, a conference it organized in conjunction with other Algerian and international organizations was forced to relocate after security forces banned it and international participants were denied visas.

“For Algerian NGOs to get funding from foreign sources, they must obtain authorization from the MOI and the Ministry of National Solidarity, a task which has proven extremely difficult.” [29c] (Special Reports section)

INTERNATIONAL NGOS

17.08 The USSD Report 2008 noted that:

“International NGOs continued to experience delays in obtaining visas, and outright refusals occurred. Delays in processing visa applications nonetheless prevented a number of NGOs from conducting programming during the year. A forum planned for September 2006 was indefinitely postponed because of visa difficulties for international experts.

“The authorities cancelled a civil society meeting sponsored by the German Friedrich Ebert Foundation and the LADDH planned for October 5 [2008] to discuss the 20th anniversary of the 1988 riots. According to the Ebert Foundation, officials gave no documented reason for the cancellation.

“On March 3 [2008], the prime minister urged foreign diplomatic missions to respect diplomatic courtesy and warned civil society and political organizations about holding meetings (with foreign missions) that ‘undermine the country's internal affairs.’ On April 9, Interior Minister Zerhouni told an audience of

parliamentarians that international NGOs in Algeria were not 'helping or building' the country.

"The International Committee for the Red Cross (ICRC) had access to civilian prisons and pretrial detention centers.

"International NGO Handicap International and local NGO the National Foundation for Health Promotion and Research Development (FOREM), both of which worked on children's rights, did not report difficulty conducting investigations.

"In January 2007 Yakin Erturk, UN special rapporteur on violence against women, visited the country. However, the government continued to deny requests for visits from the UN Working Group on Enforced or Involuntary Disappearances (pending since 1997), the UN special rapporteur on torture (pending since 1997), and the UN special rapporteur on extrajudicial executions (pending since 1998)." [6a] (Section 4)

17.09 The Freedom House *Freedom of Association Under Threat* report added:

"Visiting members of international NGOs often face obstacles when seeking visas. The groups affected include Freedom House, whose U.S.-based staff applied for visas twice in 2007 and were rejected both times. Moreover, visa delays prevented Amnesty International from hosting a conference on violence against women in March 2006, and the National Democratic Institute (NDI) was forced to cancel scheduled events on electoral systems and youth leadership in June of the same year due to visa problems." [29c] (Special Reports section)

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18. FREEDOM OF RELIGION

- 18.01 The United States Department of State *International Religious Freedom Report 2009*, Algeria, (USSD IRF Report 2009), covering 1 July 2008 to 30 June 2009, published 26 October 2009, stated:

“The Constitution provides for freedom of belief and opinion and permits citizens to establish institutions whose aims include the protection of fundamental liberties of the citizen. The Constitution declares Islam the state religion and prohibits institutions from engaging in behavior incompatible with Islamic morality. Ordinance 06-03 provides for the freedom of non-Muslims to practice religious rites, on condition that the exercise thereof is in keeping with the ordinance, the Constitution, and other laws and regulations and that public order, morality, and the rights and basic freedoms of others are respected. The law prohibits efforts to proselytize Muslims, but it is not always enforced.

“There was no change in the status of respect for religious freedom by the Government during the reporting period. In February 2008 the Government began enforcing Ordinance 06-03, which regulates non-Muslim religious practice. The ordinance increased restrictions on non-Muslim worship, including court proceedings and fines against some Christian converts; however, the number of court cases during the reporting period as compared to the previous period decreased significantly. The Government reportedly did not approve any requests for registration by non-Muslim religious associations, including Christian groups that attempted to comply with the ordinance. The governmental National Commission for Non-Muslim Religious Services, created by the ordinance to regulate the registration process, met quarterly yet did not establish an administrative means to implement the ordinance again this reporting period. Government officials made public statements that criticized evangelism and emphasized the dominant role of Islam in society. There were claims of government restrictions on worship, including the denial of visas to religious workers, the ordered departure of one religious worker affiliated with a Catholic order, and confiscation of Bibles.

“Although society generally tolerates foreigners and citizens who practice religions other than Islam, some local converts to Christianity kept a low profile out of concern for their personal safety and potential legal and social problems. Radical Islamists harassed and threatened the personal security of some converts to Christianity. Islamists continued to justify their killing of security force members and civilians by referring to interpretations of religious texts. Muslim religious and political leaders publicly criticized acts of violence committed in the name of Islam. Anti-Semitic articles occasionally appeared in the independent press. Press reports concerning riots between Maliki and Ibadi Muslim groups in Berriane suggested that sectarian differences contributed to the violence.” [6c] (Introduction)

- 18.02 The Freedom House report, *Freedom in the World 2009*, Algeria, published 16 July 2009, stated:

“Algeria’s population is overwhelmingly Sunni Muslim, and the small non-Muslim communities are able to practice their faiths without systematic harassment. However, proselytizing by non-Muslims is illegal, and the government in February 2008 began enforcing an ordinance that tightened

restrictions on minority faiths. ...Given Algeria's civil conflict, security services monitor mosques for radical Islamist activity." [29b]

RELIGIOUS DEMOGRAPHY

18.03 The USSD IRF Report 2009 noted:

"More than 99 percent of the population is Sunni Muslim. There is a small community of Ibadi Muslims in the province of Ghardaia. Unofficial estimates of the number of Christian and Jewish citizens vary between 12,000 and 50,000. The vast majority of Christians and Jews fled the country following independence from France in 1962. In the 1990s, many of the remaining Christians and Jews emigrated due to acts of terrorism committed by Muslim extremists. According to Christian community leaders, evangelical Christians, mostly in the Kabylie region, account for the largest number of Christians, followed by Methodists and members of other Protestant denominations, Roman Catholics, and Seventh-day Adventists. A significant proportion of Christian foreign residents are students and illegal immigrants from sub-Saharan Africa seeking to reach Europe; their numbers are difficult to estimate.

"For security reasons, due mainly to the civil conflict, Christians concentrated in the large cities of Algiers, Annaba, and Oran in the mid-1990s... the press occasionally reported that Christian proselytizing had resulted in significant numbers of Muslims in the Kabylie region converting to Christianity; however, Christian sources reported those figures as exaggerated. There were no standardized statistics on the number of religious conversions. Reporting suggests that citizens, not foreigners, made up the majority of those actively proselytizing in Kabylie.

"Since 1994 the Jewish community has diminished to less than 2,000 members due to fears of terrorist violence. The Jewish community was not active, and the synagogues remained closed." [6c] (Section I)

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CHRISTIANITY

18.04 The USSD IRF Report 2009 stated:

"The Government continued to implement Ordinance 06-03, including court proceedings and fines against some Christian converts. The Government began applying Ordinance 06-03 in February 2008, which resulted in the closure of approximately 27 churches and legal action against members of some Christian groups. The Government maintained that it was acting in accordance with the law when it ordered the church closures because the churches were not registered. The churches ordered closed included both house churches and buildings of long-established churches within and outside of the Kabylie region.

"Christian leaders reported that the Government did not register their organizations and places of worship despite efforts to comply with the ordinance. Many Christian groups indicated that they had repeatedly attempted to register with the Government but were unsuccessful, facing a

lack of information and a local government bureaucracy ignorant of the process. Some applicants reported that some government administrative officials indicated their unwillingness to process applications, even if an administrative process existed.

“Although the National Commission for Non-Muslim Religious Services convened quarterly, most recently on April 7, 2009, it did not establish an administrative means to implement the ordinance and Christian practitioners reported that it did not approve any requests for accreditation by their religious associations. The governmental commission was created to regulate the registration process established by Ordinance 06-03.

“Leaders of the Anglican Church, the Seventh-day Adventist Church, and other Protestant churches reported that their applications for registration remained pending, in some cases for more than three years. Some said the Ministry of Religious Affairs offered occasional legal guidance on association laws and noted that complicated bureaucratic rules sometimes required that applications be resubmitted. According to reports, some Christian groups did not attempt to obtain legal status from the Government. During the reporting period, church groups reported that approximately 22 churches that lacked government recognition reopened and held services.” **[6c] (Section II: Restrictions on Religious Freedom)**

- 18.05 The Amnesty International Report 2009, Algeria, (AI Report 2009) covering events in 2008, released on 28 May 2009, stated “Amid indications of an expansion of evangelical Christian churches in Algeria, the authorities were reported to have ordered the closure of dozens of churches of the Protestant Church of Algeria. The Minister of Religious Affairs and Endowments denied that any “authorized” churches had been closed.” **[26d]**
- 18.06 The same report added “Six men were tried in June in Tiaret for allegedly breaching Ordinance 06-03. Two denied adherence to Christianity and were acquitted; the others were convicted and received suspended prison terms and were fined.” **[26d]**

Proselytising and conversions

- 18.07 The USSD IRF report 2009 noted:

“Ordinance 06-03 made proselytizing a criminal offense, and established the punishment for it as one to three years in jail and a maximum fine of [US]\$6,945 (500,000 dinars) for lay individuals and three to five years' imprisonment and a maximum fine of \$13,890 (one million dinars) for religious leaders. The law stipulates a maximum of five years in jail and a \$6,945 (500,000 dinars) fine for anyone who ‘incites, constrains, or utilizes means of seduction tending to convert a Muslim to another religion; or by using to this end establishments of teaching, education, health, social, culture, training ... or any financial means.’ Anyone who makes, stores, or distributes printed documents, audiovisual materials, or the like with the intent of ‘shaking the faith’ of a Muslim may also be punished in this manner.

“In general, society tolerates foreigners who practice religions other than Islam. Although some local converts to Christianity keep a low profile out of

concern for their personal safety and potential legal and social problems, many openly practice their new religion.”

“Conversion is not illegal under civil law, and apostasy is not a criminal offense. The Government permits missionary groups to conduct humanitarian activities as long as they do not proselytize.” [6c] (Section 3)

- 18.08 The AI Report 2009 stated that at least 12 Christians and converts to Christianity from Islam were prosecuted [during 2008] on charges of breaching Ordinance 06-03 and that several of those prosecuted were reported to have been sentenced to suspended prison terms and fined. [26d]

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19. ETHNIC GROUPS

OVERVIEW

- 19.01 The Central Intelligence Agency's (CIA), *World Factbook*, Algeria, updated 30 September 2009, stated that the ethnic composition of Algeria is 99% Arab-Berber and less than 1% European. It continued:

"Almost all Algerians are Berber in origin, not Arab; the minority who identify themselves as Berber live mostly in the mountainous region of Kabylie east of Algiers; the Berbers are also Muslim but identify with their Berber rather than Arab cultural heritage; Berbers have long agitated, sometimes violently, for autonomy; the government is unlikely to grant autonomy but has offered to begin sponsoring teaching Berber language in schools." [2a]

- 19.02 Minority Rights Group International, in its overview of Algeria, undated, accessed 4 November 2009, listed the main minority groups as Berbers, including Kabyles, Shawiya, Mozabites and Tuareg, consisting of between 6.6 and 9.9 million people (20-30 per cent of the total population), and Saharawi with a population of 120,000. It further stated:

"There are no reliable estimates for Berbers, this figure is based on CIA's 2006 estimate for Algeria's population (33 million) and calculated the Berber population based on the widely ranging reported figures of 20-30%. There are no reliable figures for Saharawi. This estimate is from the World Directory of Minorities (published 1997). Other reports put the figure at slightly higher, or roughly 0.5 per cent the national population).

"Algerians are primarily of Arab and Berber descent. The French population, approximately 10 per cent of the total in colonial times, has fallen to about 1 per cent today. Many other Europeans and almost all of the 150,000 Jews in Algeria also left the country after independence." [3a]

- 19.03 The UN General Assembly, *Human Rights and Cultural Diversity: report of Secretary-General*, published 22 July 2009, stated:

"The Government of Algeria considers cultural diversity as an essential component of the dialogue between civilizations and cultures. Algeria has actively participated in the discussions on these issues and has ratified several international instruments on the protection of cultural heritage. Algeria has also adopted national legislation to translate those international commitments into domestic law.

"Algeria has also included the respect for cultural diversity in the Constitution, by recognizing the Amazigh language as a national language. Teaching in different national languages is encouraged in the school system, and the State has supported film and theatre productions in both national languages." [18a] (p2)

- 19.04 The Freedom House, *Freedom in the World 2009 – Algeria* report stated "Algeria's ethnic composition is a mixture of Arabs and Berbers. Those who identify themselves as Arabs have traditionally formed the country's elite. In the last few years, following outbreaks of antigovernment violence in the Berber community, officials have made more of an effort to recognize Berber

cultural demands. Tamazight, the Berber language, is now a national language.” [29b]

BERBERS

Background

19.05 The United States Department of State *Country Report on Human Rights Practices 2008, Algeria* (USSD Report 2008), published 25 February 2009, explained that the Berber language is referred to as Tamazigh, Amazigh or Berber. All these terms are also used to describe the ethnic group. [6a] (Section 2a)

19.06 Minority Rights Group International, in its profile of Berbers, updated May 2008, stated:

“The Berber-speaking population of Algeria constitutes a little over one quarter of the population and is concentrated in the mainly mountainous areas of Kabylia, Aurès, the M'zab and the Sahara.

“The Berber culture is not homogenous. Its existing constituent subcultures have relatively little in common outside the common root of their spoken dialects. About half of the Berber-speaking population is concentrated in the mountainous areas east of Algiers – Kabylia – and this area and its language have been at the centre of most Berber issues in modern Algeria. Over time the Kabyles have moved in large numbers to the cities of both Algeria and France in search of employment. The second largest Berber group, the Shawiya, inhabit the rugged mountains of eastern Algeria. Two smaller Berber communities are the Mozabites of the area around Ghardaia and the Tuareg nomads of the south. The 12,000 Tuareg, who are nomadic Berbers, live almost exclusively in the mountainous massifs of Ajjer and Ahaggar in southern Algeria. Geographical dispersion of Berber-speakers has hindered the emergence of a common identity. Kabyles are the most cosmopolitan and are more likely to speak French than other groups.” [3b]

19.07 The US State Department *Background Note, Algeria*, March 2009, reported:

“In 2001, Berber activists in the Kabylie region of the country, reacting to the death of a youth in gendarme custody, unleashed a resistance campaign against what they saw as government repression. Strikes and demonstrations in the Kabylie region were commonplace as a result, and some spread to the capital. Chief among Berber demands was recognition of Tamazight (a general term for Berber languages) as an official language, official recognition and financial compensation for the deaths of Kabyles killed in demonstrations, an economic development plan for the area and greater control over their own regional affairs. In October 2001, the Tamazight language was recognised as a national language, but the issue remains contentious as Tamazight has not been elevated to an official language”. [6b] (History)

Current situation

19.08 The USSD Report 2008 stated that “The ethnic Tamazight minority of approximately nine million centered in the Kabylie region participated freely

and actively in the political process and represented one-third of the government.” [6a] (Section 3)

19.09 The same source stated:

“Access to print and broadcast media for Amazigh culture continued to grow. Tamazight (the Amazigh or Berber language) programming also increased on the non-Berber language channels, as did advertisements in Tamazight on all television and radio channels. Beginning in the 2006-2007 scholastic year, the Tamazight language was officially taught in primary schools, starting in the fourth grade in 17 predominantly Berber provinces.

“In June the government created an Academy and a Superior Council of the Tamazight language, pursuant to Article 3 of the constitution announcing that Amazigh is a national language. Both institutions are under the authority of the presidency.” [6a] (Section 2a)

See also [Education](#)

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20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

In considering the position of lesbian and bisexual women see also section on [Women](#) for information about their position in Algerian society.

