



COUNTRY OF ORIGIN INFORMATION REPORT

ALGERIA

30 SEPTEMBER 2008

Contents

Please note information which has been updated since the last edition of this document is indicated by the use of grey highlighting. A version of the report without highlighting is available from the RDS website at:
http://www.homeoffice.gov.uk/rds/country_reports.html

Preface

Latest News

EVENTS IN ALGERIA, FROM 1 SEPTEMBER 2008 TO 30 SEPTEMBER 2008

REPORTS ON ALGERIA PUBLISHED OR ACCESSED SINCE 1 SEPTEMBER 2008

	Paragraphs
Background Information	
1. GEOGRAPHY.....	1.01
Map	1.06
2. ECONOMY.....	2.01
3. HISTORY.....	3.01
Pre-1992	3.01
Military takeover	3.06
Post-1992	3.08
Years 2004 – 2007 (from April 2004 presidential elections)	3.14
4. RECENT DEVELOPMENTS.....	4.01
5. CONSTITUTION.....	5.01
State of emergency	5.04
6. POLITICAL SYSTEM	6.01
The President.....	6.02
The Parliament.....	6.09
National Government	6.11
Local Government	6.13
Political Parties.....	6.14
Opposition Parties	6.17
Illegal Parties	6.18
Elections	6.20
7. INTRODUCTION.....	7.01
8. SECURITY FORCES	8.01
Internal security.....	8.01
Police forces	8.05
Abuses by Police	8.12
Local militias	8.13
Arbitrary arrest and detention	8.15
Torture	8.17
Torture methods	8.26
Torture and other ill treatment in El Harrach Prison	8.30
Torture in the context of demonstrations	8.31

Human Rights

7. INTRODUCTION.....	7.01
8. SECURITY FORCES	8.01
Internal security.....	8.01
Police forces	8.05
Abuses by Police	8.12
Local militias	8.13
Arbitrary arrest and detention	8.15
Torture	8.17
Torture methods	8.26
Torture and other ill treatment in El Harrach Prison	8.30
Torture in the context of demonstrations	8.31

Government response	8.32
9. NON-GOVERNMENT ARMED FORCES/INSURGENTS	9.01
Front Islamique du Salut (FIS).....	9.01
The Armed Islamic Group (GIA) (Groupe Islamique Armé).....	9.02
The Salafist Group for Call and Combat (GSPC) /	
Al-Qaida in the Islamic Maghreb (AQIM)	9.03
Violence/abuse by non-government forces/insurgents	9.06
Numbers of insurgents.....	9.21
10. THE NATIONAL RECONCILIATION PROCESS	10.01
Civil Concord Law (aka Civil Harmony Law).....	10.01
Referendum of 29 September 2005	10.05
Events before the referendum	10.07
Charter for peace and national reconciliation	10.07
The referendum and its conduct	10.09
Results.....	10.10
Reaction to the referendum	10.11
NGO concerns	10.13
Events after the referendum	10.14
11. MILITARY SERVICE	11.01
Conscription	11.03
Deserters	11.06
12. JUDICIARY	12.01
Structure	12.01
Shar'ia	12.04
13. ARREST AND DETENTION – LEGAL RIGHTS	13.01
Standard detention provisions.....	13.01
Standard pre-trial detention	13.02
Double jeopardy	13.03
In absentia convictions.....	13.04
14. PRISON CONDITIONS	14.01
Political prisoners	14.03
Independent monitoring of prisons.....	14.05
15. DEATH PENALTY	15.01
Death penalty for terrorism	15.07
16. POLITICAL AFFILIATION	16.01
Freedom of political expression	16.01
Freedom of association and assembly	16.04
Trades Unions	16.10
Strikes.....	16.12
Opposition groups and political activists.....	16.20
Front Islamique du Salut (Islamic Salvation Front) (FIS)	16.20
17. FREEDOM OF SPEECH AND MEDIA.....	17.01
Newspapers.....	17.03
Radio and television	17.07
Internet.....	17.09
Restrictions in practice.....	17.10
Treatment of journalists	17.16
18. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS	18.01
Non Governmental Organisations (NGOs).....	18.01
International NGOs.....	18.04
19. FREEDOM OF RELIGION	19.01
Islam	19.03
Other religions.....	19.06
Proselytising and conversions	19.08

Habiba Kouider	19.24
20. ETHNIC GROUPS	20.01
Berbers	20.01
Berber language and culture	20.03
Berber groups – the MCB (Mouvement Culturel Berbère)	20.05
Treatment of Berbers	20.07
Events of 2001 – 2007 in Kabylia	20.08
Issad report	20.09
El Kseur	20.10
Tuareg	20.15
21. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS	21.01
Legal rights	21.01
Societal ill-treatment or discrimination	21.05
22. DISABILITY	22.01
23. WOMEN	23.01
Political rights	23.06
Social and economic rights	23.08
Violence against women	23.18
Assistance to women from NGOs	23.25
Legal provisions and access to the law (including The Family Code)	23.32
24. CHILDREN	24.01
Basic information	24.01
Child abuse	24.04
Child labour	24.09
Education	24.10
Child care	24.25
Child soldiers	24.31
25. TRAFFICKING	25.01
26. MEDICAL ISSUES	26.01
General	26.01
Health care professionals	26.20
HIV/AIDS	26.21
Mental health	26.28
Cancer	26.31
Heart surgery	26.33
27. HUMANITARIAN ISSUES	27.01
Missing people	27.01
The ‘Ad Hoc Mechanism’	27.03
Crime	27.04
28. FREEDOM OF MOVEMENT	28.01
29. REFUGEES	29.01
Refugees – General	29.01
Sahrawi refugees in Algeria	29.02
30. INTERNALLY DISPLACED PERSON (IDPs)	30.01
31. CITIZENSHIP AND NATIONALITY	31.01
32. AVAILABILITY OF DOCUMENTS AND RECORDS	32.01
31. EXIT/ENTRY PROCEDURES	33.01
Treatment of asylum seekers in Algeria	33.01
Passports	33.05
Illegal emigration from Algeria	33.06
Treatment of returned failed asylum seekers	33.10
Death penalty and extradition	33.14
Unaccompanied minors	33.15

32. EMPLOYMENT RIGHTS 34.01**Annexes**

- Annex A – Chronology of major events**
- Annex B – Political organisations**
- Annex C – Prominent people: past and present**
- Annex D – Armed groups**
- Annex E – Government Cabinet list – July 2008**
- Annex F – List of abbreviations**
- Annex G – References to source material**

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 31 August 2008. The 'Latest News' section contains further brief information on events and reports accessed from 1 September 2008. This document was issued on 9 October 2008.
- 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.

Country of Origin Information Service

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ADVISORY PANEL ON COUNTRY INFORMATION

- xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UK Border Agency's country of origin information material. The APCI welcomes all feedback on the UKBA's COI Reports, Key Documents and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk
- xii In the course of its work, the APCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. The APCI may or may not have reviewed this particular document. At the following link is a list of the COI Reports and other documents which have, to date, been reviewed by the APCI: www.apci.org.uk/reviewed-documents.html
- xiii Please note: It is not the function of the APCI to endorse any UKBA material or procedures. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel'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.

Advisory Panel on Country Information:

Email: apci@homeoffice.gsi.gov.uk

Website: www.apci.org.uk

Latest News

EVENTS IN ALGERIA, FROM 1 SEPTEMBER 2008 TO 30 SEPTEMBER 2008

30 September Four members of the National Army and the Gendarmerie were killed and seven injured following a suicide car bombing in Deles municipality, Boumerdès province. The incident happened at a checkpoint which the suicide attacker attempted to penetrate while targeting a military barracks in Takdamt.

El Khabar "A suicide attack kills 4 soldiers in Boumerdès" 30 September 2008

(Hard copy only)

Date accessed 1 October 2008-10-03

Security services in Jijel province killed two terrorists in different operations in Bordj Tahir and Texanna municipalities. The first happened in a clash between 6 terrorists and security forces when a rifle and ammunition were recovered. In the second incident a Kalashnikov machine gun and some cartridge carriers were retrieved.

El Khabar "Security services eliminate two terrorists in Jijel", 30 September 2008

(Hard copy only)

Date accessed 1 October 2008

Five Moroccans were arrested before they were able to join Al-Qaeda, three in Tlemcen, Meghnia province, one of whom had a cousin in the terrorist ranks, and two in Tizi Ouzo.

El Khabar "Five Moroccans arrested before joining Al-Qaeda fiefs in Algeria", 30

September 2008

(Hard copy only)

Date accessed 1 October 2008

29 September Three people were killed and six others wounded in a suicide attack in Dellys 20 miles east of Algiers. The bomber blew up his car which was packed with explosives.

AFP "Three dead in Algerian suicide attack: report", 29 September 2008

http://news.yahoo.com/s/afp/20080928/wl_africa_afp/algeriaattack

Date accessed 1 October 2008

Algeria enjoyed its least bloody Ramadan since Islamist violence emerged in 1992, with the holy month ending with three dead compared to 60 in the same period last year.