LEGAL RIGHTS

- 20.01 The International Lesbian and Gay Association report, *State-Sponsored Homophobia*, dated May 2009, stated that same-sex relations for men and women are illegal. The survey also provided the relevant legislation criminalising same-sex relations: ‘Penal Code (Ordinance 66-156 of June 8, 1966), Article 338 Anyone guilty of a homosexual act is punishable with imprisonment of between 2 months and two years, and with a fine of 500 to 2000 Algerian Dinars.’” [30a]
- 20.02 The UN Human Rights Council, *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Algeria*, 6 March 2008, stated “Article 338 of Algeria’s Penal Code (Ordinance 66-156 of June 8. 1966) provides that: ‘...If one of the perpetrators is a minor of less than 18 years of age, the penalty applicable to the adult may be increased to imprisonment for up to three years and a fine of up to 10,000 Algerian dinars.’” [16]
- 20.03 A Canadian Immigration and Refugee Board information request dated 30 July 2007 stated:
- “Moreover according to Article 333, ‘when the outrage to public decency has consisted of an act against nature with an individual of the same sex’ the penalty is punishable by a prison term of six months to three years, and a fine of 1,000 DIN to 10,000 DIN.
- “An article appearing in 365Gay.com, a Web site based in the United States (US) which reports on gay issues, stated that ‘Algeria practices Sharia law, which calls for death for homosexuals’ (20 Apr. 2005). However, no information could be found by the Research Directorate to corroborate this statement within the time constraints of this Response’.” [8a]
- 20.04 The United States Department of State *Country Report on Human Rights Practices 2008, Algeria*, (USSD Report 2008), published 25 February 2009, stated “The law criminalizes public homosexual behaviour and there is no specific legal protection of homosexuals in the country.” [6a] (Section 5)

TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

- 20.05 The Amnesty International report of 1 June 2003, ‘*Asylum-seekers fleeing a continuing human rights crisis*’ stated, “Homosexuality is a taboo subject in Algeria, as it is in various other countries in North Africa and the Middle East. In practice, the shame associated with homosexuality means that few individuals openly reveal their sexual orientation. Homosexuals may suffer harassment from the security forces and society in general.” [26c] (p8)
- 20.06 A Canadian Immigration and Refugee Board information response, dated 30 July 2007, reported:

“Reports by French newspapers *Sud Ouest* and *Libération* describe two cases in which gay Algerian men were beaten and rejected by their families for being homosexual; both men subsequently left Algeria (5 Sept. 2006; 13 Sept. 2006).

“An article appearing in QX Magazine asserts that there are no gay organizations or support groups in Algeria (19 Jan. 2005). The Research Directorate found two Algerian Web sites dealing with gay issues: Kelmaghreb, which describes itself as the first online magazine for gay Maghrebins [North Africans], and Algerigay, founded in 2004 (Kalmaghreb n.d.; Algerigay n.d.)... An article in QX Magazine states that the Algerian police do not protect ‘sodomites’ from violence (18 Jan. 2005). According to an article in the UK Gay News, the police and military reportedly ‘harass and brutalise gay people with impunity’ (21 Feb. 2005). Moreover, rape, beatings, and torture are reported to be common for gay men in both civilian and military prisons (QX Magazine 18 Jan. 2005; UK Gay News 21 Feb. 2005; Behind the Mask 21 Feb. 2005).” [8a]

- 20.07 An article by a ‘BTM French Reporter’, dated 23 October 2008, cited on the Behind the Mask website, that “...Abu Nawas [an Algerian LGBT group] ... aims to fortify solidarity and provide support to the gay community in Algeria.” The article continued that Abu Nawas, the only Algerian lesbian, gay, bisexual, transgender and intersex (LGBTI) organisation,:

“...had planned a petition to be signed by all LGBTI individuals and to be sent to the Algerian government to demand the recognition of gay rights, but couldn’t be forwarded because Algeria is fraught of homophobia and very restrictive laws are enacted towards homosexuality [sic].

“However, Abu Nawas decided to repeat the symbolic and silent candle light vigil it had on its first anniversary in 2007... This message of mutual support and solidarity in such hostile environment towards Algerian LGBTI people is all Abu Nawas members needed in this time of tribulation and fear... LGBTI members have several reasons to fear for their life in Algeria just like in most African countries. Not only the constitutions and penal codes prohibit and punish homosexuality, but LGBTI individuals and organisations have to fear the mob mentality.

“‘Had the public knew [sic] about our celebration or who was behind it, we would have been molested’, Randa [co-founder of Abu Nawas] cautioned.

“He concluded that the Algerian society is so homophobic... that they cannot make public activities [sic].” [33a]

- 20.08 The USSD Report 2008 stated “There was societal discrimination against homosexuals, but no reported violence or official discrimination. While some homosexuals lived openly, the vast majority did not.” [6a] (Section 5)

- 20.09 The Country of Return Information Project May 2009 *Country Sheet for Algeria* stated:

“Homosexuality is one of the major taboos in the Algerian society. Despite the fact that it is quite spread out as a practice, it is invisible as topic or as political

demand and its existence is denied by Algerian authorities...Beside illegal meeting places, there is no association fighting for gay rights or having an interest in this matter.

“Young gay Algerians are stigmatized, oppressed and marginalised and often have no choice but meeting up on the Internet in chat rooms where they can ‘let off their sexual freedom, exchange experiences, talk about their fears, their experience as gay men/women and their exasperation of living two lives due to social, moral and religious taboo’. In practice, the shame associated with homosexuality means that few individuals openly reveal their sexual orientation. Homosexuals may suffer harassment from the security forces and society in general’.” [10] (Homosexuals)

20.10 An official at the British Embassy in Algeria stated in an e-mail dated 23 January 2008 that:

“1. Homosexuality is illegal in Algeria. But, the authorities are not known to take an active interest in actively preventing it, or prosecuting homosexuals. We can't recall an instance of prosecution or of an overt harassment by the authorities.

“2. Homosexuality is though a social and cultural taboo. We aren't aware of any social 'persecution' as such, but I imagine most homosexuals would choose to be incredibly discreet in their relationships. Indeed, it seems that provided individuals aren't actively flouting their homosexuality there is a 'reasonable' level of social tolerance.

“3. I would imagine homosexuality is tolerated to a higher degree in Algiers and other big cities than in other parts of the country as they are generally more cosmopolitan- but this is only an assumption.” [5c]

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21. DISABILITY

- 21.01 The United States Department of State *Country Report on Human Rights Practices in Algeria, 2008* (USSD Report 2008), published 25 February 2009, stated:

“The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services, although the government did not effectively enforce these provisions in practice. The law provides protection, including free medical care, for persons with disabilities, especially children; however, there was widespread social discrimination against persons with disabilities. No government buildings were accessible to persons with disabilities. Public enterprises, in downsizing their work forces, generally ignored a requirement that they reserve one percent of jobs for persons with disabilities. Social security provided payments for orthopaedic equipment, and some healthcare-oriented NGOs received limited government financial support. The Ministry of National Solidarity provided financial support to NGOs; however, for many NGOs this financial support represented approximately 2 percent. The Ministry of National Solidarity maintained that there were 1.5 million persons with disabilities in the country. However, according to the Algerian Federation of Wheelchair Associations (AFWA), there were three million persons with disabilities living in the country”. [6a] (Section 5: Persons with Disabilities)

- 21.02 Details of statutory disability benefits in Algeria are outlined in the Algeria country summary of the United States Social Security Administration’s ‘Social security programs throughout the world’, released August 2009. <http://www.ssa.gov/policy/docs/progdesc/ssptw/2008-2009/africa/algeria.html> [41a] The summary set out details of permanent disability pensions (“average earnings in the last 12 months multiplied by the assessed degree of disability”) [41a] , and temporary disability benefits (the insured must be assessed with a loss of earning capacity of at least 50%). [41a]
- 21.03 The United Nations reported on their website, Enable, (accessed 21 December 2009) that Algeria ratified the Convention on the Rights of Persons with Disabilities (UN) on 4 April 2009. [18c]

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22. WOMEN

OVERVIEW

This section should also be read in conjunction with the section on [Children](#) regarding the position of girls in Algeria.

- 22.01 Algeria acceded to the UN Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) on 22 May 1996. (UN Treaty Database, accessed 10 January 2010). [9a] The UN Human Rights Council document, *Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Ertürk: addendum: mission to Algeria* [which took place between 21 and 31 January 2007], dated 13 February 2008 stated:

“In 1996, Algeria ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and has since reported twice to the Committee that monitors the Convention. Algeria made extensive reservations to Articles 2 and 16, which would effectively establish the primacy of the Algerian Family Code over the provisions of CEDAW. These reservations are contrary to the object and purpose of CEDAW and therefore impermissible according to article 28, paragraph 2 of CEDAW.” [35b] (p6-7)

- 22.02 The same report noted:

“Since independence, Algerian women have made remarkable advances in education, although gender gaps continue at various levels and among certain professions, including judges, teachers and medical doctors. At the same time, marginalization and feminized poverty remain areas of great concern. Women, who are socially stigmatized, including divorced, separated and deserted women, single mothers and street women, are particularly vulnerable and urgently need more State support.

“While women enjoy formal legal equality in the public sphere, they lack equal access to the labour market and decision-making positions, as evidenced by their low representation in these areas. Moreover, many women are still subject to oppression and discrimination in the community and family circle. The Family Code has been considerably improved but retains institutions that disadvantaged women, most significantly with regard to inheritance and the material consequences of divorce.

“Violence against women in the private sphere is pervasive and yet largely invisible. The ejection of women and girls into the street is a particularly egregious form of such violence. Sexual harassment and abuse in public institutions is an emerging issue with diverse consequences for women.” [35b] (p2)

- 22.03 The Economist Intelligence Unit’s 2008 Country Profile on Algeria stated that “The Ministry of Health says that the trend towards a lower birth rate is a result of improved access to contraceptives and the implementation of family planning policies, despite conservative opposition.” [37b]

- 22.04 The Freedom House report on Women's Rights in the Middle East and North Africa: Citizenship and Justice (Algeria), dated 13 October 2005, observed:

"While the constitution guarantees equality between genders, the 1984 family code, a set of laws based largely on Islamic law interpretations, treats women as minors under the legal guardianship of their husbands and fathers. The restriction of women's personal freedoms under the law has served to reinforce women's inferior status within society. A large number of women's NGOs work to promote women's rights in Algeria; however, the movement's strength declined in the 1990s due to death threats from fundamentalist groups." [29d] (Introduction)

- 22.05 The same source rated women's freedom in Algeria on a scale of one to five (one representing the lowest and five the highest level of freedom women have to exercise their rights – methodology for the ranking is [here](#)):

- "Nondiscrimination and Access to Justice: 3.0
- Autonomy, Security, and Freedom of the Person: 2.4
- Economic Rights and Equal Opportunity: 2.8
- Political Rights and Civic Voice: 3.0
- Social and Cultural Rights: 2.9" [29d]

The UN Human Rights Council document, *Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Ertürk: addendum mission to Algeria, dated 13 February 2008*, provides comprehensive coverage on the position of women. [35b]

LEGAL RIGHTS

- 22.06 The United States Department of State *Country Report on Human Rights Practices 2008, Algeria*, (USSD Report 2008), published 25 February 2009, noted "The constitution prohibits discrimination based on birth... sex and social status. In general, the government enforced the nationality and family codes, although women continued to face some legal and social discrimination." [6a] (Section 5) The same source also observed:

"The constitution provides for gender equality; however, some aspects of the law and many traditional social practices discriminated against women. The family code is based in large part on Shari'a. The family code prohibits Muslim women from marrying non-Muslims, although this regulation was not always enforced. A woman may marry a foreigner and transmit citizenship and nationality in her own right to both her children and spouse. Muslim men may marry non-Muslim women. Under both Shari'a and civil law, children born to a Muslim father are Muslim, regardless of the mother's religion." [6a] (Section 5)

- 22.07 The United States Department of State report *International Religious Freedom 2009 – Algeria*, (USSD IRF Report 2009) covering the period July 2008 to June 2009, published 26 October 2009, stated "Some aspects of the law and many traditional social practices discriminate against women. The Family Code, which draws on Shari'a, treats women as minors under the legal guardianship of a husband or male relative." [6c] (Section c)

- 22.08 The Freedom House report on Women's Rights in Algeria stated:

“Most national legislation ensures women some form of protection from discrimination; and women are treated equally in legislation governing employment, education, health, and the judicial system. However, women are treated unequally in Algeria's nationality code as well as in the family code, in which they are treated as legal minors. According to the nationality code, unlike Algerian men, Algerian women are permitted to confer citizenship on their children only if the father is unknown or stateless or if the child is born to an Algerian mother and a foreign father who was born in Algeria.” [29d] (non discrimination and access to justice)

POLITICAL RIGHTS

22.09 The Freedom House report on Women's Rights in Algeria stated:

“Algerian legislation recognizes the equal political rights of women, and women are active in civil society and generally take part in politics. However, women remain underrepresented in senior political and government positions...Algerian women are well represented in the judiciary, particularly at high levels: 34 percent of magistrates are women. In the Council of State, one of the highest institutions of judicial power, 15 of the 38 magistrates are women, and the Council of State's president is a woman... Women are not as well represented in the higher grades of the civil service, filling only 4 percent of available positions. In addition, Algeria has only four female ambassadors, one minister, and three secretaries of state. However, several women have been appointed to executive posts such as wali (governor), prefect (the administrative head of a region), or deputy prefect (the administrative head for a subdivision of a region)... In theory, there are no restrictions on the participation of Algerian women in politics, but women who attempt to gain positions of higher power within political parties may often face resistance from male members. Just two parties have women serving as president (The Party of Workers and the Party of the Youth Movement) out of Algeria's estimated 40 political parties.” [29d] (Political rights and civic voice)

22.10 The USSD Report 2008 noted that:

“There were three women in the cabinet. Women also held 30 of the 389 seats in the Assembly and four of the 144 seats in the Council of the Nation. A woman led the Workers Party, and three major political parties – FLN, National Rally for Democracy, and Rally for Culture and Democracy – had women's divisions headed by women. The country did not have a quota system to require election of women to a certain percentage of seats in the parliament.” [6a] (Section 3)

22.11 On 13 February 2008, the UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* noted:

“Algerian women actively participated in the struggle against colonial rule and many assumed public office upon independence. Although women continue to hold important public functions today (e.g. the Presidency of the Council of State, the highest administrative court), the overall representation of women among public decision makers has stagnated. At the time of my visit, only 3 out of 41 members of the Cabinet were women, including 2 Delegate Ministers without a ministry of their own. When this report was finalized, Algeria was

ranked 110th out of 134 in the Inter-Parliamentary Union's World Classification of Women in National Parliaments.

"Women seeking to enter public life often have to overcome resistance in their own family. Moreover, the gateways to public office, including political parties and labour unions, continue to be male-dominated as regards their membership, working methods and institutional character.