News24 "Algeria's least bloody Ramadan", 29 September 2008

http://www.news24.com/News24/Africa/News/0,,2-11-1447_2401422,00.html

Date accessed 1 October 2008

28 September Algerian security forces killed three suspected terrorists in a shootout during a sweep by police and army in the Tebessa region. Separately on 27 September militants killed two communal guards at a fake checkpoint at Tizi Ouzo.

International Herald Tribune "Violence in Algeria leaves 5 dead", 28 September 2008

<http://www.iht.com/articles/ap/2008/09/28/africa/AF-Algeria-Violence.php>

Date accessed 1 October 2008

27 September At least one Gendarme was killed and two seriously wounded after a clash with terrorists at a checkpoint near the crossroads of Boumedfaa municipality, Ain Defla province. According to witnesses

there were between 15 and 20 terrorists in the attack. It is assumed that they came from the nearby forest of Boumedfaa.

El Khabar "A gendarme killed and two others seriously wounded", 27 September 2008

(Hard copy only)

Date accessed 2 October 2008

26 September Following the release of Transparency International's latest global rankings – in which Algeria was placed 92nd out of 180 countries – financial experts say existing anti-corruption legislation must be enforced for progress to be made.

Magharebia Experts call for enforcement of anti-corruption laws in Algeria", 26 September 2008

http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2008/09/26/feature-01

Date accessed 1 October 2008

25 September Security services arrested 15 people including a policeman who belonged to a terror cell. During interrogation it was discovered that the cell leader had been killed, but that he had recruited two girl-suicide attackers. The arrests followed investigations into the bombings in Bouira province, and sources indicated that it was the same cell that had attacked the Presidential Headquarters as reported on 18 September.

El Khabar "Two potential girl-kamikazes, a policeman and 15 men behind Bouira bombings" 25 September 2008

(Hard copy only)

Date accessed 2 October 2008

24 September A terrorist who surrendered to the security forces had provided information which had led to the dismantling of a terrorist support group in Tiemcen, the arrest of a gold merchant in Remchi, and a search for a group of 16 terrorists in the mountains of Tiemcem.

El Khabar "Security services dismantle terrorist support group in Tiemcen" 24 September 2008

(Hard copy only)

Date accessed 2 October 2008

Unnamed political sources stated that President Bouteflika may move to alter the constitution to allow for seven-year, rather than the current five-year terms for the presidency, which would postpone elections until 2011. Bouteflika whose term expires in March 2009 hasn't announced whether he will seek another term, which would require the constitution to be changed.

UPI.com "Algeria's Bouteflika silent on third term" 24 September 2008

http://www.upi.com/Top_News/2008/09/24/Algerias_Bouteflika_silent_on_third_term/UPI-8904122258040/

Date accessed 1 October 2008

23 September Judicial police in Constantine arrested a terrorist after a tip off. A machine gun and a home made bomb were recovered.

El Khabar "Judicial police arrest 1 terrorist in Constantine" 23 September 2008

(Hard copy only)

Date accessed 2 October 2008

22 September A terrorist support group of six people including a woman and an ex soldier, was dismantled by the counter terrorism unit of Ain Defla

province. The operation came after the arrest of a terrorist last August in an operation in Kharbouche, in which 10 terrorists were killed.

El Khabar "Terrorists support group dismantled in Ain Defla", 22 September 2008
(Hard copy only)

Date accessed 2 October 2008

- 20 September Three terrorists assassinated a communal guard in Ain Taghzoult village in Ain Defla province. In another incident a terrorist group stole two cars from Tamer village, Skikda province. The cars were recovered by security forces.

El Khabar "A terror group assassinates a communal guard in Ain Defla", 20 September 2008
(Hard copy only)

Date accessed 2 October 2008

- 18 September The army and the Intervention and Investigation Brigade of the Algiers police department foiled a suicide attack against the headquarters of the President. 15 men were arrested and the leader of the group killed.

El Khabar "Security services foil a suicide attack against Presidency Headquarters", 18 September 2008
(Hard copy only)

Date accessed 2 October 2008

The International Federation of Journalists joined calls from Algerian journalists to call on the government to respect journalists rights and end the practice of intimidating and harassing the media to get them to reveal their confidential sources, after three journalists had been arrested.

IFEX "Three journalists arrested, questioned about sources and released", 18 September 2008

<http://www.ifex.org/en/content/view/full/97092/>

Date accessed 1 October 2008

- 15 September Security services in Boumerdès arrested the person in charge of supplying weapons, ammunition, medicines and provisions, as well as purchasing cars used in suicide attacks, to Al-Qaeda. He was arrested shortly after the blast which targeted a Republican Guard barracks.

El Khabar "Security services arrest the provider of weapons to terror groups in Boumerdès", 15 September 2008
(Hard copy only)

Date accessed 2 October 2008

- 11 September Security forces managed to foil a suicide attack against the prefect police station or a police academy in Tebessa after a tip off from an informant.

El Khabar "Security forces foil a suicide attack in Tebessa", 11 September 2008
(Hard copy only)

Date accessed 2 October 2008

Two terrorist hideouts were destroyed by air strikes in the locality of Sidi Daoud.

Echorouk Online "Two terrorist hideouts eliminated during airstrikes" 11 September 2008

<http://www.echoroukonline.com/eng/algeria/3379.html>

Date accessed 12 September 2008

- The Government is to pass a bill allowing for the setting up of private universities.
 El Khabar "Private universities sooner in Algeria", 11 September 2008
 (Hard copy only)
Date accessed 11 September 2008
- 9 September A former terrorist who surrendered and is now collaborating with police, informed them that the leader of Al-Qaeda in the Islamic Maghreb, Abdel Malik Droukedel, had invited four or five terrorists in the west of Algeria to carry out suicide attacks on key commercial centres, to mark the month of Ramadan. He also informed police that the attacks were to be financed from money raised for the ransom of several businessmen in Boumerdes and Tiz Ouzou east of Algiers.
 Adnkronosinternational (AKI): "Algeria:Al-Qaeda 'turncoat' reveals plans for suicide attacks", 9 September 2008
<http://www.adnkronos.com/AKI/English/Security/?id=1.0.2471661572>
Date accessed 10 September 2008
- 8 September To combat illegal immigration Algeria is increasing the budget for it fivefold. A large proportion of the money will be used to send illegal immigrants back to their country of origin. More than 12,000 illegal immigrants entered Algeria in 2007, according to official figures, most of them entering the country through its southern border. According to the authorities more than 33,000 illegal immigrants of 53 nationalities had entered the country since 2002. Of those around 27,000 were sent back to their countries of origin and 4,000 were arrested for various crimes. The majority of illegal immigrants came from Niger and Mali.
 The Media Line: "Algeria boosts budget to combat illegal immigration", 8 September 2008
http://www.themedialine.org/news/print_news_detail.asp?NewsID=22659
Date accessed 8 September 2008
- Police in Algeria broke up a terrorist cell in Waraqla southern Algeria which they claim was poised to deploy a female suicide bomber against a military barracks. According to police the cell was uncovered after the phone tapping of conversations between the four cell members who included an engineer, a doctor, a teacher and a woman whose profession was unspecified.
 Adnkronosinternational (AKI): "Algeria: Attack by female suicide bomber foiled, 8 September 2008
<http://www.adnkronos.com/AKI/English/Security/?id=1.0.2468970190>
Date accessed 8 September 2008
- 3 September The establishment of a communal police corps as an alternative to communal guards is to be implemented gradually across the country.
 El Khabar: "Foreign interests manipulates Al-Qaeda, 3 September 2008
 (Hard copy only)
Date accessed 9 September 2008
- 2 September Algeria has activated an electronic system for control at the borders. Infrared cameras, radar and motion-sensors were planted along the borders with Morocco, Mali, Niger and Libya.
 BusinessIntelligence Middle East: "Algeria launches Africa's first electronic border control system", 2 September 2008
http://www.bi-me.com/doc_print.php?id=23863
Date accessed 3 September 2008

- 1 September The Homeland Security Directorate is to inaugurate 27 new police stations in Algeria.
El Khabar: "Algiers' southern outskirts under strict security control, 1 September 2008 (Hard copy only)
Date accessed 1 September 2008

[Return to contents](#)
[Go to list of sources](#)

REPORTS ON ALGERIA PUBLISHED OR ACCESSED SINCE 1 SEPTEMBER 2008

September 19

International Religious Freedom Report 2008

United States State Department

<http://www.state.gov/g/drl/rls/irf/2008/108479.htm>

Date accessed 1 October 2008

[Return to contents](#)
[Go to list of sources](#)

Background information

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) [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: Country Profile, accessed 8 July 2008) [1c] [It] is the second largest country in Africa, with over four fifths of its territory covered by the Sahara desert (Consular Information Sheet: Algeria, 8 May 2008) [6o]
- 1.02 The capital is Algiers (el-Djezaïr). There are sixteen other principal towns, the largest being Oran (Ouahran), Constantine (Qacentina), Batna and Annaba. The area of Algeria is 2,381,741 square kilometres (919,595 square miles). (Europa World: Area and Population, accessed 8 July 2008) [1d] "Algeria is four times the size of France and consequently its geography is not homogenous. Three distinct regions make up the country: a coastal strip, the Atlas Mountains and the Sahara Desert. The narrow coastal strip is fertile and contains the three major population centres of Algiers (the capital), Oran and Annaba. The area around the Atlas Mountains can be further sub-divided into three regions: the Tell Atlas (hills and valleys permitting productive farming), the High Plateaux (from 400 m to 1,300 m) and the Saharan Atlas to the south of the High Plateaux, where rainfall is sufficient for extensive grassland farming. Finally, over 80 per cent of the country lies within the dry Sahara Desert, where few Algerians have chosen to make their home. Maximum elevation is just over 3,000 m at Mt Tahat in the Sahara Desert." (Jane's Sentinel Country Risk Assessments: Algeria. Posted 11 March 2008) [83a]
- 1.03 The Europaworld.com website (accessed 8 July 2008) states: "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)
- 1.04 The Central Intelligence Agency (CIA) World Factbook, updated 19 June 2008, gives a July 2008 estimate of the population of 33,769,668 people. [2a] (People)
- 1.05 A report by Algeria.com (accessed 8 July 2008) states:
- "Algeria's official language is Arabic and it is spoken by an estimated 81% of the population. All official documents are printed in Arabic and those from non-Arab households usually learn the language in school. Arabic has been the official language of the country since 1963. More recently, Berber has become recognized as one of the country's national languages. This occurred in 2002 and is an appropriate step since 99% of the population speaks Arabic, Berber or both. French has no official status. It was introduced in French-colonial times and is still often taught in schools and used in government and higher education. While a large majority of the country can understand the language, it is estimated that only about 20% can read and write it. There are many Languages in Algeria". [53] (p8)

[Return to contents](#)
[Go to list of sources](#)

MAP

1.06



1.07 A map of Algeria is given at:
<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opedoc.pdf?tbl=PUBL&id=42d4cd284&page=publ>

Link to Multimaps for more detailed searches:
<http://www.multimap.com/map/browse.cgi?client=public&X=3500000.46709432&Y=-2000000.42080272&width=700&height=400&gride=3456915.46709432&gridn=-2004490.42080272&src=0&coordsys=mercator&db=w3&addr1=&addr2=&addr3=&pc=&advanced=&local=&localinfosel=&kw=&inmap=&table=&ovtype=&keepicon=true&zm=0&scale=10000000&in.x=6&in.y=10>

Return to contents
Go to list of sources

ECONOMY

- 2.01 The Central Intelligence Agency (CIA) World Factbook, updated 19 June 2008, summarises the economy as follows:

“The hydrocarbons sector is the backbone of the economy, accounting for roughly 60% of budget revenues, 30% of 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 14th 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 10% 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 XE.com (accessed 6 September 2008) stated that the Exchange Rate was 108.078 dinars per GB £. **[21a]**

- 2.03 The United States State Department (USSD) 2007 Country Report on Human Rights Practices, Algeria, published on 11 March 2008 states regarding the legal oversight of employment::

“The national minimum wage of \$148 (10,000 dinars) per month did not provide a decent standard of living for a worker and family. Ministry of Labor 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”. **[6i] (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 2007, 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 Reuters reported that in 2007 inflation averaged 4.6 per cent nationally and 3.5 per cent in the capital Algiers, the highest since 2004. The report went on to say that food product prices rose 7.2 per cent. **[17q]**

[Return to contents](#)
[Go to list of sources](#)

HISTORY

PRE-1992

- 3.01 The Europaworld.com website (accessed 9 July 2008) summarises the history of Algeria, beginning with the French colonial period in the 1830s. It states that:

“On 1 November 1954 the principal Algerian nationalist movement, the Front de libération nationale (FLN), began a war for national independence, in the course of which about 1m. Muslims were killed or wounded. The French Government agreed to a cease-fire in March 1962, and independence was declared on 3 July 1962.” [1h] (Recent History)

- 3.02 “A new Government was formed, with Ahmed Ben Bella, founder of the FLN, as Prime Minister. A draft Constitution, providing for a presidential regime with the FLN as the sole party, was adopted in August 1963, and approved by popular referendum in September. Ben Bella was elected President, although real power remained with the bureaucracy and the army. In June 1965 the Minister of Defence, Col Houari Boumedienne, deposed Ben Bella in a bloodless coup and took control of the country as President of a Council of the Revolution, composed chiefly of army officers.

- 3.03 Boumedienne’s death in 1978 led to the adoption of a new party structure and the accession of Col Ben Djedid Chadli as President. “From mid-1988 severe unemployment, high consumer prices and shortages of essential supplies provoked a series of strikes, and in October rioting erupted in Algiers, spreading to Oran and Annaba”. Chadli responded to the October 1988 riots by imposing a six-day state of emergency, accelerating economic reforms and introducing wide-ranging political changes. These changes allowed non-FLN candidates to participate in elections. [1h] (Recent History)

- 3.04 These political changes included introducing a controlled multi-party political system, as mentioned in the BBC News website timeline, updated 25 June 2008: “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.” [60a]

- 3.05 The Economist Country Brief states the following about developments from the 1980s to 1992:

“As the government responded by attempting political and economic liberalisation, Islamist parties, led by the Islamic Salvation Front (FIS), grew in popularity. In 1992 the military cancelled elections that the FIS was poised to win. The party was banned, and in 1996 a ban on all parties based on religion, ethnicity or gender was written into the constitution. This disenfranchisement, along with allegations of election-rigging, led to brutal violence waged by the military and armed Islamic groups which claimed more than 100,000 lives during the 1990s.” [12a]

[Return to contents](#)
[Go to list of sources](#)

MILITARY TAKEOVER

3.06 Human Rights Watch published the testimony by Tom Malinowski to the US House of Representatives International Relations Committee/Subcommittee on International Terrorism and Nonproliferation (IRC/SITN) of 4 March 2005 headed 'Human Rights in Algeria' that summarised the events of 1992: "In January 1992, an army-backed coup in Algeria halted national elections that would have given the Islamist Salvation Front a commanding majority in parliament. Isolated acts of terror had occurred before then in Algeria, but they became endemic after the electoral process was interrupted." [27e] (p1)

3.07 From the evidence given by Mr Leslie Campbell, National Democratic Institute at the 3 March 2005 US House of Representatives IRC/SITN hearings:

"Contrary to what the electoral engineers had sought, the FIS scored a massive victory in the first round of legislative elections, finally held in December 1991, and was well placed to further consolidate these gains in the second round, to be held in early January. The army subsequently decided to force the resignation of President Chadli Bendjedid, and over the protests of the FLN, FFS and FIS, the three parties that had won the largest number of seats in the first round, cancelled the elections. The regime then went on in February to outlaw the FIS and instituted a state of emergency, which, incidentally, is still in force today. The regime therefore effectively closed off what remained of the legal and peaceful means by which the country's largest opposition party, the FIS, could contest political power; tragically, the more radical elements of the FIS, which had now gained the upper hand, turned to terrorist acts against state institutions and employees. As has been noted by the International Crisis Group in their 2004 report on 'Islamism, Violence and Reform in Algeria', the authorities' decision to transform ordinary members of what had been a legal party into outlaws had the effect of driving them into the arms of the most extremists [sic] elements within and close to the FIS – groups that might otherwise have remained marginal. And so Algeria's experience with terrorism began. This is not a justification of the decision of those FIS members still at large to take up arms but shows that an important root of the terrorist phenomenon in Algeria was the decision of the authorities to close off all avenues of peaceful expression to their main political opponents." [10a] (p13)

See also [State of Emergency Political Parties](#)

[Return to contents](#)
[Go to list of sources](#)

POST-1992

3.08 The Foreign and Commonwealth Office Country Profile on Algeria, updated 16 October 2007, summarises the ongoing violence and related developments:

"Political parties developed, such as the Front Islamique du Salut (FIS), a broad coalition of Islamist groups. In December 1991 the FIS dominated the first of two rounds of legislative elections. Fearing the election of an Islamist Government, the authorities intervened on 11 January 1992, cancelling the elections. President Chadli Bendjedid resigned and a High Council of State was installed to act as Presidency. The FIS was subsequently banned,

triggering a vicious civil insurgency between its armed wing, the Armée Islamique du Salut (AIS), and the armed forces in which over 100,000 are thought to have died. The AIS declared a ceasefire in October 1997". [5a] (Politics, accessed 15 August 2007)

- 3.09 "Algeria held elections in 1999 which were won by President Abdelaziz Bouteflika. Bouteflika focused on a restoring stability to the country following his election and announced a 'Civil Concord' initiative, approved by popular referendum, under which many political prisoners were pardoned, and several thousand members of armed groups were granted exemption from prosecution under a limited amnesty which was in force up to 13 January 2000. The AIS disbanded and levels of insurgent violence fell rapidly. The Groupe Salafiste pour la Prédication et le Combat (GSPC), a splinter group of the Group Islamic Armée, continued a terrorist campaign against the Government. Bouteflika was re-elected in April 2004 after campaigning on a programme of national reconciliation. The programme comprised economic, institutional, political and social reform to modernise the country, raise living standards and tackle the causes of alienation. It also included a second amnesty initiative, the Charter for Peace and National Reconciliation, which was approved in a referendum in September 2005 and offers an amnesty to most guerrillas and Government security forces". [5a] (Politics, accessed 15 August 2007)