"There is a lively debate in Algeria as to whether to introduce a 30 per cent quota for women in Parliament and other public functions, in order to stimulate women's political activity and provide women with the critical mass needed to reshape the institutions of power." [35b]

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SOCIAL AND ECONOMIC RIGHTS

Family law

22.12 The Freedom House report on Women's Rights in Algeria stated:

"Algerian women are subject to the family code, a retrograde and patriarchal interpretation of Islamic law passed in 1984 by the Popular National Assembly, under the pressure of religious and conservative representatives. On the whole, laws under the family code serve to reinforce the domination of men over women, contradicting Article 29 of the Algerian constitution, which declares, 'All citizens are equal before the law. No discrimination shall prevail because of birth, race, sex, opinion or any other personal or social condition or circumstance.' However, the relationship between Article 29 and Article 2 of the constitution, which declares Islam as the state religion, is often a point of contention in debates between different constituencies and groups-some using Article 2 as a pretext to implement and maintain discriminatory practices against women." [29d] (Non-discrimination and access to justice)

Inheritance

22.13 The USSD Report 2008 noted:

"Women suffered from discrimination in inheritance claims. In accordance with Shari'a, women are entitled to a smaller portion of an estate than male children or a deceased husband's brothers. According to Shari'a, such a distinction is justified because other provisions require that the husband's income and assets be used to support the family, while the wife's remain, in principle, her own. However, in practice, women do not always have exclusive control over assets that they bring to a marriage or that they earn themselves." [6a] (Section 3)

Marriage and divorce

22.14 The Freedom House report on Women's Rights in Algeria stated:

"The family code discriminates against women in matters of marriage, divorce, inheritance, and child custody and guardianship. According to family law, a wife has a legal obligation to obey her husband. A husband can freely divorce his wife without justification, but a wife must meet very specific conditions in

order to initiate a divorce. Moreover, women do not have guardianship over their children under the family code, and they inherit only half of what men inherit. Women's rights groups and human rights lawyers have proposed several amendments to the existing family law, some of which are being debated at the government level and among progressive politicians.”[29d] (Non-discrimination and access to justice)

22.15 The USSD Report 2008, with regard to marriage and divorce, stated:

“Women can seek divorce for irreconcilable differences and violation of the prenuptial agreement, among other grounds. In a divorce the amendments provide for the wife to retain the family's home until children reach 18 years of age. Custody of children normally is awarded to the mother, but she may not make decisions on education or take the children out of the country without the father's authorization. In practice more women retained the family's home when they had custody of the children.

“The family code affirms the Islamic practice of allowing a man to marry up to four wives. In practice, however, this occurs in 1 to 2 percent of marriages, and polygamy is restricted.

“The amendments to the family code, in practice, contradicted the Shari'a requirement for a male sponsor's role and consent to the marriage of a woman, although the requirement has been formally retained. The sponsor continues to contract the marriage, but the woman may choose any male that she wishes to be the sponsor.” [6a] (Section 5)

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Women and work

22.16 The USSD Report 2008 noted that:

“In urban areas there was social encouragement for women to pursue a higher education or a career. Girls had a higher high school graduation rate than boys. According to 2006 official statistics, females represented 60 percent of the medical profession, 55 percent of the media profession, 30 percent of the upper levels of the legal profession, and more than 60 percent of the education profession. Of the 8.7 million workers, 1.5 million were female, representing only 18 percent of the workforce. Women may own businesses, enter into contracts, and pursue careers similar to those of men. In addition, 36 percent of judges were women. Women served at all levels in the judicial system, and female police officers were added to some precincts to assist women with abuse claims.” [6a] (Section 5)

22.17 However, the report went on to say “Despite constitutional and legal provisions providing gender equality, in practice, women faced discrimination in employment. Leaders of women's organizations reported that discriminatory violations were common.” [6a] (Section 5)

22.18 A caption attached to a photograph with an article written for Common Ground News and dated 27 April 2009, accessed on Wordpress.org, noted that “A total of 490 policewomen graduated to join traffic and anti-crime units during a graduation ceremony held in Algiers on Oct. 16, 2008.” [53]

22.19 On 13 February 2008, the UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* noted:

“Women in Algeria are legally entitled to work in all professions, but despite their levels of education they are still highly underrepresented in the labour market. According to a 2006 National Survey on Women’s Socio-Economic Integration, only 18.7 per cent of women are employed.

“Gender stereotyping assigns reproductive and domestic work exclusively to women and thereby constrains women’s socio-economic and political empowerment. Married women in particular are generally expected to pursue only professions that do not interfere with ‘their’ domestic responsibilities. Many married women drop out of the labour force altogether. The 2006 Survey revealed that almost half of all married women with employment in the private sector stopped working when they got married. The marriage-related dropout rate for the public sector was 16.3 per cent.

“Mobbing and also sexual harassment (see below) by male colleagues and supervisors are also important factors discouraging women from pursuing a professional career.

“Three out of every five employed women (60 per cent) work in the public sector. Educated middle-class women, for instance, are highly represented in the judicial, public health and education sectors. According to the 2006 National Human Development Report, women make up 50 per cent of teachers, 53 per cent of doctors and 34 per cent of magistrates. While paying lower salaries than the private sector, public employers are usually more willing to accommodate the social constraints with which professional women have to grapple. One local police commander, for instance, informed me that he allowed married female police officers to leave two hours early during Ramadan to prepare the evening meal - a concession that he justified as ‘a temporary special measure to accelerate gender equality under Article 4 of CEDAW’.

“In the private sector, on the other hand, most women work in unregulated and low-paying informal sector jobs. Women in the formal private sector often hold precarious, short-term contracts.

“A mere 4 per cent of all business owners are women. Women make up only 17.5 per cent of the beneficiaries of the Government’s micro enterprise support programme. They are more likely to benefit from a parallel programme providing much smaller micro credit loans (64.9 per cent female recipients).” [35b] (p11)

22.20 The USSD Report 2008 noted:

“Married women under 18 years of age may not travel abroad without permission of their husbands. Married women may take out business loans and use their own financial resources. According to the National Center of Trade Records, 9,500 women had their own businesses in 2006. According to a World Economic Forum report, the women’s unemployment rate was 17.5 percent during the year.” [6a] (Section 5)

VIOLENCE AGAINST WOMEN

22.21 On 13 February 2008, the UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* noted:

“Algerian women actively participated in the struggle against colonial rule and many assumed public office upon independence. Although women continue to hold important public functions today (e.g. the Presidency of the Council of State, the highest administrative court), the overall representation of women among public decision makers has stagnated. At the time of my visit, only 3 out of 41 members of the Cabinet were women, including 2 Delegate Ministers without a ministry of their own. When this report was finalized, Algeria was ranked 110th out of 134 in the Inter-Parliamentary Union’s World Classification of Women in National Parliaments.

“Women seeking to enter public life often have to overcome resistance in their own family. Moreover, the gateways to public office, including political parties and labour unions, continue to be male-dominated as regards their membership, working methods and institutional character.

“There is a lively debate in Algeria as to whether to introduce a 30 per cent quota for women in Parliament and other public functions, in order to stimulate women’s political activity and provide women with the critical mass needed to reshape the institutions of power”. [35b]

22.22 The Amnesty International report *A Legacy of Impunity: A threat to Algeria’s future*, published 30 March 2009, stated:

“While the whole of Algerian society has been affected by the violence that engulfed the country in the 1990s – and continues to suffer as a result of the authorities’ failure to adequately address the legacy of the conflict and provide victims and their families with access to truth, justice and reparation – women have endured and continue to endure gender-specific abuses. Women have also suffered in the past and are suffering today disproportionately from abuses committed by state and non-state actors in a climate of impunity for perpetrators. Their struggle is compounded by the fact that the authorities not only fail to comply with their obligations under international law to protect their right not to be subjected to torture and their right to life and security, but also rarely provide women victims of human rights abuses with adequate care and redress.” [26e]

22.23 The report continued:

“The women who suffered sexual and other violence by members of armed groups have been particularly let down by the authorities. Most continue to suffer the physical and mental trauma generated by their ordeals. Social ostracism has often added to their woes because of the stigma associated with rape, including rejection by the husband and family. As a result, many women have not made official complaints or have kept their experience secret. Even in cases where official complaints have been made, little efforts have been done to hold those responsible to account.

“The Algerian authorities have recognized that rape occurred during the conflict, but to Amnesty International’s knowledge, virtually no members of armed groups have been prosecuted for rape. In a welcome move, the authorities excluded from the 1999 and 2006 amnesty measures members of armed groups responsible for rape, although they never confirmed that those responsible for rape had actually been denied an amnesty. The speed by which members of armed groups were granted amnesty upon surrender or released in cases of those convicted or imprisoned for terrorism-related charges, suggest that no thorough investigations were conducted to determine their eligibility and ensure that no members of armed groups who committed rape were immune from prosecution.” [26e]

22.24 On 13 February 2008, the UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* noted:

“Violence against women, despite its prevalence, remains one of the most invisible human rights violations in Algeria, although State institutions have begun to acknowledge and address the issue. In this regard, the National Strategy to Combat Violence against Women, developed by the Delegate Minister for the Family and the Status of Women in consultation with other stakeholders, is a most promising initiative since it emphasizes a multi-pronged approach based on a human rights and empowerment perspective. At the time of my visit, the endorsement of the National Strategy by the Cabinet was still pending. The full implementation of the National Strategy, which will also imply serious resource commitments, will enable the Government to address many of the problems outlined in this report.

“In 2006, The Delegate Minister for the Family and the Status of Women commissioned a national survey on violence against women, based on interviews with a sample of 2,043 women aged 19-64 years. The survey found that women are most likely to be subjected to violence within the family and it revealed significant prevalence rates. One in 10 women living with their husband or partner reported to be subjected ‘often’ or ‘daily’ to physical violence such as beatings, locking in or ejecting into the street during the last 12 months prior to the survey. One in three women (31.4 per cent) reported to have been regularly subjected to threats of physical or emotional violence in the same period.

“According to the survey, women who are divorced, widowed or separated from their husbands are particularly likely to become victims of violence at the hands of both in-laws and blood relations. Deprived of the husband’s support in the family structure, these women often find themselves in a particularly precarious situation.

“The survey also showed that women with less education or poor women were more likely to suffer violence and thereby underscored the fact that women’s educational and socio-economic empowerment must form an integral part of any strategy to combat violence against women.

“Only a small proportion of all violence committed against women in the family is reported to the authorities. The prevalence rates found in the 2006 National Survey would indicate that there are about 500,000 women in Algeria who experience physical abuse on a regular or even daily basis. This figure sharply

contrasts with the comparatively low number of cases registered by the judicial authorities. According to information received from the Government, 17,383 cases of physical abuse of women reached the authorities during the course of 2006.” [35b]

22.25 The USSD Report 2008 stated that:

“Rape, spousal and nonspousal, occurred. Nonspousal rape is illegal; spousal rape is not. Prison sentences for nonspousal rape range from one to five years. Claims filed by women for rape and sexual abuse continued to face judicial obstacles; however, women's rights activists reported that law enforcement authorities have become more sensitized to the issue. During the year, women's rights activists reported a significant increase in reports of violence against women.

“Spousal abuse occurred. The penal code states that a person must be incapacitated for 15 days or more and present a doctor's note certifying the injuries before filing charges for battery. Because of societal pressures, women frequently were reluctant to endure this process.

“According to the CNCPDH [National Consultative Commission for the Promotion and Protection of Human Rights], approximately 4,500 women were victims of assault during the first half of the year. Police statistics for that time period reported 2,675 cases of physical assault, 1,359 cases of abuse, 144 cases of sexual assault, and four deaths. Approximately 20 percent of assailants were identified as male family members. A study researched in 2005 emphasized that the home was the ‘privileged place for spousal violence’.

“In 2007 the National Institute of Public Health (INSP) and the police reported 9,099 cases of domestic violence.

“The police stated that violence against women was widespread in large cities. However, a March 2007 study published by the INSP showed that violence against women was more frequent in rural areas and among less-educated persons and was less likely to be reported in such cases because of societal pressures.” [6a] (Section 5)

22.26 The Amnesty International Report *A Legacy of Impunity: A threat to Algeria's future*, published 30 March 2009 stated:

“Despite long-standing calls and campaigning by women's rights groups, there is an absence of legislation to adequately address violence against women, including rape. Under Algerian law, rape is punishable by up to 10 years' imprisonment, but it is not defined. Forms of sexual violence other than rape are not defined either by the Algerian Penal Code, but can be considered under indecent assaults.” [26e]

Homeless women

22.27 On 13 February 2008, the UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* noted:

“The dire situation of street women and their children in Algeria is a matter of grave concern... Their plight is strikingly visible in the big cities, especially at night. While some street women may be migrants from rural areas, women very often end up in the streets due to the violence and oppression they experience in the family. Their very living conditions on the streets must be seen as a form of violence.

“While the 2005 Family Code grants women with children a right to housing, humanitarian organizations are still confronted with cases of divorced women with and without children who end up in the streets. *SOS Femmes en Détresse* has estimated that at least 540 more women ended up on the streets in 2006 alone.

“These organizations also note an increasing number of girls and unmarried women, who were ejected or fled from their homes and now live on the street. The ejection may occur to punish women and girls who are perceived to have violated the family honour, including young women, who become pregnant outside marriage or engage in relationships that are not approved by the family. A rupture in the family structure (e.g. if one parent dies and the other remarries) can also trigger family conflicts that ultimately result in the ejection of the most vulnerable family member. Finally, there are many cases, where the ejection stands at the end of a long history of physical or sexual abuse in the family circle.

“The ejection of women and girls into the streets must be seen as a particularly egregious form of violence against women in the Algerian context, because it usually has dire consequences for the victims, as it involves various forms of abuse and exploitation. In some cases ejection has also led women into prostitution. The police and other authorities regularly pick up street women and girls and drop them off in temporary shelters, but the authorities largely fail to offer long-term programmes to support them financially, legally and socially, and reintegrate them.” [35b] (p19)

- 22.28 A report by Magharebia on 18 June 2008 stated that homeless marriages had multiplied in recent years, and whole families had been started on the street; and that according to government figures there were 31,200 homeless individuals in Algeria as of May 2008, 9,000 of which were women, including single mothers. The government was setting up five public reception centres in the main capital of each of the five regions, which will receive emergency homeless cases with no domicile, where they can receive help. [32b]

Single women and their children

- 22.29 On 13 February 2008, the UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* noted:

“There are also a substantial number of unmarried single mothers, with around 3,000 children born outside marriage annually. A strong stigma is attached to these women and their offspring. Unmarried single mothers are often rejected by their own families and have to endure immense social pressure... Children born outside marriage also face problems throughout their lifetime, especially since they are registered and identified as such in official documents. In such

cases, girls are confronted with intersecting layers of discrimination based on their legal status and sex.” [35b](p13)

22.30 The report continued:

“Unmarried women who choose to deliver their babies will usually try to hide their condition. Hospitals make special arrangements allowing single mothers to check in from the seventh month and give birth anonymously. In the past, single mothers were usually encouraged to give up their children into kafala arrangements. Recently, the Ministry of National Solidarity took the decision to actively encourage single mothers to keep their children. While they receive some help, State support for single mothers is overall still insufficient. For instance, single mothers do not receive preferential access to subsidized State housing, even though they can often neither return to their families nor find private housing.” [35b] (p14)

Abortion

20.31 The report added “Women who are pregnant outside marriage will very often opt for an abortion. Since Algerian law only permits abortions under very narrow circumstances, women have to risk dangerous clandestine abortions. Estimates on the number of clandestine abortions vary widely, but the authorities acknowledge that several dozen deaths result from unsafe clandestine abortions every year.” [35b] (p14)

For information on trafficking of women, see section [Trafficking](#)

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SHELTERS AND ASSISTANCE FOR WOMEN

22.32 The UN Human Rights Council in its *Report of the Special Rapporteur on violence against women, its causes and consequences* dated 13 February 2008 stated:

“There is a serious lack of specialized shelters for women facing violence or oppression in the family. Although women’s shelters do not offer a long-term solution, they provide an indispensable interim protection for women who need to escape violence and oppression at home, but have nowhere else to go.

“At the time of my visit, the responsible Ministry of National Solidarity operated only one shelter exclusively for women victims of violence and oppression. The National Shelter in Bou Ismail (wilaya of Tipaza) was initially established for young women and girls exposed to violence during the black decade. With a mandate to accommodate women from all over Algeria, it has a capacity for only 24 women. During my visit, construction was ongoing to expand the shelter so that it would also be suited to accommodate women with children. In addition, the Ministry has plans to open a second women’s shelter in Tlemcen.

“The non-governmental organizations S.O.S. Femmes en Détresse and RACHDA, relying on international and private donations, also operate women’s shelters in Algiers. At the time of my visit, other non-governmental organizations were in the process of gathering funds for additional shelters.

“Due to the lack of an adequate number of women’s shelters, women who seek State protection are often directed to institutions that do not have the expertise and specialization necessary to address the needs of women victims of violence. These include homes for the elderly and homeless, and Diar Rahma institutions. During the course of my mission, I visited the Diar Rahma in Constantine and Oran. Apart from women facing violence or family exclusion (including single mothers), both Diar Rahma accommodated a wide range of persons in need of State support, including mentally or physically disabled persons. Both institutions placed a heavy emphasis on reconciliation with the family or husband as a long-term solution for women who had experienced domestic violence. Conversely, the two specialized women’s shelters visited had established vocational training programmes to provide women with alternatives to a return to the environment from which they had escaped.

“At all protective institutions visited, I learned to my distress that men regularly approached these institutions in search of suitable wives. Staff allowed or even arranged match-making meetings with women in their care. While acknowledging the obvious risks associated with relationships formed under these circumstances, staff in charge explained that many of the women in their care actively sought marriage as a means to leave the shelter and avoid the difficulties experienced by women living on their own. Although I was assured that the institutions carefully vetted the male suitors before facilitating a marriage, it is questionable whether such efforts can successfully prevent re-victimization.” [35b] (p17-18)

- 22.33 The Amnesty International Report *A Legacy of Impunity: A threat to Algeria’s future*, published 30 March 2009, stated:

“Non-governmental organizations offer medical and psychological assistance to a limited number of individual women, but do not have adequate resources to help the hundreds of women and girls in desperate need of assistance. The lack of such provisions is especially worrying in Algeria, where survivors of rape are forced to deal not only with the trauma caused by the crime, but also with the associated social shame and stigma. Many of the women survivors of rape live in rural and socially conservative areas of the country, compounding the problem. Others, who have been rejected by their families or have left their homes for fear of stigmatization, are homeless and jobless.” [26e] (Impunity for abuses committed by non-state actors)

- 22.34 The Freedom House report on Women’s Rights in Algeria, dated October 2005, noted:

“Although Algerian women’s rights groups have contributed to important recent advances in women’s status, women’s NGOs are not fully able to operate or advocate for their rights. While women’s rights activists are legally permitted to carry out public activities without being subjected to government restrictions, these groups still face a number of obstacles in their work. NGOs working to advance women’s rights face especially strong resistance from extremist religious groups and conservative elements of the government. Additional challenges for women’s NGOs include the socially and legally ingrained stereotypes and discrimination of women in Algerian society and a prejudice against work surrounding women’s equality and rights issues, as

well as significant security problems and threats received for engaging in such work in Algeria. Finally, many Algerian NGOs working to advance women's rights lack sufficient financial backing and are in desperate need of national and international funding and support.” [29d]

- 22.35 The USSD Report 2008 highlighted four Non Governmental Organisation groups that provided assistance to women:

“During the year local women's NGOs, including SOS Femmes en Detresse, the Wassila Network and Bent Fatma N'Soumer, spoke out against violence in the family. SOS Femmes en Detresse and Wassila Network provided judicial and psychological counselling to abused women. Women's rights groups experienced difficulty in drawing attention to spousal abuse as an important social problem, largely due to societal attitudes. Several rape crisis centres run by women's groups operated, but they had few resources. The Working Women section of the General Union of Algerian Workers (UGTA) established a counselling centre with a toll free number for women suffering from sexual harassment in the workplace. The call center did not operate during most of the year due to budget constraints. From January to June, the centre received 1,108 calls, compared to 1,524 in 2006. SOS Femmes en Detresse operated one call center in Algiers and a second call center in Batna. During the year the Algiers call center received 2,673 calls; the Batna call center received 1,869 calls.

“The punishment for sexual harassment is one to two years' imprisonment and a fine of 50,000 to 100,000 dinars (\$750 to \$1,500). The punishment is doubled for a second offense. The police stated that 107 sexual harassment cases were reported to the police. The INSP reported that 50 sexual harassment cases were brought to court in 2007. The majority of reported cases of harassment occurred in the workplace. SOS Femmes en Detresse provided legal advice and counseling to 610 women. During 2007 at least 500 women sought legal advice from the organization. However, the majority of women seeking assistance did not file formal complaints. According to the INSP, 10 persons were convicted in 2007 and received fines ranging from 2,000 to 50,000 dinars (\$30 to \$750).” [6a] (Section 5)

- 22.36 The [Women's International League for Peace and Freedom \(WILPF\)](#) website: contains details of nine Non Governmental Organisations that exist in Algeria to assist women. [4]

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23. CHILDREN

This section should also be read in conjunction with [Women](#), particularly with regard to the treatment of girls.

OVERVIEW

23.01 Algeria has signed (26 January 1990) and ratified (16 April 1993) the UN Convention on the Rights of the Child. (UN Treaty Collection, accessed 4 January 2010) [9b] The most recent [concluding observations](#) on Algeria by the Committee on the Rights of the Child are dated 12 October 2005. [52]

23.02 UNICEF's background information covering Algeria, accessed 5 January 2010, summarised the issues facing children in Algeria:

- “The nutritional status of young children has not improved since 2002.
- A study conducted by the Ministry of Education in collaboration with UNICEF revealed that corporal punishment is still commonly practiced in schools. Violence in schools is associated with learning difficulties and early dropouts.
- School completion rates are declining. In 2005, some 500,000 teens dropped out.
- A recent study on child labour revealed that more than a quarter of children are working. Many rural children work with their parents.
- It is estimated that 1 out of every 20 children abuses tobacco, alcohol or drugs.
- Institutional challenges in departments such as the Ministries of Health and Education have hampered the implementation of some initiatives for children. Ambitious plans to introduce maternal care and universal education for girls and boys have yet to be fulfilled.” [52]

23.03 However, the same report highlighted recent achievements:

- “Infant and maternal mortality rates continue to decline. Mothers and children now enjoy wider access to medical care and improved services.
- Immunization coverage against the primary childhood diseases is above 80 per cent.
- UNICEF and its partners are promoting water conservation in arid regions, including the Tindouf refugee camps.
- Significant strides have been made to ensure that girls realize their right to an education. In the last few years, almost two thirds of high-school diploma candidates were girls.
- UNICEF and the Ministry of Education have developed a new national policy that will create early childhood education programmes for children from ages three to six.
- The “Child-Friendly Schools” initiative has been launched in some 40 schools. These schools aim to provide a stimulating, healthy and supportive environment for learning.
- Some 650 educators have attended training sessions on strategies for preventing violence in schools.
- With UNICEF support, the Ministry of Family and Women has developed a National Plan of Action for women and children affected

by violence. Standard procedures and a reliable support system have been created to respond more effectively to individual cases.

- UNICEF is assisting the Ministry of Justice in the implementation of a new Child Protection Code.
- Algerian National Radio has partnered with UNICEF to promote the rights of children, support national literacy campaigns and develop teaching and training materials for Saharawi refugee women.” [52]

23.04 The United States Department of State *Country report on Human Rights Practices 2008*, Algeria (USSD Report 2008), published 25 February 2009, noted:

“The government was generally committed to protecting the welfare, rights, health, and education of children. NGOs that specialized in the care of children cited continued instances of domestic violence against children, which they attributed to the ‘culture of violence’ developed since the civil conflict of the 1990s and the social dislocations caused by the movement of rural families to the cities to escape terrorist violence. Experts assumed that many cases went unreported because of familial reticence.” [6a] (Section 5)

23.05 The same report continued:

“The government provides free education for children through high school. Education is compulsory until the age of 16. According to 2007 statistics from the Ministry of National Education, 99 percent of children completed the ninth grade compared to 98 percent in 2006. Boys and girls generally received the same education, although girls from rural areas were slightly more prone to leave school because of familial financial reasons, while sons were often given educational priority.” [6a] (Section 5)

23.06 UNICEF’s background information on Algeria, accessed 5 January 2010, stated data gathered in 2007 revealed that 11,780,000 [around a third] of the population were aged under 18, with 3,271,000 of those under five. [52]

23.07 A 1 February 2007 article on the United Nations News Centre detailed a United Nations’ independent human rights expert’s fact finding mission in which she stated that “the Government ... deserved praise for achieving equal access for boys and girls to all levels of education ‘in little more than one generation,’ with girls now numerically over-represented in secondary schools and universities.” [55]

BASIC LEGAL INFORMATION

23.08 The basic facts on children included:

- Education – Free and compulsory for all children aged between 6 and 16 years. (UN Background Note on Algeria, March 2009) [6b]
- Minimum age of employment – 16 years with employment prohibited under 16 years unless exemption granted by Minister of Labour and Social Welfare in cases of certain fixed-term temporary jobs. (USSD Report 2008) [6a] (Section 6d)

- Minimum age for marriage without consent – 21 years for men; 18 years for women. (UN data, accessed 3 November 2009) [18b]
- Minimum age for criminal responsibility – 13. (International Juvenile and Related Values, accessed 3 November 2009) [14]
- The age of majority in criminal proceedings -18 years. (Committee on Rights of the Child, Summary record of 387th Meeting, 29 May 1997) [108] (para 17)
- The age of consent for male/female sex in Algeria - 16. (Nationmaster.com, accessed 3 November 2009) [13]
- Universal suffrage – 18 years (CIA World Factbook 30 September 2009) [2a]

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LEGAL RIGHTS

Judicial and penal rights

- 23.09 In a briefing report to the African Commission on Human and People's Rights (ACHPR,) dated 26 November 2007, the CRIN (Child Rights Information Network) stated:

“Under Algerian law, capital punishment is not applicable to minors aged 13 – 18. Article 50 of the Criminal Code provides that ‘should it be decided that a minor aged between 13 to 18 years must be given a criminal sentence, the penalties shall be handed down as follows: if the penalty is death or life imprisonment, he shall be sentenced to 10 to 20 years imprisonment.’

“Article 456 of the Criminal Procedure Code provides that ‘an offender who is not over 13 years of age may not, even temporarily, be held in a penal institution. An offender aged 13 to 18 may not be held temporarily in a penal institution unless the measure appears to be absolutely necessary or no other arrangements can be made. In such a case, the minor shall be held in special quarters or, alternatively, in an area where he will as much as possible be in isolation at night’.” [34b]

- 23.10 The UN convention on the Rights of the Child (UNCRC) in its consideration of reports submitted by state parties, published 12 October 2005, concluded that:

“While noting that the Algerian Constitution and domestic laws are based on the principle of non-discrimination, the Committee expresses its concern at the lack of concrete implementation measures, policies and programmes to promote equality and tolerance in society. The Committee is concerned at the persistent de facto discrimination faced by girls, children with disabilities, children living in poverty, children born out of wedlock, children in conflict with the law, street children, children living in rural areas and Western Saharan refugee children.” [52] (concluding observations para 26)

- 23.11 Magherehia reported on 29 December 2009 that “The authorities are drafting laws to better resolve legal conflicts involving minors.” The article went on to say:

“Algeria is developing legislation that would shift the focus of the juvenile justice system from prosecution to protection, particularly by exempting children under 10 from criminal charges.

“The Ministry of Justice will soon refer the draft law on child protection to the government,’ the head of the Ministry of Justice’s section for juvenile justice, Judge Meriem Charfi, told participants in a December 12th-15th course for judges and directors of youth rehabilitation institutes.

“The new law sets the age of criminal responsibility for children at 10 years, the judge said at the event, in which over 26 judges took part. She added that current laws ‘don’t include a minimum age’ in that regard...The new legislation ‘aims at moving childhood from the criminal judicial system to a reform-oriented educational system’ by protecting and re-socialising children, the director general of the Prison Department, Moukhtar Flion, told participants in the course.” [32d]

Child protection

- 23.12 The website, Representing Children Worldwide, stated on its Algeria page, last updated November 2005, that:

“Algeria currently possesses a limited child protection system but is collaborating with UNICEF in expanding it and getting it to meet international norms. The current system is based on a combination of provisions in the Constitution, the Code of the Family and the Penal Code. The Constitution promotes the protection of children and the family in broad strokes while the Penal Code criminalizes the abandonment or neglect of children. The Code of the Family defines the conditions of accepting foster children and gives some rights to children over thirteen, such as the right to decide whether they want to return home from foster care should the parents so request. The Code of the Family also specifies that incompetent parties, including children, must be represented by guardians. Children below the age of sixteen are viewed as lacking the sense to discern and their actions are legally invalid, while the actions of children above that age have limited legal validity.” [63]

- 23.13 In a briefing report to the African Commission on Human and People’s Rights (ACHPR,) dated 26 November 2007, the CRIN (Child Rights Information Network) stated:

“The family enjoys the protection of the state and the society. Article 65 of the Constitution specifies that ‘the law sanctions the duty of parents to ensure the education and protection of their children’. Child custody issues arising in the case of separation of spouses are addressed in articles 62 to 72 of the Family Code. Articles 74 to 80 deal with maintenance and alimony. Any fault or negligence committed by parents with respect to their duty to protect their children is addressed by the Criminal Code in its articles 330 to 332 on family neglect.” [34b]

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VIOLENCE AGAINST CHILDREN

23.14 The USSD Report 2008 noted that:

“Child abuse is illegal but continued to be a problem. NGOs that specialized in the care of children cited continued instances of domestic violence against children, which they attributed to the ‘culture of violence’ developed since the civil conflict of the 1990s and the social dislocations caused by the movement of rural families to the cities to escape terrorist violence. Experts assumed that many cases went unreported because of familial reticence.” [6a] (Section 5)

23.15 *El Khabar*, reported on 1 April 2008 that

“Statistics revealed by the Nationale Gendarmerie service revealed that 249 people including 179 minors had been subject sexual assaults in the first quarter of 2008, most of them female. Even though the number of sexual assaults declined in 2007 by 46 cases compared with 2006, the National Gendarmerie service expressed concerns after the cases tried in the first quarter, including abduction, sexual assault and sexual abuses climbed. During 2007 the service tried 1295 cases, while 1524 people had been arrested and brought to court, 1432 males and 92 females. According to a spokeswoman the figures demonstrated that cases were hitting an alarming level compared to 2007. She added that the lack of supervision within the family, was the main cause, and further described the sexual assaults committed against minors as an undeclared crime. She stated that the statistics do not include all the cases, and that if the Police service statistics were added to those of the National Gendarmerie they realise that they would be facing a catastrophe.” [50q]

23.16 A document released by the Child Rights Information Network (CRIN) on 1 July 2008 stated that according to a report issued by the Algerian Ministry of Employment and Solidarity in the first four months of 2007, the national police dealt with 516 cases of violence against children, including accidental death, intentional physical injury, sexual violence, kidnapping, murder and rape. According to the report, more than three quarters of child abuse was carried out by parents. [34a]

Child labour

23.17 The US Department of Labor’s 2008 report on *The Findings on the Worst Form of Child Labor in Algeria*, published 10 September 2009, stated “Children in Algeria work in agriculture, construction, small workshops, and informal street vending. Children also work as domestic servants; there are conflicting reports on whether some child domestic servants are the victims of trafficking.” [51]

23.18 The USSD Report 2008 stated that:

“The law prohibits participation by minors in dangerous, unhealthy, or harmful work, or in work that is considered inappropriate because of social and religious considerations. The minimum legal age for employment is 16, except for apprentice positions. In order to be an apprentice, minors must have the permission of a legal guardian. In February 2006 the MOL stated that only 95 ‘young workers’ were identified during site visits performed by labor inspectors

at 5,847 companies. The MOL made some surprise inspections of public sector enterprises, but it did not consistently enforce relevant statutes in the agricultural or private sectors.