See also [Non-Government Armed Forces/Insurgents](#)

- 3.10 The EuropaWorld website (accessed 10 July 2008) recounts some of the other incidents that the GSPC (Salafist Group for Preaching and Combat), were implicated in, in 2003 and 2004:

"In March 2004 it was reported that fighting had occurred between the Chadian military and a faction of the GSPC led by the group's second-in-command, Amari Saifi, resulting in the deaths of more than 40 militants. Saifi was wanted in Algeria and abroad for various crimes, including the kidnapping in 2003 of a group of 32 European tourists (see below) and the killing of 43 Algerian soldiers. It was announced in October 2004 that Saifi had been taken into Algerian custody, having been intercepted by Libyan authorities on the Chadian–Libyan border. Meanwhile, in June 2004 Nabil Sahraoui, the GSPC's leader since October 2003, was reportedly killed by the Algerian military in Kabylia during a gun battle that also killed four of his senior aides, including his likely successor, Abdi Abdelaziz. The army subsequently announced that it had 'completely neutralized' the leadership of the GSPC and had seized many of its weapons and documents. Shortly after the announcement of Sahraoui's death, an explosion at the Hamma power station near Algiers injured 11 people. The Government declared the explosion to be accidental; however, the GSPC later claimed responsibility and warned that further attacks would ensue. In September 2004 Sahraoui was replaced as leader of the GSPC by Abdelmalek Droukdal (also known as Abu Musab Abd al-Wadud)." [1h] (Recent History)

- 3.11 Jane's Sentinel noted on 18 May 2007 that: "The radicalisation and transformation of the GSPC culminated in January 2007 with the decision of the group to rename itself 'Al-Qaeda in the Islamic Maghreb'. This declaration presaged an upturn in violence as the group launched bomb attacks in

February and March and again in April, when bombs exploded in Algiers for the first time in over a decade. The attacks served as a potent reminder to the Algerian government and population that violence has not been completely eradicated from society, even if its nature may have changed. The Algerian military launched a major crackdown in response to the attacks, but it seems that more attacks in the future can be expected.” [83b]

- 3.12 “The al-Qaeda Organization in the Islamic Maghreb (formerly known as the Salafist Group for Call and Combat (GSPC)) is a violent extremist group based in Algeria. The organization has operated since 1996 and is now the most significant terrorist movement in Algeria. As the Salafist Group for Call and Combat, the group broke away from the Armed Islamic Group (GIA), which was the primary terrorist entity during the 1992-2000 insurgency in Algeria. ...

“As a result of the long, bloody conflict from 1992-2000, which cost over 100,000 lives, GIA’s support was relatively weak in Algeria. Using this weakness to its advantage, GSPC pledged to avoid inflicting civilian casualties in Algeria. While the group has in fact killed civilians, the numbers are significantly less than the casualties of the GIA. Instead, GSPC concentrated on targeting Algerian government and security forces, especially those in rural areas. The group has also pledged to attack Western targets and has been linked to several foiled attacks against U.S. and European targets in Western Europe. The GSPC has usurped GIA as the primary terrorist force in the country, and because of its minimal attacks against civilians, GSPC benefits from a larger support network in the country.” The organisation “... officially announced its name change in February 2007 in a public announcement following six near-simultaneous attacks of police stations in towns east of Algiers.

“The al-Qaeda Organization in the Islamic Maghreb is based in Northern Africa, specifically Algeria. Its primary objective is the establishment of an Islamist state in Algeria. The GSPC continues to be active, and members of the organisation have been implicated in a number of recent plots to bomb and poison western targets. (MIPT Terrorism Knowledge Base) [85b]

- 3.13 “The Islamic Salvation Front (FIS) was initially created as a network of small, informal mosque groups. After Algerian constitutional reforms allowed the creation of political parties for the first time, the FIS filed for legal recognition and was certified as a political party in September 1989...

“Although FIS leadership initially remained ambiguous about the use of violence by its followers, imprisoned deputy leader Belhadj endorsed the armed struggle and indicated unity with an explicitly violent group, Abdelkader Chebouti’s Mouvement Islamique Arme (MIA) in January of 1993. A breakdown in an attempted dialogue between the regime and the FIS in late 1993 led a number of senior FIS leaders to defect to the more extreme Groupe Islamique Armee. To counter the influence of the GIA, the FIS officially created an armed wing in July of 1994, the Arme Islamiques du Salut (AIS), although this name had been used since 1993 to refer to the variety of armed groups loyal to the FIS. Although the FIS distanced itself from the GIA’s civilian massacres, a January 1995 car bomb at the police headquarters in Algiers killed forty-two people and injured 286. In September of 1997, the FIS declared a ceasefire and in July of 1999, a new Algerian government formed

an accord with the FIS and issued an amnesty for several thousand AIS guerrillas. FIS leaders Abassi Madani and Ali Belhadj were released from prison in 2003.” (MIPT Terrorism Knowledge Base) [85a]

See also [Non-Government Armed Forces/Insurgents](#)

[Return to contents](#)
[Go to list of sources](#)

YEARS 2004 – 2007 (FROM APRIL 2004 PRESIDENTIAL ELECTIONS)

- 3.14 The EuropaWorld website (accessed 10 July 2008), summarised the re-election of President Bouteflika in April 2004 as follows:

“Bouteflika was decisively re-elected for a second term of office on 8 April 2004. He received 85.0% of the valid votes cast, while his nearest rival, Benflis, took 6.4%. Djaballah secured 5.0%, Saâdi 1.9%, Hanoune 1.0% and Rebaïne 0.6%. The rate of turn-out by eligible voters was reported to be 58.1%, although this rate was estimated to be as low as 18% in Kabylia. Bouteflika’s rivals immediately accused the President of electoral malpractice; however, international observers declared the election to have been representative of popular will and free from any vote-rigging. Both Benflis and Saâdi boycotted Bouteflika’s inauguration ceremony on 19 April, at which he vowed to resolve the Berber crisis and to improve the rights of women by readdressing the controversial family code of 1984. He also emphasized his commitment to his campaign for ‘true national reconciliation’. Ahmed Ouyahia resigned as Prime Minister, as required under the Constitution, but was immediately reinstated and given the task of forming a new government. On 26 April 2004 Ouyahia named his new Council of Ministers, which retained most of the senior ministers from the previous administration. The new Government consisted principally of FLN members and non-partisan supporters of Bouteflika, with a few representatives from the RND and the MSP. Meanwhile, Benflis resigned as Secretary-General of the FLN. At an FLN congress held between the end of January and early February 2005 the Minister of State for Foreign Affairs, Abdelaziz Belkhadem, was elected to the post of Secretary-General and President Bouteflika was elected honorary President of the party.” [1h] (Recent History)

- 3.15 The main political events / human rights issues after the April 2004 presidential elections centre around the Government’s report on the civil conflict of the 1990s, published in March 2005; President Bouteflika’s presentation of a ‘National Charter for Reconciliation’ and subsequent referendum held on 29 September 2005 to endorse the charter’s proposals; the major release of prisoners in March 2006 (after the referendum’s endorsement of the plan) and a wide-ranging amnesty (that critics regard as a non-pursuance of military human rights abuses); and a series of bombings and attacks between December 2006 and September 2007, especially in the run up to the May 2007 parliamentary elections at which pro-government parties retained their absolute majority. Al-Qaeda in the Islamic Maghreb (formerly the GSPC) claims responsibility for many of the attacks. (BBC News) [60a]

“Algeria held elections for Parliament’s lower house in May 2007, drawing a turnout of just 35 percent, the lowest in Algerian history. Many opposition

groups, both Islamist and leftist, asked their supporters not to participate because they said the results would be rigged. Al-Qaeda in the Islamic Maghreb also called for a boycott, but the group's support is 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, while Islah lost nearly all of its parliamentary presence, holding on to just 3 seats". (Freedom House Freedom in the World – Algeria (2008)) [29a]

The same source also stated:

"Also in 2007, Algeria was racked by attacks attributed to Islamist militants. Many of the attacks took the form of suicide bombings, a new phenomenon in Algeria. The government has had difficulty tackling the problem, and the security situation appeared likely to grow worse". [29a]

- 3.16 "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". (Freedom House: Freedom in the World – Algeria (2008)) [29a] **(Political Rights and Civil Liberties)**

See also [Berbers; Elections; National reconciliation process; Referendum of 29 September 2005; Annex A – Chronology of major events](#)

Return to contents
Go to list of sources

RECENT DEVELOPMENTS

4.01 The level of violence has reduced since the end of the 1990s, however, unverified media reports claim that more than 300 people were killed by either armed factions or government security forces in 2006, including over 70 civilians. 265 people were reported to have been killed between 1 January and 1 August 2007 due to continued fighting between security forces and remaining armed factions who refuse to surrender under the government amnesty measures. In 2007, there has been a series of bomb attacks, some of which appear to have deliberately targeted civilians, the most recent attacks are summarised below.