“In 2005 the MOL reported a rate of child participation in the labor force of 0.56 percent. That figure was challenged, however, by the local NGO FOREM, a children's rights watchdog group financed by the European Union. According to FOREM, in the eight most populous provinces six percent of children age 10 and younger participated in the labor force, while 63 percent of children age 13 to 16 participated. The survey found children working a variety of hours in small workshops, on family farms, and especially in informal trades, where children from impoverished families are employed for economic reasons. In a November press conference, FOREM representatives said there were one million children working in the country, at least half of whom were under the age of 16.”

“The MOL is responsible for enforcing child labor laws, but enforcement was hindered by a lack of sufficient human resources. In 2006 and 2007 FOREM implemented a public awareness campaign aimed at encouraging children to remain in school until the age of 16, rather than participating in the workforce.” [6a] (Section 6d)

See also section on [Trafficking](#)

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EDUCATION

23.19 The USSD Report 2008 stated:

“The government provides free education for children through high school. Education is compulsory until the age of 16. According to the Ministry of National Education, 99 percent of children completed the ninth grade compared to 98 percent in 2006. Boys and girls generally received the same education, although girls from rural areas were slightly more prone to leave school because of familial financial reasons, while sons were often given educational priority”. [6a] (Section 5)

23.20 The report added “In urban areas there was social encouragement for women to pursue a higher education or a career. Girls had a higher high school graduation rate than boys.” [6a] (Section 5: Women)

23.21 Europa World online (accessed 5 January 2010) gave the following information:

“Education, in the national language (Arabic), is officially compulsory for nine years between six and 15 years of age. Primary education begins at the age of six and lasts for six years. Secondary education begins at 12 years of age and lasts for up to six years (comprising two cycles of three years each). In 2004/05 the total enrolment at primary schools included 96.6% of children in the relevant age-group. The comparable ratio for secondary enrolment in 2003/04 was an estimated 66.2%. In mid-2003 the Government agreed to permit the use of the Berber language, Tamazight, as a language of instruction in Algerian schools. In 2005 some AD 78,000m (11.5% of capital expenditure), was allocated to education and professional training by the

central Government. Priority is being given to teacher-training, to the development of technical and scientific teaching programmes, and to adult literacy and training schemes. In addition to the 27 main universities, there are 16 other centres universitaires and a number of technical colleges. In 2004/05 a total of 755,463 students were enrolled in tertiary education.” [1a] (Country Profile: Education)

23.22 The CRIN briefing note to the ACHPR of 26 November 2007 stated:

“The concentration of the population in the more prosperous northern part of the country is such that the distribution of pupils is unequal. The situation is similar with respect to teachers, who are more numerous in certain areas and lacking in others. The school mapping exercise is aimed at remedying the unequal distribution of the student and teacher populations.

“As for boarding schools, they number 27, with 3,000 girls and boys aged 6 to 12 at the primary level, 23,350 in middle school and 53,048 in secondary school. These boarding schools were established for the benefit of children living in the remotest areas, especially girls, to prevent high drop-out rates, as well as for the children of nomads in the Sahara regions and orphans who have not found foster homes. All the operating costs of the boarding schools are borne by the state authorities. Further, there is a school transport system covering a large number of towns and villages, especially the remotest. This system, initiated by the public authorities, benefits 884 communes which have 1,300 buses”. [34b]

23.23 The Algerian country page on the UNICEF website (accessed 5 January 2010) recorded the youth (aged 15-24) literacy rate at 2007 as 94 per cent for males and 91 per cent for females. [52]

23.24 An article in the *New York Times* dated 23 June 2008 stated that:

“At a time of religious revival across the Muslim world, Algeria’s youth are in play. The focus of this contest is the schools, where for decades Islamists controlled what children learned, and how they learned, officials and education experts here said.

“Now the government is urgently trying to re-engineer Algerian identity, changing the curriculum to wrest momentum from the Islamists, provide its youth with more employable skills, and combat the terrorism it fears schools have inadvertently encouraged.

“It appears to be the most ambitious attempt in the region to change a school system to make its students less vulnerable to religious extremism. But many educators are resisting the changes, and many disenchanted young men are dropping out of schools. It is a tense time in Algiers, where city streets are crowded with police officers and security checkpoints and alive with fears that Algeria is facing a resurgence of Islamic terrorism.” [59a]

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CHILD CARE

23.25 The CRIN briefing note to the ACHPR of 26 November 2007 stated:

The Family Code stipulates in its article 4 that [the purpose of] marriage...is to start a family based on affection, indulgence and mutual assistance, ... to protect children and ensure their proper education (art. 4 and 36 of the Family Code). It is therefore natural for children to live with their parents, except when the primary interest of the child requires or justifies separation. No child may be separated from its family or parents except by judicial decision. Article one of order no 72-03 of 10 February 1972 regarding the protection of the child and adolescent provides that 'minors aged 21 whose health, security, morality or education are compromised or whose living conditions or behaviour are likely to affect their future may be the subject of protective measures and educational assistance'

- "only the children's judge is authorized to take measures to protect and assist children under this law (art. 2 et 3);

- "provisional child custody measures may be taken by the children's judge (art. 5 and 6). These measures may, at any time, be modified or revoked at the request of the minor, the parents, or the Public Prosecutor.

- "At the end of his investigation, the judge shall call the minor and his parents or guardian before him as well as any other person it may be useful to hear" (art. 9). 'He shall try to bring the minor's family to support the measure envisaged'...Children put up for kafala (adoption) enjoy the same benefits as legitimate children." [34b]

23.26 The UK Foreign and Commonwealth Office (FCO) stated in a letter, dated 22 September 2002, that "The decision to place a child in a home is made by the authorities concerned when they are abandoned at birth, or by the Infants Judge after an investigation into the situation of the infant." [5b]

23.27 The FCO also stated:

"Care homes for lone children are set up and run by the Government. They are regulated by the law, namely Executive Decree No 92-182 of 13 October 1992. Such care homes are intended to upkeep nurslings and only children below the upper limit of compulsory school attendance may be placed in such homes. They take boys and girls. A number of charities also run care homes, such as the Association Algérienne Enfance et Familles d'Accueil Benevolés. Algerian families often adopt young children from state and charity homes under the Kafala system of adoption under Islamic law. Kafala is widespread in Algeria. But in nearly all cases it concerns babies." [5b]

23.28 The FCO letter continued:

"Older children who lack family support are placed in homes by court order or allocated to foster care. The fostering of children is regulated by the law, namely Ordinance No. 72-103 of 10 February 1972 relating to the Protection of Children and Youth. For the purposes of this law infants are defined as being under 21 years of age. The provisions of Ordinance No. 72-103 applies [sic] to those infants whose health, security, morality or education are in danger. As a consequence they are placed under the protection of the State and the Infants Judge is empowered to take all necessary measures. He may

decide, depending on the youth's situation, to place him in a specialised centre, a care home, or a vocational centre. He may also entrust a person with the care of the child." [5b]

23.29 An article published in Magharebia on 4 July 2008 stated:

"While NGOs work to assist orphans, however, many families who want to adopt children find themselves up against Algerian law and bureaucracy. In Constantine wilaya alone, 300 adoption requests are submitted each year. Only 80 to 100 are granted by the social action directorate. The government wants to be sure that the families who want to adopt children are really able to do so.

"Algerian law allows kafala (care), but the adoptive family is not allowed under any circumstances to replace the biological family in the administrative or legal sense.

"According to Temi Tidafi, who chairs the Algerian Association for Voluntary Foster Families, the Algerian kafala procedure is very rigorous.

"In Algeria, the only authority empowered to oversee kafala procedures is the Director of Social Action, under delegated powers from the wali, Tidafi explains. The child is awarded in kafala after a social inquiry into the applicant family, which has to treat him as their own child. If the identity of the parents is unknown, and the justice minister agrees, the care-giving family may give the child their own family name. All the same, the mekfoul (adopted) child is not their legal offspring and does not have certain rights, such as that to inheritance.

"In Algeria's kafala rules, a change of name is allowable on condition that the child's parents are not known or the biological mother gives written consent for the change of name. This is not the case in other Muslim countries.

"This progress in reforming Algerian law dates back to February 1992 after two years of efforts to convince the High Islamic Council of the need for a fatwa on the matter. The fatwa, which was signed in August 1991, sets a precedent for any amendments made by the government to human rights' laws.

"According to Amar Haouchinie, a researcher in Islamic law, 'Islam has encouraged kafala for orphans and their education. The Prophet spoke of "kafil" as entering Paradise.'

"But, he added: 'Islam has banned adoption, which consists of taking someone else's child as your own, or enabling him to inherit from you'. Under Algeria's kafala laws, an orphan may not enjoy everything that a biological child does, but at least he will have a roof over his head and a family to protect him." [32a]

23.30 The Country of Return Information Project *Algerian Country Sheet 2009* reported on information about child shelters:

"Care homes for lone children are set up and run by the Government. They are regulated by the law ...Such care homes are intended to upkeep nurslings

and only children below the upper limit of compulsory school attendance may be placed in such homes. They take boys and girls. A number of charities also run care homes, such as the Association Algérienne Enfance et Familles d'Accueil Bénévoles...Older children who lack family support are placed in homes by court order or allocated to foster care." [10] (p71)

HEALTH AND WELFARE

- 23.31 The background information on UNICEF's website, Algeria, accessed 5 January 2010, gave basic demographic data for 2008 on children in Algeria:

"Mortality rate (expressed per 1,000 live births):

Infant (under one) 36

Child under five 41

"Percentage of one year olds immunized against:

TB - 99

Diphtheria, Pertussis, Tetanus – 97

Polio – 92" [52]

- 23.32 The USSD Report 2008 stated "The government provided free medical care for all citizens, including children with disabilities, albeit in generally rudimentary facilities, and to both sexes equally." [6a] (Section 5: Children)

See also section on [Medical issues](#)

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24. TRAFFICKING

- 24.01 Jane's, in its *Sentinel Country Risk Assessment for Algeria* posted on 30 November 2009 noted that:

“Algeria is a way-point for human trafficking gangs seeking to bring illegal labour into Europe. Algeria sees very few people actually leave its shores directly; most illegal traffic (mainly from Sub-Saharan and Horn of Africa states) transits the country heading for Morocco, Tunisia and Libya. Some of Algeria's illegal traffickers are likely to have links to insurgent groups which use protection rackets on the trade as a source of income.” [7c] (Security)

- 24.02 The United States Department of State *Country Report on Human Rights Practices 2008* (USSD Report 2008), released 25 February 2009, stated:

“The law does not prohibit trafficking in persons, and officials instead consider the issue covered by existing laws on illegal migration. The country is a transit point to Europe and a destination country for men, women, and children from sub-Saharan Africa and Asia trafficked for forced labor and sexual exploitation. The government did not acknowledge trafficking to be a problem but saw it as part of the larger issue of illegal immigration. According to the government, in the absence of specific antitrafficking laws, other laws against illegal immigration, prostitution, and forced labor are used to enforce antitrafficking standards. There were no indications of official government involvement in trafficking.

“Forced prostitution and domestic servitude of illegal immigrants from sub-Saharan Africa occurred as immigrants transited through the country, with the help of smugglers, seeking economic opportunity in Europe. The government does not compile official statistical estimates of the severity of trafficking. No government assistance programs existed for victims, nor were there any information campaigns about trafficking.

“According to a June 2007 National Gendarmerie report, between 2001 and 2007, the number of illegal African and Arab migrants exceeded 30,000, most of them of African origin. Additionally, 14 percent of them came from Middle Eastern countries, including Egypt, Syria, Tunisia, and Iraq. Some migrants also came from Pakistan. Among the 30,000 illegal migrants, there were 1,683 women and 1,300 minors. Statistics did not exist detailing how many of these migrants faced conditions of trafficking before, during, or after entering the country.” [6a] (Section 5)

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25. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

25.01 The United States Department of State *Country Report of Human Rights Practices 2008, Algeria*, released 25 February 2009, stated that “The government provided free medical care for all citizens – including children with disabilities – albeit in generally rudimentary facilities, and to both sexes equally.” [6a] (Section 5: Children)

25.02 Jane’s *Sentinel Country Risk Assessment, Algeria*, section on Demography, updated on 23 March 2009, stated that:

“Despite a rise in life expectancy after the civil war and comparatively low birth and immunisation rates, Algeria’s health system suffers from major problems. There are an inadequate number of doctors (one per 1,000 people) and hospital beds (2.1 per 1,000), as well as poor access to potable water (87 per cent of the population and sanitation (92 per cent of the population). Policy favours prevention, with an emphasis on clinical-based care rather than a large number of hospitals. This, along with a young population, explains the government’s proactive immunisation strategy. Nevertheless, the problems caused by a lack of adequate drinking water and sanitation provision has led to outbreaks of tuberculosis, hepatitis, measles, dysentery, typhoid and cholera. The HIV infection rate among 15-49 year olds is 0.1 per cent.

“Public access to health care is improved by the fact that doctors and dentists are required to work in the public sector for at least five years; nevertheless, doctors are far more easily found in the cities of the north than in the southern Saharan region of the country.” [7f]

25.03 The Economist Intelligence Unit’s 2008 Country Profile on Algeria, stated that:

“Algeria’s healthcare system has improved greatly since independence. Even so, according to the World Bank’s *World Development Indicators 2007*, in 2004 total health expenditure as a proportion of GDP was only 4%. Public health spending as a proportion of GDP amounted to 3.1% (compared with an estimated 2.2% in Egypt and 1.7% in Morocco). The doctor/population ratio was modest at 113 per 100,000 people in Algeria in 2004, compared with 54 in Egypt and 51 in Morocco. There have been some improvements, especially a drop in the infant mortality rate from 54 per 1,000 births in 1990 to 34 per 1,000 in 2005 (according to the UNDP). Even so poverty-related diseases have been on the rise in recent years, in line with a general increase in poverty. According to the *World Development Indicators 2006*, the share of the population below the national poverty line had risen to 22.6% in 1990-2004, up from 12.2% over the previous 15 years. In addition, the UN estimates that 0.1% of the adult population (ages 15-49) had HIV/AIDS at the end of 2003, slightly below the rate in Egypt. According to the World Bank, life expectancy was 71 years in 2004 (up from 67 in 1990) compared with 70 for Egypt (up from 63)”. [37b] (p29)

25.04 The Medibtkar website (accessed 18 January 2010) stated:

“The Algerian health system continues to suffer from multiple problems, is short of financing, and needs to align to the country’s changing circumstances

(medical, epidemiological, demographic and economic). The population's medical needs are considerable. National production is insufficient to meet needs and so Algeria is a major importer of drugs. The market for pharmaceutical products is estimated at more than EUR 700 million per year, of which 80 percent are imported.

"Difficulties in the public health system have spawned private sector involvement. State owned establishments are being rehabilitated/built and private clinics, doctors' offices and radiology centres set up. Some 102 private clinics were operational in 2002, 125 more private clinics are being built and 45 projects are under study. New health mapping at the Ministry of Health is determining plans to build three private 250 to 500-bed hospitals for the treatment of serious diseases.

"In spite of the various measures taken by the Algerian government (requirement to produce, suspension of imports, etc.), the level of local pharmaceutical production is low, as is the number of manufacturers (just 34 in 2003). Moreover, production concerns mainly products with low technological content. However, local production is likely to increase thanks to new private investment initiatives." [50]

- 25.05 The Country of Return Information Project *Algerian Country Sheet* 2009 stated:

"According to the Ministry of Health, there are no illnesses that cannot be treated effectively in Algeria. The Ministry nonetheless recognises the weakness of palliative care or support in health establishments, but expects this to improve in the very near future...[There were] 31 specialized hospitals with following specialities: psychiatry (10), medical rehabilitation (4), cardio surgery (3), medical oncology (3), neurosurgery (1), infectiology (1), orthopaedic traumatology (2), ophthalmology (1), gynaecology (29), paediatrics (2), plastic surgery (1) and urology (1)." [10] (p60)

- 25.06 The US Embassy in Algiers provided a list of physicians and clinics in Algiers: <http://algiers.usembassy.gov/physicians.html>

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HIV/AIDS

- 25.07 The Joint United Nations Programme on HIV/AIDS stated in its report of July 2008 *Algeria – Country Situation*:

"The Algerian Government made major achievements in the response to AIDS in 2007. The Government has made a political commitment at senior level to approve the Renovation of the National AIDS Coordinating Authority to make it more operational and efficient...In the cultural context of Algeria, it is difficult to say that the situation of women is excellent but all reports including UNFPA and UNDP/MDG are providing information on specific improvements. As for young people, vulnerable groups and most-at-risk populations, the situation regarding the AIDS response, while improving, still remains a challenge. Prevention, care, treatment and support is made equally available to the entire

population in Algeria but the populations concerned still fear stigma and discrimination and the huge cultural taboos surrounding AIDS.” [15a]

- 25.08 In a report of August 2008 by the National Committee for Country Coordination against AIDS, Tuberculosis and Malaria in Algeria called *Strengthening, Decentralization and Improvement of the National Response Against HIV/Aids Upon Vulnerable and High-Risk Groups in Algeria*, the situation was summarised: “The interventions implemented represent some of the best opportunities to control the epidemic, specifically among vulnerable and at-risk groups by prioritizing the gender issue toward men and women, as shown by the decrease and control of HIV rates.” [36] (p20)
- 25.09 The report went on to explain the strategies that have been put into place:
- “As for counseling and screening, the national response, which leans on the strengthening of health systems, has notably shined by the opening of 54 voluntary screening Centers (VSC) by MSRH in 2006- 2007. And, it is encouraged to continue to extend its efforts and guarantee an earlier screening of HIVpositives for better care and deeper understanding of the epidemic.
- “As for AIDS patients’ services and care and support to HIV/AIDS infected/affected people, the proposal aims to expand the geographic area of focus and improve service quality. It is developed in all 09 CRC (HIV Infection Care Reference Centre) where it is free and is concentrated on diagnosis, treatment and care for the benefit of HIV infected patients, specifically by access to ARV and treatment of opportunistic infections.
- “As for psychosocial support, the partnership with social organizations is considered as strategic as they play an important role through activities of support and aid for PLWHA: Psychological support, help for transportation, access to income-generating activities (IGA).” [36](p20)
- 25.10 The USSD Report 2008 stated that “In 2006 the ministries of religious affairs and health initiated a series of training sessions for imams and female guides in order to better address social and medical issues, including HIV/AIDS. As part of the program, 100 copies of a national guide on Islam and HIV/AIDS were distributed to the attendees.” [6a] (Section 5: Women)
- 25.11 The UNAIDS country profile page on Algeria, accessed 19 January 2010, gave the following statistics for 2008:
- “Number of people living with HIV: 21 000
 - Adults aged 15-49 prevalence rate: 0.1%
 - Women aged 15 and over living with HIV: 6 000.” [15a]

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CANCER TREATMENT

- 25.12 In an article dated 4 November 2009 called *Algeria plans cancer treatment centres*, Magharebia reported:

“Algeria is stepping up its efforts to fight cancer, announcing last week that it will build a national cancer institute in Oran and an additional 14 cancer treatment centres throughout the country.

”The Oran institute will begin operating in 2011, and other treatment centres will be completed by 2012,’ Minister of Health Said Barkat announced in Parliament on October 25th. The new strategy will increase Algeria's total number of cancer treatment locations to 17.

“The Ministry of Health estimates that 30,000 to 35,000 new cancer cases are diagnosed each year, with 80% of patients diagnosed in the late stages of the disease.

“Of these numbers, an estimated 13,000 Algerians must wait for up to a year for treatment, due to the incapacity of the handful of existing cancer treatment locations to meet this growing need.” [32e]

MENTAL HEALTH

25.13 The World Health Organization’s (WHO) ‘Mental health atlas 2005’ section on Algeria noted the mental health care system in Algeria operated both in the primary health care system and in the acute treatment of severe mental health disorders in an intermediary mental health centre system, though there was no provision in Algeria for care located directly within the community. [15b]

25.14 The WHO ‘Mental health atlas 2005’ also noted the availability of the following medications, classing them as “generally available at the primary health care level of the country”: Carbamazepine, Ethosuximide, Phenobarbital, Phenytoinsodium, Sodium Valproate, Amitriptyline, Chlorpromazine, Diazepam, Fluphenazine, Haloperidol, Carbidopa, and Levodopa. However, Lithium and Biperiden were held not to be available. [15b]

25.15 Magharebia reported on 18 June 2008, that with the growing number of homeless people in major Algerian cities, they were setting up public facilities in the main capital of the five regions. The facilities would receive emergency homeless cases with no domicile. Psychological specialists and physicians would be recruited to provide appropriate mental health care and other attention they might need. Psychological experts contact the families of the homeless, if any, to reconnect them with their families. There would also be a hotline established where people could report any homeless cases or individuals with social or psychological problems to enable institutions equipped with financial and mental health resources can lodge and treat them. [32b]

25.16 The Country of Return Information Project *Algerian Country Sheet* 2009 report stated:

“Association SoliMed Algérie – this organisation works mainly, but not exclusively, in the health field through the organisation of Medical Caravans which look to provide specialist care to disadvantaged Algerians. The Medical Caravans mobilise doctors and logisticians all of whom work on a voluntary basis. [Maghreb Health website](#) includes the list of Algerian associations working in the health field. The first Red Crescent health centre in Constantine

was opened in the beginning of 2003. Situated in the city centre, it offers free medical assistance to poor adults and children. Apart from medical assistance, the centre offers psychological support to children victims of violence and is there to listen and consult. Moreover, the centre has a paramedical practice and a pharmacy with free distribution of medicine depending on availability.” [10] (p63)

- 25.17 Handicap International decribed on their website (accessed 19 January 2010) their activities in Algeria “The Mental Health project aims to support, train and establish links between care workers in the different aspects of their professional practice. The section specifically targets care workers looking after children who have been victims of violence, children in hospital with physical disabilities or serious illness, mentally disabled children or children with personality disorders.” [49]

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26. FREEDOM OF MOVEMENT

26.01 The United States Department of State *Country Report of Human Rights Practices 2008*, Algeria, released 25 February 2009, stated:

“The constitution provides for freedom of movement; however, the government restricted the exercise of this right. The government did not permit young men eligible for the draft who had not yet completed their military service to leave the country without special authorization; however, such authorization was granted to students and to those persons with special family circumstances.

“Under the 1992 emergency decree, the interior minister and the provincial governors may deny residency in certain districts to persons regarded as threats to public order. The government also maintained restrictions for security reasons on travel into the four southern provinces of Ouargla, El-Oued, Laghouat, and Ain-Salah, where much of the hydrocarbon industry and many foreign workers were located... The law does not permit anyone under 18 to travel abroad without a guardian’s permission.

“The law does not provide for forced exile, and it was not known to occur.” [6a] (Section 2d)

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27. FOREIGN REFUGEES

27.01 The 2009 report by the US Committee for Refugees and Immigrants, covering 2008 events, published 17 June 2009, in its Algeria country pages (USCRI Algeria 2009) stated:

“Algeria is party to the 1951 Convention relating to the Status of Refugees, its 1967 Protocol, and the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa, all without reservation. The 1989 Constitution (amended 1996) provides that in no case may a ‘political refugee’ with the legal right of asylum be ‘delivered or extradited.’ A 1963 Decree establishes the Algerian Office for Refugees and Stateless Persons (BAPRA) in the Ministry of Foreign Affairs and calls for an appellate board consisting of representatives of various ministries and UNHCR, but the authorities do not request UNHCR to designate its representative. The 1963 Decree authorizes BAPRA to decide cases and stipulates its recognition of those UNHCR recognizes.” [43a]

27.02 The report gave details of refugees in Algeria:

“Algeria hosted around 96,500 refugees and asylum seekers. About 90,000 were from the disputed Western Sahara, who sought shelter from the 1976 conflict between Morocco and the nationalist rebel group, the Polisario Front, over the area's sovereignty; although neither the Polisario nor the Algerian Government would permit their registration. Around 4,000 Palestinian refugees lived in Algeria, generally integrated into urban areas. There were also some 1,400 sub-Saharan asylum seekers in Algiers with no recognition and 1,100 ethnic Touregs from Mali and Niger who arrived during the year.

“Algeria deported many asylum seekers from sub-Saharan Africa during the year. The Government did not grant refugee status to anyone nor did it accept those the UN High Commissioner for Refugees (UNHCR) recognized under its mandate.” [43a]

27.03 The report went on to state, with regard to the movement of foreigners:

“In June [2008], the legislature passed a new law on the entry, stay, and circulation of foreigners. The law states that its provisions regarding entry and exit are subject to international conventions on refugees and stateless persons that the State has ratified but gives the minister of the interior and even provincial leaders broad discretion to refuse entry for reasons of state security or public order. The new law still generally required persons wishing to live and work in Algeria to have a work permit and allowed for the immediate revocation of their residence permits upon any lapse of the conditions of its issuance or any of a wide array of non-reviewable discretionary grounds, allowing them 30 days to leave the country. Foreigners may appeal expulsion orders of the Ministry of Interior and have them stayed pending the outcome, but provincial officials may deport those they deem to be residing in Algeria illegally without appeal. The new law does not relieve any of the severe restrictions on the employment of foreigners nor does it create any exception for refugees and even strengthens existing documentary requirements. It also provides for the creation of detention centers for those in irregular status and allows provincial leaders to hold them there for 30 days, renewable, until

authorities can deport them. The law also provides for two to five years' imprisonment for any new entry by a previously expelled person but does not make an exception for refugees and stateless persons in this regard.

"In August, the Council of Ministers approved a draft law increasing penalties for smuggling migrants and making illegal departure from Algeria a crime punishable by up to six months in prison... Algerian law severely restricts the rights of foreigners to work and makes negligible exception for non-Palestinian refugees. Other refugees have no more rights than foreigners generally." [43a]

SAHRAWI REFUGEES

27.04 Europa World online (accessed 19 August 2008) noted, in its section on Morocco, that Western Sahara is a territory to the south west of Algeria under the administration of Morocco, whose sovereignty is under dispute between the government of Morocco and the Polisario Front (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro), an organisation seeking independence for the region. The area was part of Spanish Sahara until 1976. [1b] (Country Profile Recent History)

27.05 The United States Department of State *Country Report on Human Rights Practices 2008, Western Sahara* (USSD Report 2008), dated 25 February 2009, gives the following information with regard to the status of the area:

"In 1988 Morocco and the Polisario agreed to settle the dispute by referendum. However, disagreements over voter eligibility and which options for self-determination (integration, independence or something in between) should be on the ballot were not resolved, and a referendum never took place. Over the years, there have been several attempts to broker a solution.

"In 2007 the first face to face negotiations between representatives of the Moroccan government and the Polisario began under UN auspices, after Morocco offered a political solution based on autonomy for the territory within the Kingdom of Morocco, while the Polisario continued to insist on a potential referendum in which full independence would be an option. By year's end four rounds of talks had taken place in Manhasset, New York. On April 30, the UN Security Council adopted Resolution 1813, extending MINURSO [the United Nations Mission for a Referendum in Western Sahara] until April 2009. The resolution also called on member states to consider voluntary contributions to the Confidence Building Measures (CBMs) carried out under the UN High Commissioner for Refugees (UNHCR) that allow increased contact between family members separated by the dispute. There were no further talks by year's end." [6d]

27.06 The USSD Report 2008 on Algeria summarised the situation of the Sahrawi refugees:

"The government provided protection to an estimated 100,000 Sahrawi refugees who left the Western Sahara after Morocco took control of the territory in the 1970s. UNHCR, the World Food Program, the Algerian Red Crescent, and other organizations also assisted Sahrawi refugees. Neither the government nor refugee leadership allowed the UNHCR to conduct a registration of the Sahrawi refugees." [6a] (Section 2d)

27.07 The USCRI-Algeria 2009 report stated:

“The Government allows the Polisario to control the movements of some 90,000 refugees from the Western Sahara in four isolated camps outside the Tindouf military zone near the Moroccan border. The geographical area, known as ‘The Devil's Garden,’ is part of the Hammada, a vast plain of the Sahara subject to summer temperatures over 50°C (122°F), frequent sand storms, and little or no vegetation.”

27.08 The Human Rights Watch report of December 2008 *Human Rights in Western Sahara and in the Tindouf Refugee Camps (HRW-Tindouf)* stated:

“The Tindouf refugee camps, located in a harsh desert region of Algeria, have a population of approximately 125,000. They were established over thirty years ago by refugees who fled Moroccan forces as they advanced through Western Sahara. Most residents still live in tents or in modest huts without running water and remain heavily dependent on international humanitarian aid.” [27b] (p8)

27.09 The USCRI Algeria 2009 report continued:

“Refugees need permits from the Chief of Daira (districts within camps) to change residence from one daira to another within a camp or from camp to camp. The Chiefs generally issue them. Some 3,500 Sahrawi live in Tindouf with Algerian passports, some of them married to Algerians. The Polisario forbids permanent return to the Moroccan-occupied Western Sahara, however. Even so, a number manage to reach the territory through Mauritania. To travel to Algiers, refugees need passes, or ordres de mission, bearing stamps of approval from both the Algerian Government and the Polisario. To apply for such a pass they must have their camp leader write a letter to the Polisario Ministry of Interior in Rabouni which, in turn sends a request to the Polisario office in Tindouf, which prepares the document and obtains the Algerian stamp. Applicants must have an approved reason, such as enrollment in school or professional training. Seeking employment is reportedly not among the approved reasons for travel... The Polisario also allows some refugees to leave for education in Algeria and elsewhere and to tend livestock in the areas of the Western Sahara it controls and Mauritania. An unknown number reportedly hold Mauritanian passports. The Algerian Government also issues passports to those the Polisario permitted to travel abroad but not to other refugees.” [43a]

27.10 The report commented on detention facilities and slavery within the camps:

“Polisario authorities maintain their own police, judiciary, and detention facilities and apply their own penal code with the acquiescence of the Government of Algeria. They detain refugees in at least two jails, Hamdi Ba Sheikh for men, about 30 minutes' drive outside of the Polisario's Rabouni headquarters and another for women, and a juvenile detention facility. There is also a detention center that the Polisario refers to as ‘the Center for Maternity Assistance’ for women pregnant out of wedlock. The Polisario acknowledges three to five cases per year and interprets them legally as ‘adultery,’ a crime punishable by one to five years imprisonment under its penal code. In some cases, however, women reportedly remain indefinitely

until a man agrees to marry them or their family members agree to raise the child.