4.02 The Australian Government's Travel Advice, accessed on 10 July 2008, noted that:

"There is an ongoing and renewed risk of terrorist attack in Algeria. On 11 December 2007, two bombs exploded in the centre of Algiers, one near the Constitutional Court of Algiers in the Bean Aknoun district and the other outside the United Nations Commission for Refugees in Hydra district, killing and injuring a large number of people...A car bomb attack on 29 January 2008 targeted a police station in Thenia, 50km east of Algiers. A number of people were killed or injured. On 2 January 2008, four people were killed and 12 injured in a car bomb attack outside the regional police headquarters in Naciria in the Boumerdes region, 120km east of Algiers. During September 2007, dozens of people were killed and more than 160 injured in bomb attacks in Bouira, Dellys, and Batna. Foreign nationals were among the victims. These attacks highlight the very high threat of terrorism at this time". [86] (p1)

4.03 Reuters reported on 5 February 2008 that the death toll from political violence fell in January 2008 from 60 in December 2007 amid continuing suicide bombings by al Qaeda. The main developments were:

- "Al Qaeda's north Africa Wing claimed responsibility for two suicide bombings which killed six policemen and one civilian.
- Overall 13 members of the security forces, eight rebels and four civilians were killed in political violence during the month.
- A raid by security forces on 28 January smashed a rebel gang responsible for the 11 December twin car bombings.
- Two rebels killed and four arrested in the raid which happened in the village of Corso.
- On 29 January armed men in an all-terrain vehicles opened fire on Algerian army helicopters flying over the desert in the Rhourd Ennous area. Later identified by el Khabar newspaper as al Qaeda aligned rebels.
- Algerian special forces responded by pursuing the group and destroying two of the vehicles". [17k]

4.04 Reuters reported on 3 March 2008 that the death toll from political violence fell to 19 in February 2008 from 25 in January. The main developments reported were:

- “Suspected Islamist rebels killed eight paramilitary gendarmes when they ambushed their convoy on 7 February in the province of El Oued. Al Qaeda’s North African wing claimed responsibility.
- Overall 12 members of government forces, six rebels and one civilian, were killed in political violence in February.
- During the month, security forces arrested 12 people suspected of involvement in an attack on a police post in Thenia east of Algiers on 29 January.
- Government forces killed a rebel leader near Boumeredes east of Algiers.
- Towards the end of the month, the army launched an operation in the Kabylie region and surrounded several Islamist militants, including, according to some newspapers, the leader of al Qaeda’s north Africa wing Abdelmalek Droukkel also known as Abu Mus’ab Abd el-Wadoud”. [17e]

4.05 Reuters reported on 9 April 2008 that the death toll from political violence rose to 21 in March 2008 from 19 in February. The main developments reported were:

- ” Overall eight members of the government forces, 11 rebels and two civilians were killed in political violence during the previous month.
- On 16 March, gunmen entered a mosque near the southern town of El Oued and forced two people outside the building before shooting them dead.
- On the same date two soldiers were killed and 17 wounded when gunmen, believed to belong to the al Qaeda Organisation in the Islamic Maghreb, opened fire on an army patrol conducting a search near the coastal town of Jijel after reports that rebels were planning a suicide attack on a naval base in the area.
- On 26 March the army killed five suspected al Qaeda militants in a mountainous area in the province of Khenchela. According to some newspapers one of the dead was involved in several bombings.
- On 29 March, security forces killed a would-be suicide bomber in Oran. The militant was wearing an explosive belt”. [17f]

4.06 Reuters reported on 8 May 2008 that the death toll from political violence in Algeria rose to 29 in April up from 21 in March. The main developments reported were:

- ” A total of 23 rebels and six members of government forces were killed during the month.

- During a search operation in the first week of the month, the army killed 10 rebels and destroyed several hideouts in Boumerdes province about 31 miles east of Algiers.
- In a separate offensive, the military killed four fighters, believed to belong to al Qaeda's north Africa wing, in El Oued province.
- On 27 April, four municipal guards were shot dead when they came under fire in an ambush near their barracks in a mountainous area of Medea province". [17g]

4.07 Reuters reported on 3 June 2008 that the death toll from political violence in Algeria dropped from 29 in April to 15 in May to reach the lowest level of the year. The main developments reported were:

- " Eight members of government forces, five rebels and two civilians were killed during the month.
- On 5 May government forces killed a senior Islamist guerrilla, destroyed several hideouts and seized clothes and food during an offensive in a mountainous area in Bejaia.
- On 11 May, rebels linked to al Qaeda's north African wing killed six soldiers when they ambushed their convoy in Medea province.
- On May 19, in a rare incident, security forces fought for five hours with a rebel in broad daylight in Tizi Ouzou, the main town of Kabylie region, 60 miles from Algiers. He shot at police from a five-storey building where he had holed up.
- On 23 May, the Interior Minister Noureddine Yazid Zerhouni said the authorities were planning to spend four billion euros on fighting "terrorism and organised crime". The plan mainly included expenditure on equipment. No timetable was given.
- On 29 May, rebels shot dead a man and his son in Tizi Ouzo province after they rejected a demand by the militants for five million dinars (\$78,000). According to Algerian newspapers Islamist guerrilla groups are heavily involved in racketeering.
- Eight rebels received life jail terms while 34 other were sentenced to death in absentia in separate trials. Although death sentences have been handed out in several trials in recent years, no executions have taken place since 1993". [17h]

4.08 Reuters reported on 3 July 2008 that the death toll from political violence in Algeria had almost doubled from 15 in May to 27 in June. The main developments reported were:

- " Sixteen members of government forces, three civilians, a French engineer and seven rebels were killed during the month.

- On 5 June, six soldiers were killed when their convoy hit a bomb planted by rebels in the village of Cap Djinet about 25 miles east of Algiers.
- On 8 June, a bomb attack killed a French engineer and his driver in Beni Amrane in Boumerdes province.
- On 26 June, three paramilitary gendarmes and a municipal guard were shot dead when they came under fire in an ambush in a mountainous area of Jijel.
- On 27 June, two soldiers were killed and 11 wounded when rebels detonated two bombs from a distance, during a search operation by the army in a forest in Tizi Ouzou province.
- Thirteen rebels were sentenced to death in absentia in separate trials". [17i]

4.09 Reuters reported on 4 August 2008 that the death toll from political violence in Algeria fell to 9 in July from 27 in June. The main developments reported were:

- " Four members of government forces and one civilian were killed, together with three rebels and a suicide bomber.
- On about 12 July Djemaa Ali, alias Touhami, an al Qaeda leader in the Bordj Menaïel district of Algiers was killed by security forces.
- On July 16 the Algerian Interior Minister estimated the number of remaining terrorists in Algeria still at large between 300 to 400 which included support networks.
- On 17 July The US treasury moved to freeze assets of four Algerians it said were leaders of al Qaeda in the Islamic Maghreb.
- On 21 July the press quoted the National Police chief as saying of the counter-terror effort: "We used to be in a defensive phase. From now on, we are on the offensive.
- On 23 July a suicide bomber on a motorbike attacked an army convoy, wounding at least 13 soldiers, near Lakhdaria village 37 miles east of Algiers.
- On 29 July two guerrillas were killed in an army ambush in the Berba district of Bouira 70 miles southeast of Algiers". [17j]

4.10 Reuters reported on 2 September 2008 that the death toll from political violence in Algeria rose to 125 in August from 9 the previous month as al Qaeda stepped up its attacks. Al Qaeda in the Maghreb claimed responsibility for most attacks, including five car bombings, making August the bloodiest month in 2008. The total number of dead in August included 71 civilians, 35 rebels and 19 members of the security forces. The main developments were:

- On Aug. 19, a car bomb killed 48 people outside a gendarmerie training school in Issers, 55 km (35 miles) east of Algiers. The attack targeted a crowd of men queuing up to take an entrance exam at the paramilitary school.
- On Aug. 20, two car bombs killed 12 Algerian workers of the Canadian engineering and construction firm SNC-Lavalin Group Inc. The employees died when their bus was hit by an explosion near a military barracks in Bouira province, 90 km (55 miles) southwest of Algiers.
- On Aug. 10, Six civilian were killed in a car bomb attack that targeted a coastguard barracks in the town of Zemouri el Bahri, 45 km (28 miles) east of the capital.
- On Aug. 7, the army killed 12 rebels and seized weapons, including Kalashnikov automatic rifles, a grenade and communications gear, during an operation in Tizi Ouzou province.
- On Aug. 24, security forces killed 10 rebels and seized five Kalashnikovs, a grenade launcher and four FSA semi-automatic guns in an operation in Ain Defla province, 110 km (70 miles) southwest of Algiers.
- On Aug. 27, rebels killed five soldiers and two municipal guards and wounded 14 soldiers in an ambush in Batna province, 350 km (220 miles) from Algiers.
- On Aug. 3, a car bomb exploded near a police station in the centre of Tizi Ouzou town, wounding 25 people including four policemen". [17t]

[See 9.08 Violence/abuse by non-government forces/insurgents](#)

[Return to contents](#)
[Go to list of sources](#)

CONSTITUTION

- 5.01 The EuropaWorld website (accessed 11 July 2008), states:
- “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.” [1i] **(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]
- 5.03 The Central Intelligence Agency (CIA) World Factbook, updated 19 June 2008, states: “Country name: Conventional long form: People’s Democratic Republic of Algeria. Conventional short form: Algeria Local long form: Al Jumhuriyah al Jaza’iriyah ad Dimuqratiyah ash Sha’biyah Local short form: Al Jaza’ir” [2a] **(Government)**

STATE OF EMERGENCY

- 5.04 The EuropaWorld website (accessed 11 July 2008), notes that a state of emergency was declared in June 1991 which was revoked in late September of that year. Another, 12 month state of emergency was declared on 9 February 1992, which was renewed indefinitely in February 1993. [1h] **(Recent History)**
- 5.05 The Freedom House, ‘Freedom in the world report – Algeria 2008’ states:
- “The government acted to restrict freedom of assembly and association in 2007 as the country suffered its first suicide bombings, which resulted in over 100 civilian deaths. However, Algerian police can disperse peaceful demonstrations even in an ordinary security environment. Government permits are required to establish nongovernmental organizations (NGOs), and the government is wary of any organization with Islamist leanings. Workers can establish independent trade unions. The main union, the General Union of Algerian Workers (UGTA), has been criticized for being too close to the government and failing to tackle labor issues aggressively. In October 2007, several independent trade unions led by the National Council for Teachers in Higher Education (CNES) announced a strike against a new government-proposed wage structure”. [29a] **(Political Rights and Civil Liberties)**

[Return to contents](#)
[Go to list of sources](#)

POLITICAL SYSTEM

- 6.01 The United States State Department (USSD) 2007 Country Report on Human Rights Practices, Algeria, published on 11 March 2008 states:

“Algeria is a multiparty republic of approximately 33 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, who serves as the head of government. The president also serves as commander-in-chief of the armed forces.” [6i]

THE PRESIDENT

- 6.02 The EuropaWorld website (accessed 14 July 2008), states, regarding the role of the President: “The Head of State is the President of the Republic, who is elected by universal adult suffrage for a five-year term, renewable once. 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.” [1e] (Government)

- 6.03 The Constitution amended 1996, in Article 73 states:

“To be eligible to the Presidency of the Republic, the candidate should: have, solely, the Algerian nationality by origin; be a Muslim; be more than forty (40) years-old the day of the election; enjoy full civil and political rights; prove the Algerian nationality of the spouse; justify his participation in the 1st of November 1954 Revolution for the candidates born before July 1942; justify the non-involvement of the parents of the candidate born after July 1942, in actions hostile to the 1st of November 1954 Revolution; submit a public declaration of his personal and real estate existing either within Algeria or abroad. Other conditions are prescribed by the law.” [44a] (Part Two, Chapter One – The Executive Power)

- 6.04 The USSD report for 2007 stated:

“In 2004 for the first time since the end of the one-party system and after more than a decade of civil strife and continuing acts of terrorism, a sitting president not only completed his five-year term of office, but was re-elected in a contested election. Public debate and controversy over the idea of reforming the constitution to allow Bouteflika to run for an unprecedented third time occupied headlines at the years end. [6q]

- 6.05 The Economist Intelligence Unit, in its 2008 country profile, states:

“Mr Bouteflika has spent much of his presidency attempting to demonstrate that he is not a ‘puppet’ of the military. Since his re-election in April 2004, he has used his strong popular mandate to whittle away the influence of most of the senior officers who have dominated Algerian politics over the past two decades. At the same time Mr Bouteflika has sought pave the way for a third term in office, which will require an amendment to the constitution. He has done this through asserting his authority over the military establishment and through the launch of a series of populist initiatives, notably a Charter for Peace and National Reconciliation, which granted amnesty to former militants and some compensation to families whose relatives had been killed during the

"black decade" of civil strife in the 1990s. Mr Bouteflika's illness at the end of 2005 raised questions over whether he would be able to prolong his political career, but he has since seemingly regained his vigour. In May 2006 Mr Bouteflika dismissed the prime minister, Ahmed Ouyahia, an ambitious politician with good links to the military, and appointed in his place Abdelaziz Belkhadem, an outspoken supporter of Mr Bouteflika's bid for a third term. Mr Belkhadem led the FLN to victory in the general election of May 2007, and was subsequently confirmed in his position as prime minister." [84c] (p6)

6.06 BBC Monitoring reported on 18 February 2008 that the opposition group the Algerian National Front (FNA) had claimed that the Presidents appeal for a third term was an attempt to cover for social stagnation. The national board of the NFA was quoted as saying: "Promoting language appealing for a third term is only an attempt to conceal a social reality that is increasingly deteriorating, the sign of which are visible to the naked eye on the domestic scene. It is a situation that is marked in particular by the proliferation of social ills amplified by injustice and authoritarianism". [16a]

6.07 The Economist report on 16 June 2008 stated that President Bouteflika was seeking to amend the constitution to allow him to stand for a third term in office, when his current term ends in 2009. [12b]

6.08 Jane's Sentinel Security updated 27 June 2008 in relation to the presidency states:

"Bouteflika seems braced for prolonging his presidency to 2014. The 70 year old president is not concerned about his ineligibility to run for another third term. As in neighbouring Tunisia, that impediment can easily be overcome if Bouteflika secures the support of the army and political elite to change the constitution and stand for another term. The National Rally for Democracy (RND) and the National Organisation of War Veterans have already expressed their desire to amend the constitution. The Islamic Movement for Peace and Society also stands poised to endorse Bouteflika. Consensus also exists within the army elite. The president has not yet openly acknowledged what many Algerians believe is now a foregone conclusion, although victory in the planned referendum on the constitutional changes needed to enforce the change, planned for 2008, looks a formality." [83g]

[Return to contents](#)
[Go to list of sources](#)

THE PARLIAMENT

6.09 The July 2008 Economist country report on Algeria states under the section 'Political structure', accessed 14 July 2008, with reference to the legislative process:

"[The legislature is] Bicameral; the lower house, the Assemblée populaire nationale, with 389 members, was first elected in June 1997, replacing the Conseil national de transition, which was set up in May 1994; the upper house, the Conseil de la nation, which has 144 seats, was formed in December 1997, with two-thirds of its members elected through municipal polls and the remainder appointed by the president." [84b] (p19)

- 6.10 The EuropaWorld website (accessed 14 July 2008) adds, regarding the Algerian Parliament:

“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.” [1e] (Government)

NATIONAL GOVERNMENT

- 6.11 On June 23 2008 the President reshuffled his cabinet, appointing Ahmed Ouyahia of the RND party as prime minister to replace Abdelaziz Belkhadem of the FLN party. Ouyahia had already served two terms as prime minister from 1995 to 1999 and from 2003 to 2006, when he had been replaced by Belkhadem in a reshuffle. Also replaced were the ministers for transport, health, agriculture, information and finance. (People’s Daily Online) [38] The list of ministers is at [ANNEX E](#)
- 6.12 According to the *Africa Research Bulletin* the reshuffle was criticised by the opposition Rally for culture and Democracy (RCD), who described the reshuffle as too hasty a move. They said that the decision was shrouded in mystery, regarding its objectives and motives, especially the part related to solving the economic and social problems, and that the president should have opened a political discussion on the problems of political and economic revival and the current social problems in the country. [7x]

LOCAL GOVERNMENT

- 6.13 The EuropaWorld website (accessed 14 July 2008) states: “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

- 6.14 The USSD Report on Human Rights Practices for 2007 states 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 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. The government continued to refuse to register Wafa (in full, Wafa wa al-Adl or Movement for Fidelity and Justice) because its perceived ties to the banned FIS constituted a threat to national security, according to the interior minister. The government

also failed to provide an official response to the 1998 registration request of the Democratic Front; the party leadership has claimed the government was not ready for 'real democratic openness'. No party may use religion or ethnic heritage as a basis to organise for political purposes. The law also bans political party ties to non-political associations and regulates party financing and reporting requirements. " [6i] (Section 2d)

6.15 The EuropaWorld website (accessed 14 July 2008) adds:

"Until 1989 the FLN was the only legal party in Algeria. The February 1989 amendments to the Constitution permitted the formation of other political associations, with some restrictions. The right to establish political parties was guaranteed by constitutional amendments in November 1996; however, political associations based on differences in religion, language, race, gender or region were proscribed. Some 24 political parties contested the legislative elections of May 2007." [1j] (Political Organisations)

6.16 Magharebia reported, on 18 May 2007,

"The National Liberation Front (FLN) won the legislative elections of May 17th. The party retained 136 seats in the 389-seat National People's Assembly, short of the 177 required for a parliamentary majority. Nonetheless, the FLN finished far ahead of the two other parties in the presidential coalition. The National Rally for Democracy (RND) and the Movement of Society for Peace (MSP) took second and third place with 61 and 52 seats, respectively. Independent lists captured 33 seats, placing them in fourth place. The Workers' Party (PT) obtained 26 seats, and the Rally for Culture and Democracy (RCD) took 19. The election was fatal for the El Islah Movement, which took only three seats, a crushing blow after a third-place finish in 2002. The party's poor performance has been attributed to an internal crisis on the eve of the elections which resulted in the departure of party founder Abdallah Djaballah. The return of the RCD after its boycott of the 2002 elections was significant. But although the party earned 19 seats, it was unable to form a parliamentary bloc, which requires a minimum of 20 seats. A number of other parties earned from one to 13 seats, while two parties participating in the elections received no seats at all". [32a]