“Some black Sahrawi in the camps have slavery-like relationships with Arab Sahrawi, whose names the slaves take. In some cases, Polisario judicial officials have not allowed such women to marry without permission of the male heads of the Arab families. In 2007, the Polisario's National Saharan Council ratified a new law on civil status law that modified some deficiencies in kinship and marriage cases.” [43a]

27.11 However the USSD Report 2008 on Western Sahara stated “Human Rights Watch investigated allegations of slavery in the Tindouf camps in Algeria, but could find no conclusive proof of the allegations.” [6d]

27.12 The HRW Tindouf report stated with regard to human rights' issues within the camps:

“A disquieting trait of the human rights situation in the Tindouf camps is the isolation of the population and the lack of regular, on-the-ground human rights monitoring. Despite the Polisario's professions of openness to monitoring; the apparent easing of repression in recent years; and the presence of many foreigners working for development and humanitarian organizations, the rights of the refugees remain vulnerable due to the camps' remoteness and the legal limbo in which the camps exist. The government of the host country, Algeria – which is accountable under international law for protecting the rights of all persons within its territory – has ceded de facto administration of the camps to a liberation movement that is not formally accountable in the international system for its human rights practices.” [27b]

27.13 With regard to humanitarian issues within the camps the USCRI Algeria 2009 report stated:

“In March and April [2008], the World Food Programme and other international aid agencies found a 18 percent prevalence of global acute malnutrition (GAM) in the camps and a five percent prevalence of severe acute malnutrition, ‘a drastic increase compared to the findings in 2005 when the prevalence of GAM was 8 percent with 2 percent being severe.’ There was a 32 percent prevalence of stunting with nine percent severely stunted and 62 percent of children aged 6-59 months suffered from anemia, six percent of them severely, with the highest rates among those 30 months old and younger. Anemia ran 54 percent among non-pregnant women but 66 percent among the pregnant with 15 percent severely so. Nearly half of children under five had diarrhea, of which 30 percent reported bloody diarrhea; more than half reported difficulties breathing.” [43a]

27.14 The report added:

“The international community spends nearly \$50 million per year on the camps. The Government supplies health services, transportation, housing, and most of the refugees' heating and cooking fuel. Except for the ‘27 February’ settlement and the Polisario's administrative centre in Rabouni, there is no electricity in the camps.

“The law requires all humanitarian aid to go through Algerian Red Crescent Society, which works with its Polisario partner, the Sahrawi Red Crescent Society. The Government's refusal to allow a registration census prevents UNHCR from profiling the population for humanitarian and protection needs or monitoring aid distribution. A Joint UNHCR/WFP Assessment Mission in 2007 recommended a more transparent and accountable distribution system.

“There are primary schools in the Tindouf camps for Sahrawi children. Some families keeping slave children as domestic servants in the camp reportedly do not allow them to attend school. Algeria does not allow sub-Saharan refugees the residency permits necessary to attend classes. UNHCR, however, pays tuition for some to attend private schools.” [43a]

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28. CITIZENSHIP AND NATIONALITY

28.01 The United States Office of Personnel Management, Investigations Service published a compendium of the citizenship criteria of all nations in March 2001. The Algeria entry, (accessed 19 January 2010), stated:

“CITIZENSHIP: Citizenship is based upon the Code of Algerian Nationality, dated December 15, 1978.

- BY BIRTH: Birth within the territory of Algeria does not automatically confer citizenship. The exception is a child born to unknown or stateless parents.

- BY DESCENT:

- Child of an Algerian father, regardless of the country of birth.

- Child of an Algerian mother and an unknown or stateless father, regardless of the country of birth.

- BY NATURALIZATION: Algerian citizenship may be acquired upon fulfillment of the following conditions: Person has resided in Algeria for at least seven years, (18 months if the person was born abroad to an Algerian mother or father), is of good morality, good health, has no criminal convictions, is at least 21 years of age, has assimilated into Algerian society and has a secure means of support.

LOSS OF CITIZENSHIP:

- VOLUNTARY: Voluntary renunciation of Algerian citizenship is permitted by law. Contact the Embassy for details and required paperwork.

- INVOLUNTARY: The following are grounds for involuntary loss of Algerian citizenship:

- Person voluntarily acquires a foreign citizenship.

- Person's employment with a foreign nation or company is not in the interest of Algeria.

- Naturalized citizen is convicted of a crime (abroad or in Algeria) and sentenced to five years or more.

- Naturalized citizen is involved in acts incompatible with the interests of Algeria.” [48]

28.02 The Programme on Governance in the Arab Region website on Algeria (accessed January 2010) stated “The Algerian parliament unanimously approved on March 14, 2005 a decree that amends the current citizenship law to grant Algerian citizens the right to dual citizenship.” [23c] (constitution – civil rights).

28.03 The Claiming Equal Citizenship website on Algeria (accessed 20 January 2010) stated “The nationality law was reformed in March 2005, allowing Algerian women married to non-nationals to confer nationality to both spouses and children.” [46]

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29. EXIT AND RETURN

- 29.01 The Freedom House report *Freedom in the World 2009, Algeria*, covering events in 2008, released on 16 July 2009, stated:

“While most citizens are free to move throughout the country and abroad with little government interference, the authorities closely monitor and limit the movement of suspected terrorists. The long-standing state of emergency permits the government to restrict where certain people live and work. In addition, men of military draft age are not allowed to leave the country without government consent.” [29b]

- 29.02 The website About.com, AIDS:HIV, in a section updated 2 November 2008 stated on its HIV travel restrictions page “Citizens returning from work abroad and members of the military are required to take an HIV test.” [40]

- 29.03 The Country of Return Information Project May 2009 *Country Sheet for Algeria* stated:

“All the Algerian police stations at the air frontiers and the ocean frontiers are electronically connected to the central database, allowing for a quick control. Persons who are not the subject of a warrant or a detention order, or of an inquiry notice, are only held up for the time needed to check the database. Persons who are the subject of an inquiry notice of a warrant or a detention order, are immediately delivered to justice or to the authority who is searching them. In case of doubt, particularly in the case of people who assume to be granted the benefit of the charter for national reconciliation and who have not informed the consulate about this in the country where they stayed, may be interrogated at the police station when entering the territory. Following this they are authorized to enter and have total freedom of movement.” [10] (p10)

- 29.04 Magharebia, in an article dated 29 September 2009 titled *Algeria delays launch of biometric passports until 2010*, stated:

“Algeria's launch of new biometric passports has been delayed until 2010, Interior Minister Noureddine Yazid Zerhouni announced at a press conference on 21 September 2009.

“The later launch date was set because of administrative delays, according to local press reports. Trial runs of the new documents began in August 2009 in the capital city, and all citizens who hold an Algerian passport will have to switch to the biometric version by 2015.

“The high-tech passports will give Algeria an extra tool in the fight against ‘terrorism, illegal immigration and various forms of organised crime’, said Algerian Prime Minister Ahmed Ouyahia earlier this month... By opting for the biometric passport, Algeria is complying with new international rules.” [32h]

TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 29.05 The Country of Return Information Project May 2009 *Country Sheet for Algeria* gave the Algerian Government's reaction to returning asylum seekers:

“According to the Directorate-General of the Consular Matters (Algerian Department of Foreign Affairs), a person having had refugee status or subsidiary protection status, even the fact that his application for asylum has been rejected, or having obtained another nationality by naturalisation or another procedure, has no impact at all on the conditions governing the return of nationals to Algeria.” [10] (1.4 Impact of former refugee status)

29.06 Amnesty International, in a document of 26 February 2007 titled *United Kingdom: Deportations to Algeria at all Costs*, stated that:

“Despite having failed to secure such an MoU with Algeria, and despite acknowledging that there is a risk for certain individuals upon return to that country, the government has claimed that ‘assurance’ obtained from Algeria on a case-by-case basis would eliminate that risk in any event.

“In this context, since June 2006 the government has already deported six Algerian men to their country of origin. On their return to Algeria, each of the six was arrested and detained incommunicado by the DRS. In addition, two of them...have now been charged, reportedly with ‘participation in a terrorist network operating abroad’. The other four were released without charge.” [26f]

See also [Freedom of movement](#)

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30. EMPLOYMENT RIGHTS

30.01 The United States Department of State *Country Report of Human Rights Practices 2008 – Algeria*, (USSD Report 2008) released 25 February 2009, stated “The constitution prohibits all forms of forced or compulsory labor, including by children; however, there were reports from the labor ministry that such practices occurred.” [6a] (Section 6c) The USSD Report 2008 added that 16 years is the minimum age for employment. [6a] (Section 6d)

See also [Child labour](#)

30.02 The report gave more information about employment:

“The national minimum wage of \$177 (12,000 dinars) per month did not provide a decent standard of living for a worker and family. The minimum wage was established in 2006 by a tripartite social pact between business, government, and labor. MOL (Ministry of Labour) inspectors were responsible for ensuring compliance with the minimum wage regulation; however, enforcement was inconsistent.

“The standard work week was 37.5 hours, with one ten-minute break and one hour for lunch. Employees who worked beyond the standard work week received premium pay on a sliding scale from time-and-a-half to double-time, depending on whether the overtime was worked on a normal work day, a weekend, or a holiday. In general the MOL effectively enforced labor standards, particularly in the civil service and in public sector companies; however, enforcement was less efficient in the private sector because of low union density.

“The law contains well-developed occupational, health, and safety standards, but MOL inspectors did not enforce these regulations effectively. There were no reports of workers being dismissed for removing themselves from hazardous working conditions. Because employment was usually based on detailed contracts, workers rarely were subjected to unexpected conditions in the workplace. If workers were subjected to such conditions, they first could attempt to renegotiate the employment contract or, failing that, resort to the courts; however, the high demand for employment in the country gave an advantage to employers seeking to exploit employees.” [6a] (Section 6e)

See also [Economy](#)

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Annex A: Chronology of major events

As reported in the [BBC Timeline](#), updated 25 February 2010, unless otherwise stated.
[60a]

- 1962 Algeria gains independence from France.
- 1963 Ahmed Ben Bella elected as first president.
- 1965 Col Houari Boumedienne overthrows Ben Bella, pledges to end corruption.
- 1976 Boumedienne introduces a new constitution which confirms commitment to socialism and role of the National Liberation Front (FLN) as the sole political party. Islam is recognised as state religion.
- 1976 December - Boumedienne is elected president and is instrumental in launching a programme of rapid industrialisation.
- 1978 Boumedienne dies and is replaced by Col Chadli Bendjedid, as the compromise candidate of the military establishment.
- 1986 Rising inflation and unemployment, exacerbated by the collapse of oil and gas prices lead to a wave of strikes and violent demonstrations.

Ban on parties lifted.
- 1988 Serious rioting against economic conditions.
- 1989 The National People's Assembly revokes the ban on new political parties and adopts a new electoral law allowing opposition parties to contest future elections.
- 1989 Islamic Salvation Front (FIS) founded and over 20 new parties licensed.
- 1990 The FIS wins 55 per cent of the vote in local elections.
- 1991 Government announces parliamentary elections in June 1991 and plans changes to electoral system including restrictions on campaigning in mosques. FIS reacts by calling general strike. State of siege declared, elections postponed. FIS leaders Abassi Madani and Ali Belhadj arrested and jailed.
- 1991 December - In the first round of general elections the FIS wins 188 seats outright, and seems virtually certain to obtain an absolute majority in the second round.

Military takes over
- 1992 4 January - The National People's Assembly is dissolved by presidential decree and on 11 January President Chadli, apparently under pressure from the military leadership, resigns. A five-member Higher State Council, chaired by Mohamed Boudiaf, takes over.

Street gatherings banned, violent clashes break out on 8 and 9 February between FIS supporters and security forces. A state of emergency is declared,

the FIS is ordered to disband and all 411 FIS-controlled local and regional authorities are dissolved.

Boudiaf assassinated

1992 29 June - Boudiaf assassinated by a member of his bodyguard with alleged Islamist links. Violence increases and the Armed Islamic Group (GIA) emerges as the main group behind these operations.

1994 Liamine Zeroual, a retired army colonel, is appointed chairman of the Higher State Council.

1995 Zeroual wins a five-year term as president of the republic with a comfortable majority.

1996 Proposed constitutional changes approved in a referendum by over 85 per cent of voters.

1997 Parliamentary elections won by the newly-created Democratic National Rally, followed by the moderate Islamic party, Movement of Society for Peace.

Militants ignore concord

1998 President Zeroual announces his intention to cut short his term and hold early presidential elections.

1999 Former foreign minister Abdelaziz Bouteflika elected as president after all opposition candidates withdraw from race, saying they had received inadequate guarantees of fair and transparent elections.

1999 Referendum approves Bouteflika's law on civil concord, the result of long and largely secret negotiations with the armed wing of the FIS, the Islamic Salvation Army (AIS). Thousands of members of the AIS and other armed groups are pardoned.

2000 Attacks on civilians and security forces continue, and are thought to be the work of small groups still opposed to the civil concord. Violence is estimated to have claimed over 100,000 lives in Algeria since 1992.

2001 April/May - Scores of demonstrators are killed in violent clashes between security forces and Berber protestors in the mainly Berber region of Kabylie following the death of a teenager in police custody.

2001 May - The mainly Berber party, the Rally for Culture and Democracy, withdraws from the government in protest against the authorities' handling of riots in Kabylie.

Berber concessions

2001 October - Government agrees to give the Berber language official status, as part of a package of concessions.

2001 November - Several hundred people are killed as floods hit Algiers.

- 2002 March - President Bouteflika says the Berber language, Tamazight, is to be recognised as a national language.
- 2002 June - Prime Minister Ali Benflis's National Liberation Front (FLN) wins general elections marred by violence and a low turnout. They are boycotted as a sham by four parties - two of which represent Berbers.
- 2003 21 May - More than 2,000 people are killed and thousands are injured by a powerful earthquake in the north. The worst-hit areas are east of Algiers.
- 2003 June - Leader of the outlawed Islamic Salvation Front (FIS) Abassi Madani and his deputy Ali Belhadj are freed after serving 12-year sentences.
- 2004 April - President Bouteflika is re-elected to a second term in a landslide poll victory.
- 2005 January - Authorities announce the arrest of rebel Armed Islamic Group (GIA) head Nourredine Boudiafi and the killing of his deputy and declare the group to be virtually dismantled.
- Government makes deal with Berber leaders, promising more investment in Kabylie region and greater recognition for Tamazight language.
- 2005 March - Government-commissioned report says security forces were responsible for the disappearances of more than 6,000 citizens during the 1990s civil conflict.
- Amnesty backed
- 2005 September - Reconciliation referendum: Voters back government plans to amnesty many of those involved in post-1992 killings.
- 2005 November - Opposition parties keep their majority in local elections in the mainly-Berber Kabylie region, held as part of a reconciliation process.
- 2006 March - Six-month amnesty begins, under which fugitive militants who surrender will be pardoned, except for the most serious of crimes. The authorities free a first batch of jailed Islamic militants.
- 2006 May - Algeria is to pay back all of its \$8bn debt to the Paris Club group of rich creditor nations, in a move seen as reflecting its economic recovery.
- 2006 September - Leader of the banned Islamic Salvation Front (FIS) Rabah Kebir returns from self-imposed exile and urges rebels still fighting the state to disarm.
- 2006 December - Roadside bomb hits a bus carrying staff of a US oil firm, killing one man. The Salafist Group for Preaching and Combat (GSPC) claims responsibility and shortly afterwards calls for attacks against French nationals.
- Algiers attacks
- 2007 January - Salafist Group for Preaching and Combat renames itself the al-Qaeda Organisation in the Islamic Maghreb.