[See also: Elections](#)

[Return to contents](#)
[Go to list of sources](#)

OPPOSITION PARTIES

6.17 Jane's Sentinel updated on 27 June 2008 stated:

"Opposition to this governing coalition is fragmented and ineffectual. A variety of leftist, nationalist and religious parties plus a sizeable number of independents fill the rest of the seats in parliament, but their agendas are so different and the strength of the government bloc so strong that they are unable to effectively hold the government to account. Some of the most active opposition comes from parties campaigning for Berber rights, the two most prominent of which are the RCD and the FFS. Both align themselves with the Arouch movement (a Berber political organisation modelled on traditional village councils) and both have boycotted elections in the past, protesting that

they are undemocratic. The FFS maintained its boycott during the May 2007 parliamentary election, but, following concessions made by the government during the previous parliament, the RCD choose to participate and won 19 seats. This divided Berber supporters and reduced the efficacy of the FFS boycott, but in no way decreased the strength of the president's hold on parliament.” [83b]

ILLEGAL PARTIES

- 6.18 The CIA World Factbook, updated 19 June 2008, notes: “A law banning political parties based on religion was enacted in March 1997.” [2a] (Government)
- 6.19 On 6 August *Mideastwire.com* reported that the leader of the Islamic Salvation Front had announced that he was calling a conference at which political and ex-military activists from the Salvation movement would meet to form a new party. He is quoted as saying: “The Islamic Salvation army, which was dissolved in 2000 following an agreement with the military institution, will open a headquarters in the southern suburbs of the capital in which it will start receiving its old members as a prelude for forming a new party”. [45]

The report went on to say that:

“He will request a permit from the authorities to open the headquarters “because I know very well that I will not get it”. He added that he doesn’t expect the security forces to prevent his supporters from holding meetings because freedom of holding meetings is a right guaranteed by the constitution. Concerning the conference, which cannot be held without a permit from the interior ministry, he announced: “We are waiting for the right moment to move. The obstacle hindering us is not the official permit as some think because I confirm that we can hold a conference any time and anywhere. The interior minister, Yazid Zarhouni, is free to give us the license or not and we don’t have to get it.

“Murzaq clarified: “What is important is for our brothers to meet to discuss what kind of project they want. In that meeting, we will determine our attitude towards the state, the authorities, the political system, the various parties, Al-Qa’idah and armed operations”. He stressed that the members of the front “still carry the same ideas as in the past. We are moving freely in the political field”. He added that he intends to participate in the presidential elections expected to be held in spring of 2009 either through nominating someone from the front or by supporting a figure that belongs to the Islamic movements...” [45]

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

ELECTIONS

- 6.20 The president “... is nominated by the party with the majority in parliament and elected by popular vote through universal adult suffrage for a five-year term that may be renewed once.” The last presidential elections were held in 2004 with President Bouteflika being returned for a second term with over 83 per

cent of the vote. (Jane's Sentinel Country Risk Assessments: Algeria. Posted 27 June 2008) [83b]

6.21 "Unlike previous elections, there was marked progress in 2004 towards a more free and transparent electoral process. An election observer from the Organization for Security and Cooperation in Europe stated in a press conference that the election was generally free and fair, although not without flaws". (Jane's Sentinel Country Risk Assessments: Algeria. Posted 27 June 2008) [83b]

6.22 Jane's Sentinel says of the 2004 Presidential election:

"... The run up to the election in April was marked by bitter political infighting in the FLN over who to back as its favoured candidate. Bouteflika had helped successfully navigate Algeria towards a point where an end to the insurgency was in potentially in sight, however, his fellow FLN members were concerned not only at the state of his health (about which there had been numerous rumours), but also there were growing suspicions over what observers saw as an autocratic streak in the president's rule. For these reasons many in the FLN favoured the up and coming Prime Minister Ali Benflis. The FLN's inability to choose led to a split between pro- and anti-Bouteflika supporters, but eventually, the FLN chose to back Benflis, a move that led Bouteflika to seek (and receive) the backing of the RCD opposition.

"Adding to the sense of instability in the run up to polling day were concerns that once again the military would intervene and ask Bouteflika to stand down. However, the military high command appeared as divided as the FLN (despite sharing many of the same concerns about the president) and in the end chooses not to back any candidate. Ultimately, the political turmoil had little effect on an electorate seemingly happy to credit Bouteflika with bringing relative stability to the country and he was returned with a landslide majority. Allegations of electoral fraud aside, Benflis and the FLN (and for that matter the military too) were eclipsed, leaving Bouteflika in an enormously powerful position from which to launch his second term. As a measure of the new level of control he held, the powerful army chief of staff, Mohamed Lamari resigned four months after Bouteflika's re-election, a move that allowed the president to carry out a reshuffle of the military high command and put in place men with views more in keeping with his own." (Jane's Sentinel Country Risk Assessments: Algeria. Posted 27 June 2008) [83b]

6.23 The United States State Department Report on Human Rights 2007 published on 11 March 2008 stated:

"Multiparty parliamentary elections were held on May 17 (2007) for the lower house on the basis of universal suffrage, but not all political parties were allowed full access to the electoral process. The Islamist party Islah was disqualified by the MOI on the ground that its leader had not been elected in a recent party congress. Voter turnout was low, officially 36 percent of the electorate with unofficial sources reporting levels at less than 25 percent, marking the lowest voter turnout since the advent of multiparty democracy in 1989.

“On November 29 (2007), multiparty local elections were held, but the election process was marred by irregularities and charges of fraud. Voter turnout was officially 44 percent, but opposition political parties estimated that actual turnout was much lower. No monitoring of the vote counting process was allowed at the local, district or national level.

“Opposition candidates complained that the MOI 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 FLN. Media access during the elections was generally equitable. Each party was given equal amounts of time on local radio and television to present campaign programs, though some parties complained about their time slots”. [6i] (Section 2d)

- 6.24 On 23 July 2008 *Magharebia* reported that the chairman of the opposition RCD had called for the presence of international observers at the 2009 presidential election. [24b]

[Return to contents](#)
[Go to list of sources](#)

Human Rights

INTRODUCTION

- 7.01 In an Amnesty International (AI) Briefing to the UN Human Rights Committee dated 1 October 2007 it states:

“Notwithstanding the decrease in violence and gross human rights abuses associated with the internal conflict, serious violations of the rights enshrined in the ICCPR continue in Algeria, including secret detention and torture by the Department for Information and Security (Département du Renseignement et de la Sécurité, DRS), a branch of the Algerian intelligence services, in the context of the government’s counter-terrorism operations. Legal provisions introduced in national law in 2004 criminalizing torture, while welcome, have not put an end to persistent allegations of torture by members of the DRS.

The briefing goes on to say:

“The Algerian people have suffered grave and widespread violations of their human rights in the context of the internal conflict, including violations of the right to life (Article 6 of the ICCPR), violations of the right not to be subjected to torture or other cruel, inhuman or degrading treatment (Article 7), violations of the right to liberty and security (Article 9), violations of the right to a fair trial (Article 14) and violations of the right to recognition as a person before the law (Article 16). Yet, to date, the Algerian authorities have largely failed to investigate fully, independently and impartially these grave human rights violations. Algeria’s third periodic report, in response to the recommendations of the Human Rights Committee of 1998(5) to hold proper and independent investigations into such human rights violations, stated only that the Algerian Parliament was entitled to set up a Commission of Inquiry, and that to have done so ‘would have cast doubt upon the identity of the perpetrators and lent credence to the claims made by certain NGOs, often based on anonymous witness accounts that are impossible to verify’.” The briefing also highlights areas where improvements have been made in the human rights field. [26a]

- 7.02 ReliefWeb reported on 24 October 2007 on the UN Human Rights Committee’s comments on the third periodic report on Algeria on how that State is implementing the provisions of the International Covenant on Civil and Political Rights.

The Chairperson of the Committee, in preliminary concluding observations was reported as saying:

“There were still many clear situations in which the equality of women was being impeded, like the need of male guardians during marriages, even if this role had been minimized in the past years. Also of concern was the possibility of penal sanctions for acts that ran counter to the right to freedom of expression. When public authorities had to intervene and certain acts were criminalized, it presented a serious threat to the freedom of expression. An important and satisfactory step forward had been limitations on crimes that carried the death penalty, but the Committee still wished to see its total abolition”.