- 2007 February - Seven bombs go off almost simultaneously east of Algiers, killing six.
- 2007 March-April - Army steps up offensive against Islamist militants to stamp out a surge in attacks.
- 2007 March - Three Algerians and a Russian are killed in a roadside attack on a bus carrying workers for a Russian gas pipeline construction company.
- 2007 April - 33 people are killed and more than 200 are injured in two bomb blasts in Algiers, one of them near the prime minister's office. Al-Qaeda in the Islamic Maghreb claims responsibility.
- 2007 May - Parliamentary elections: dozens are killed in the run-up, in a wave of fighting between the military and armed groups. Pro-government parties retain their absolute majority in parliament.
- 2007 July - A suicide bomber targets a military barracks near Bouira, killing at least nine people.
- 2007 September - At least 50 people are killed in a series of bombings. Al-Qaeda in the Islamic Maghreb claims responsibility for the attacks.
- Al-Qaeda's second-in-command Ayman al-Zawahiri urges north Africa's Muslims to "cleanse" their land of Spaniards and French.
- 2007 December - Double car bombing in Algiers hits a UN building and a bus full of students, killing dozens of people.
- 2008 June - Four Christian converts from Islam receive suspended jail sentences for worshipping illegally.
- President Bouteflika brings back twice former premier Ahmed Ouyahia as new prime minister, replacing Abdelaziz Belkhadem.
- 2008 August - About 60 people are killed in bombings in towns east of Algiers. Al-Qaeda in the Islamic Maghreb claims responsibility.
- 2008 November - Parliament approves constitutional changes allowing President Bouteflika to run for a third term.
- 2009 April: Bouteflika was re-elected for a third term of office on 9 April 2009 with a notable majority of the votes. He received 90.2% of the valid votes cast. **Europa world 6 January 2010 [1h] (recent history)**
- 2009 June: 19 gendarmes were killed in a terrorist attack against the officers who were guarding a group of Chinese workers on a construction project. The attack occurred in the wilaya of Bordj Bou Arreridj, 148 kms east of Algiers. **FCO Travel Advice, 6 January 2010 [5d]**
- 2009 July: 14 Algerian soldiers were killed and several others were seriously wounded in an ambush in Damous, in the wilaya of Tipaza. A roadside bomb

- was detonated and then the soldiers were fired upon. **FCO Travel Advice, 6 January 2010 [5d]**
- 2009 October - seven Algerian security guards were killed and two were injured in a gun attack 20 kms south-east of Tizi Ouzou, between Maatkas and Souk El Tenine. **FCO Travel Advice, 6 January 2010 [5d]**
- 2009 November - Disturbances mar two international association football matches between Egypt and Algeria, leading to diplomatic tensions between the two countries.

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Annex B: Political organisations

See also [Political system](#) and [Opposition groups and political activists](#)

See also [Opposition groups and political activists](#)

MAJOR PARTIES

Jane's Sentinel Country Risk Assessments (Executive Summary, 30 November 2009) gave the following information:

Front de Liberation Nationale (FLN) / National Liberation Front / Jabha al-Watani

"The National Liberation Front (Front de Libération Nationale: FLN) was founded in 1954 as a pro-independence, socialist, non-aligned and pan-Arabist party. It led the armed struggle against France, which ultimately resulted in Algeria gaining its independence in 1962. After independence the FLN took control of Algerian politics and established itself at the heart of a single-party state.

"The FLN was split in the run up to the 2002 presidential election when party leader Ali Benfli chose to run against President Bouteflika. Benflis had hoped that the military would suggest to Bouteflika that he step aside in favour of the FLN leader, but this did not happen and Benflis was soundly beaten into second place in the election. Benflis was subsequently ousted as leader and the FLN then joined what in some quarters has been called the 'presidential alliance' of parties supporting Bouteflika. It consists of the FLN, the Movement for a Peaceful Society / Hamas (Mouvement de la Société pour la Paix: MSP) and the RND. The FLN confirmed its return to the front line of Algerian politics in 2006 when its new leader and staunch Bouteflika ally, Abdelaziz Belkhadem was chosen as prime minister to replace Ahmed Ouyahia, although he was in turn replaced in June 2008, again by Ouyahia." [7b]

Front des Forces Socialistes (FFS) / Socialist Forces Front / Front of Socialist Forces

"The Socialist Forces Front (Front des Forces Socialistes: FFS) is a secular Berber-based opposition party. Although it has traditionally relied on support in the Kabylie region, it has developed support throughout Algeria. Like most parties it was banned until 1989. The party is led by Hocine Ait-Ahmed, a respected veteran of the independence movement who has spent much of his life since independence in self-exile in Switzerland...The FFS boycotted the May 2002 and 2007 parliamentary elections." [7b]

Mouvement de la société pour la paix (MSP) / Movement of a Peaceful Society / Harakat Mujtamaa as-Silm (formerly Hamas)

"Formerly the Islamic Hamas Party, the Peaceful Society Movement (Mouvement de la société pour la paix: MSP; or Harakat Moudjtamaa es-Slim (Hamas)) had to change its name to side-step the ban on religious parties. Despite the militant connotations of its original name, it is considered to be a moderate Islamist group that advocates the co-existence of all political and religious groups and a gradual move towards an Islamic state that would still respect individual liberties...[The MSP] is part of the 'presidential alliance' (with the FLN and RND) supporting President Bouteflika. In the November 2007 municipal elections, it won 10.7 per cent of seats." [7b]

Mouvement de la réforme nationale (MRN) / EI-Islah

“The Movement for National Reform (Mouvement du Rénouveau National: MRN), also known as El-Islah, is a legalised moderate Islamist party. Abdullah Djaballah, a leading Algerian Islamist founded the party in 1999. Djaballah contested the April 2004 presidential election and officially finished third with 4.84 per cent of the vote. In the 2007 legislative elections, the party suffered a major setback, losing 40 seats.” [7b]

Rassemblement nationale démocratique (RND) / National Democratic Rally

“The Democratic National Rally (Rassemblement National Démocratique: RND) was formed in the run-up to the 1997 elections as a pro-government party, laced with cabinet ministers. The RND supported President Bouteflika in the 1999 and 2004 presidential elections and is considered to be close to the Algerian military. In the 2007 National People's Assembly elections, the party gained 14 seats. It also performed well in the November 2007 municipal elections, capturing 24.5 per cent of seats. The RND regained the prime minister's post in June 2008, when Ouyahia was once again appointed to the position.” [7b]

MINOR PARTIES

Economic expert. Com (accessed 26 January 2010) listed the minor parties on its website:

“**Ahd 54** (Covenant of '54), is a minor party led by Ali Fawzi Rebaine, who claims to have founded the first Algerian human rights organization. Its name is an allusion to the Soummam agreement of 1954 on Algeria's future, made by a conference of those fighting for Algeria's as yet unsecured independence.” [38]

Jane's Sentinel Country Risk Assessments (Executive Summary, 30 November 2009) stated:

“**The Algerian National Front (Front National Algérien)** was established in November 1998 by Mousa Touati. The FNA won 13 seats at the May 2007 parliamentary elections”. [7b]

Economic expert. Com continued:

“**The Algerian Party for Democracy and Socialism (Parti Algérien pour la Démocratie et le Socialisme)** was formed in 1993, through a split from Ettehad .

“**Essabil** (The Cause) is a minor political party founded by Abdesslem Ali-Rachedi in January 2002.

“**The Islamic Renaissance Movement (Mouvement de la Renaissance Islamique)** is a moderate Islamist political.

“**The Movement for Democracy in Algeria (Mouvement pour la démocratie en Algérie)**. A moderate islamist and boycotted the 2002 elections.

“**The Movement of National Understanding** is a minor political party.

“**The Natural Law Party** is a trans-national political party with national branches in over 80 countries. The party is the political arm of Maharishi Mahesh Yogi's Transcendental Meditation movement.

“**The Party of Algerian Renewal** is a minor political party

“The Rally for Culture and Democracy (Rassemblement pour la Culture et la Démocratie) is a radically secularist party and has its principal power base in parts of Kabylie; it boycotted the 2002 elections. Some consider it to take the position of a liberal party for the Berber population in Algerian politics. Party leader is Saïd Sadi , who was a presidential candidate in 1995, winning 9.3 percent of the popular vote

“The Socialist Workers' Party

“The Workers' Party (Parti des Travailleurs) is a trotskyist political party in Algeria, headed by Louisa Hanoune.” [38]

PARTIES NOT LEGALLY RECOGNISED

Wafa wa al-Adl (Wafa)/Mouvement Fidelite et Justice/Movement for Fidelity and Justice

Leader: Ahmed Taleb Ibrahimi (former foreign minister and 1999 presidential candidate). Founded in 1999, but refused government recognition as a political party in 2000 on the grounds that it contained large numbers of FIS supporters. [20] (**Political Parties of the World**) Ibrahimi’s application to be a contender for the April 2004 presidential election was unsuccessful. (BBC News, 9 April 2004) [60c]

BANNED PARTIES

Front Islamique du Salut (FIS) / Islamic Salvation Front / al-Jibhat al-Inqath

The Islamic Salvation Front (Front Islamique du Salut: FIS) was established in 1989 by Abassi Madani and Ali Belhadj to represent the flourishing Islamist movement. It quickly became the most potent opposition force in the country, thanks to a network of mosques and wide support base among the urban poor. It performed extremely well in both the 1990 municipal elections and in the first round of the 1991 National Assembly elections. The second round was cancelled by the military, however, and the FIS was banned in March 1992 and both Madani and Belhadj were subsequently arrested. Madani and Belhadj were both released from captivity in July 2003 and there were fears on the part of the authorities that they would re-energise the FIS, despite continued bans on their and its political activity. However, it quickly became apparent that there was (and still is) little enthusiasm for reopening the wounds of the past. The FIS remains banned, despite periodic hints from the government that it might consider legalising the party. (Jane’s Sentinel Country Risk Assessments: Algeria. Posted 18 May 2007) [7b] Some ex-FIS members are in the Ennadha, MRN (el Islah), and Wafa parties. [20]

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Annex C: Prominent people: past and present

See also [Annex B – Political organisations](#)

al-Wadud, Abu Musab Abd

AQIM's leader in North Africa [USAToday, 22 September 2009 \[11a\]](#)

Belhadj, Ali

FIS Vice-President, charged with armed conspiracy against the State and sentenced to 12 years' imprisonment in late July 1992. Imprisoned again, but released following partial amnesty in 2006. [Europa World, 6 January 2010 \[1a\]](#)

Belkhadem Abdelaziz

Prime Minister 2006-2008 now President Bouteflika's 'personal representative'. [Observatorio electoral TEIM, 9 February 2010 \[19\]](#)

Benflis, Ali

Replaced Benbitour as Prime Minister from August 2000 but was dismissed by Bouteflika in early May 2003 reportedly due to 'far-reaching divergencies'. [Europa World, 6 January 2010 \[1a\]](#)

Bouteflika, Abdelaziz

President of Algeria and Minister of National Defence from 27 April 1999 to date. [Europa World, 6 January 2010 \[1a\]](#)

Bbrahimi, Ahmed Taleb (or Ibrahimi)

See Ibrahimi below.

Hanoune, Louisa

Leader of PT party [Europa World, 6 January 2010 \[1a\]](#). Candidate in the presidential elections of April 2004 [CNN.com News, 8 April 2004 \[61a\]](#) and 2009. Came second in 2009 election with 4.22% of the vote. [About.com:Middle East Issues, 6 January 2010 \[28\]](#)

Ibrahimi, Ahmed Taleb

Leader of Wafa party. [Europa World, 6 January 2010 \[1a\]](#) See Annex B Political Organisations. Former Minister of Foreign Affairs who was supported by the outlawed FIS in the April 1999 presidential elections [Europa World, 6 January 2010 \[1a\]](#) his attempt to run in the April 2004 election was rejected. [CNN.com News, 8 April 2004 \[60a\]](#)

Kebir, Rabah

One of the senior FIS leaders in Europe. [Europa World, 6 January 2010\[1a\]](#)

Lamari, Maj-Gen Smain

Head of counter-espionage and internal security. [Europa World, 6 January 2010 \[1a\]](#)

Layada, Abdelhak

Second in command of the GIA. Released from prison following partial amnesty in 2006 [Europa World, 6 January 2010 \[1a\]](#)

Medienne, Maj-Gen Tawfik

Head of military intelligence and security. [Europa World, 6 January 2010\[1a\]](#)

Merzag, Madani

ALS leader. **Europa World, 6 January 2010 [1a]**

Ouyahia, Ahmed

Secretary General of RND. [1j] Prime Minister from December 1995 until December 1998. Re-appointed Prime Minister in May 2003 until resigning in May 2006. **Europa World, 6 January 2010 [1a]**

Again re-appointed Prime Minister in June 2008 **Observatorio electoral TEIM, 9 February 2010 [19]**

Rebaine, Ali Fawzi Leader of Ahd 54 [38] and stood in 2009 Presidential election. **About.com:Middle East Issues, 6 January 2010 [28]**

Said, Mohamed (aka Mohand Oussaid Bélaid) Stood as an independent candidate in the 2009 Presidential election. **Magarebia, 3 April 2009 [32g]**

Sadi, Saïd

President of RCD party. **Europa World, 6 January 2010 [1a]**.

Touati, Moussa

Leader of the Algeria National Front. Stood in 2009 Presidential election. **Magharebia, 5 April 2009[32f]**

Younsi, Moussa

El-Islah candidate for 2009 Presidential election. **About.com:Middle East Issues, 6 January 2010 [28]**

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Annex D: List of abbreviations

AI	Amnesty International
AIS	Armée Islamique du Salut – Islamic Salvation Army
ALDHR	Algerian League for the Defence of Human Rights, see also LADDH
ANFD	Association Nationale des Familles des Disparus – National Organisation of the Families of the Disappeared
AQIM	Al-Qaida in the Islamic Maghreb (armed group), formerly known as GSPC
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CNCPPDH	National Consultative Committee for the Promotion and Protection of Human Rights
CPJ	Committee to Protect Journalists
CRC	HIV Infection Care Reference Centre
EU	European Union
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
FIS	Front Islamic de Salut/al-Jibhat al-Inqath – Islamic Salvation Front (banned Islamic political party)
FLN	Front de Liberation Nationale/National Liberation Front/Jabha al-Watani (political party)
FSW	Female Sex Worker
GDP	Gross Domestic Product
GIA	Group Islamic Armé/Armed Islamic Group (armed group)
GSPC	Groupe Salafite pour la Prédication et le Combat/Salafist Call and Combat Party (armed group), renamed AQIM in 2006
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICRC	International Committee for Red Cross
LADDH	Ligue Algérienne de Défense des Droits de l'homme – Algerian League for the Defence of Human Rights (ALDHR)
LADH	Ligue Algérienne des Driits de l'Homme
MCB	Mouvement Culturel Berbère (Berber Cultural Movement)
MDA	Mouvement pour la Démocratie en Algerie – Algerian Movement for Democracy (political party)
MSF	Médecins sans Frontière
NGO	Non-Governmental Organisation
RND	Rassemblement national démocratique – National Democratic Rally (political party)
RSF	Reporteurs sans Frontières
STI	Sexually Transmitted Infection
TB	Tuberculosis
UGTA	Union Générale des Travailleurs Algériens – General Union of Algerian Workers
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP/MDG	United Nations Development Programme/Milennium Development Goals
UNFPA	United Nations Population Fund
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees

UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document. (If applicable)

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