The report went on to state:

“Committee Experts raised questions and asked for further information on subjects pertaining to, among other things, the apparent impunity granted to those responsible for killings and disappearances in the name of national reconciliation. Moreover, those seeking to understand what had happened to their disappeared relatives could feel threatened by certain provisions made in the law against those who criticized the State. How was it possible to know if someone was not being held in a secret prison? One could not rely on the presumption of administrative regularity”. [49]

7.03 The United States State Department (USSD) 2007 Country Report on Human Rights Practices, Algeria, published on 11 March 2008 states:

“The government continued to fail to account for thousands of persons who disappeared in detention during the 1990s. Other significant human rights problems included restrictions on political party activity limiting the right to change the government peacefully; reports of abuse and torture; official impunity; prolonged pre-trial detention; limited judicial independence; denial of fair, public trials; restrictions on civil liberties, including freedom of speech, press, assembly, and especially association; security-based restrictions on movement; limitations on religious freedom, including increased regulation of non-Muslim worship; corruption and lack of government transparency; discrimination against women; and restrictions on workers' rights”. [6i] (p1)

7.04 The same USSD report adds:

“Articles 34 and 35 of the constitution and articles 263 and 263 bis-1 of the penal code prohibit torture and other cruel, inhuman, or degrading treatment or punishment; however, NGO and local human rights activists reported that government officials employed such practices and that the members of the military intelligence service's Department of Information and Security (DRS) frequently used torture to obtain confessions. The penal code criminalizes torture; government agents can face prison sentences of up to 10 to 20 years for committing such acts, based on a December 2006 modification to the law. However, impunity remained a problem. Human rights lawyers maintained that torture continued to occur in DRS detention facilities, most often against those arrested on ‘security grounds’. The *Amnesty International Report 2007* reported detainees were ‘beaten, tortured with electric shocks, suspended from the ceiling, and forced to swallow large amounts of dirty water, urine, or chemicals... Reports of torture and ill treatment were not known to have been investigated.’ In July 2006 Amnesty International (AI) published a report on torture by the secret military police, which concluded that the security forces continued to benefit from impunity”. [6i] (1c,d)

7.05 The US Overseas Security Advisory Council Algeria Crime and Safety Report for 2008, dated 12 March 2008 states:

“Deteriorating security trends in 2006 continued throughout Algeria in 2007. In addition to general criminal activity, terrorism has been on the rise. The al-Qa'ida in the Islamic Maghreb (AQIM) group committed a number of spectacular suicide attacks, threats of kidnapping, roadside bombs, and assassination attempts throughout the country as well as in Algiers. Targets varied from historical Salafist Group for Preaching and Combat (GSPC)

targets like Government of Algeria figures and police and military groups to Western or international organizations favored by AQIM.

“Since 1992, more than 150,000 people are estimated to have died in Algeria’s battle with extremist Islamist terror groups, most notably the GIA (Armed Islamic Group) and the GSPC. In September 2005, the Algerian people voted in a referendum in favor of President Bouteflika’s national reconciliation charter, which allowed former terrorists not involved in mass killings, bombings, or rapes to turn themselves into authorities and/or to be released from prisons. As a result of the national reconciliation, approximately 2400 individuals considered to be terrorists were released into society. Since August 2006, security forces have taken the initiative in hunting down terrorists who continue to fight and an average of 40 people are still killed monthly. Although the level of violence previously experienced has significantly decreased from its height in the mid-1990s, terrorism is still a major problem”. [6h] (Overall Crime and Safety Situation)

- 7.06 Agence France Presse reported on 14 April 2008, that the International Federation of Human Rights had claimed that Arab and Islamic countries were trying to stifle discussions on rights issues at the UN Human Rights Council, singling out rights issues in Algeria that were then under discussion at the council. It accused Arab countries and those belonging to the Organisation of the Islamic Conference “of trying to hold up speaking time and avoid major human rights problems”. Algeria had argued that despite 150,000 people being killed since the 1990s in clashes with Islamist rebels, the state had functioned normally. However, a group representing the families of those who disappeared in the violence claimed that 8,200 cases were pending and accused government and Islamist forces of being responsible for the disappearances. [59c]
- 7.07 According to the chairman of The Algerian League for Human Rights on 17 April 2008, the response of Algeria to the UN Human Rights Council had not reflected the human rights situation in Algeria. He said that his organisation was concerned about “torture in prisons” and the violation of economic and social rights. In turn the Algerian Minister of Foreign Affairs speaking at a UN Human Rights Council meeting had announced that the state of emergency would be lifted once terrorism was completely eliminated. A spokeswoman for the missing people’s families said that the government response had been insufficient. (El Khabar via Algeria-Watch) [24b]
- 7.08 It was reported on 16 April 2008 that the president of the national Advisory Commission for Human Rights had called for “significant improvement of performance of penitential institutions nationwide”. Responding to questions on the UN report concerning the state emergency, torture and women’s rights, he said we are used to those kinds of questions putting pressure on Algeria instead of encouragement for improvements being implemented. He added: “I wonder how they (human rights international organisations) dare request us to permit the UN Human Rights Commission to visit Algeria?...Algeria is not a shantytown entered by anyone at anytime”. (El Khabar via Algeria Watch) [24c]
- 7.09 On 11 May 2008 it was reported that Algeria had initially accepted receiving the UN Special Rapporteur on freedom of expression and opinion, as well as the Special Rapporteur in charge of torture cases. The UN was also expecting Algeria to receive the Special Rapporteurs dealing with enforced

disappearance cases, the protection of human rights and fundamental freedoms while countering terrorism and extrajudicial death penalty cases.
[24d]

[Return to contents](#)
[Go to list of sources](#)

SECURITY FORCES

INTERNAL SECURITY

8.01 The EuropaWorld website (accessed 14 July 2008) states:

“As assessed at November 2007, the estimated strength of the armed forces was 147,000 (including some 80,000 conscripts), comprising an army of 127,000, a navy of about 6,000 and an air force of an estimated 14,000. The defence budget for 2007 was estimated at AD 250,000m. Military service is compulsory for 18 months. There are paramilitary forces of about 187,200, controlled by the Ministry of Defence and the Directorate of National Security, and an estimated 150,000 self-defence militia and communal guards.” [11] (Defence)

8.02 Jane’s in a country risk assessment updated on 13 August 2007 stated that:

“Other security forces working in a paramilitary or counter-insurgency capacity in Algeria include the 50,000-strong national police, the 20,000-strong Gendarmerie, the 16,000-strong National Security Force, all responsible to the Ministry of Interior. There is also an informal militia of 'self defence groups' armed by the state, which is thought to number upwards of 150,000”. [83h]

8.03 The USSD report for 2007 states: “While civilian authorities generally maintained effective control of the security forces, there were a few instances in which elements of the security forces acted independently of government authority”. [6i]

8.04 On 13 May 2008 it was reported that new counter-terrorism brigades were to be set up across several provinces countrywide. The brigades would be under the command of a new organisation expected to be created in the near future. (El Khabar via Terror News Briefs) [50a]

See also [Security forces Events of 2001-2007 Kabylia](#)

POLICE FORCES

8.05 Jane’s in a country risk assessment updated on 11 March 2008 reported:

“The national police force (DGSN) 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. The judicial police formerly had an elite sub-section, Service Central de Repression du Banditisme (Service for

the Repression of Banditry: SCRB), but this was dissolved in 2006. The SCRB (initially known as the National Office for the Repression of Banditry) was founded in 1992 at the start of the Islamic insurgency and had anti-terrorism role, in addition to a number of other functions such as investigating financial crime (including the misappropriation of public funds) and countering the illegal drugs trade. As part of a restructuring of the police force following the decline in the terrorism threat, the SCRB was stood down and about 350 personnel re-deployed, mostly to posts in the judicial police.

“The national police has an aviation unit, based at Dar El Beida, Algiers Province, equipped with Ecureuil AS 355 helicopters.

“The director general of the DGSN is Ali Tounsi, who was appointed in 1995, and who oversaw an expansion in the strength of the force in response to Islamist insurgency. The headquarters of the force is located at Mohamed Ounouri Square in Algiers”. [83h]

8.06 The report continued

“In addition to the national police, the National Gendarmerie and the Republican Guard Brigade have taken a prominent role in countering the Islamist insurgency. In early 1995, the post of a territorial security co-ordination director was established to co-ordinate the efforts of the various forces”. [83h]

8.07 The USSD report for 2007 states:

“The national police force (DGSN), consisting of more than 108,000 members, falls under the control of the MOI and has national jurisdiction. The gendarmerie, under the Ministry of Defense, also performs police-like functions outside urban areas. The military intelligence service's DRS reports to the defense ministry and exercises internal security functions. Police and gendarmerie were generally effective at maintaining order. 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”. [6i] (Section 1d)

8.08 The US Overseas Security Advisory Council Algeria Crime and Safety Report for 2008, dated 12 March 2008, adds:

“The police in and around Algiers are responsive to incidents and have proven very effective in maintaining security...With the new shift in terrorist tactics and activity, there was a noticeable surge in police presence in and around the capital in the latter half of the year. While the police have traditionally maintained a heavy presence in Algiers, it is not yet clear whether they can adapt to counter new recruiting and attack trends.

“Over the last few years, the government has begun a program to increase the size of the police force by approximately 30,000 personnel. This increase in size is due to the police regaining their traditional roles and responsibilities, which were handled by the military during the conflict with the terrorists. A policy of professionalism is being pursued by the government that is expected to show results. This program, coupled with an increase in pay and benefits, is intended to lead to better quality police recruits. The heavy police presence

is noticed most readily in the major cities, but it is expected that smaller cities will also benefit from increased police staffing. Police (in the cities) or Gendarmes (in the countryside) display a wide variation in training, equipment and abilities". [6h] (Police Response)

8.09 *Indian Muslim News and Information* reported on 9 February 2008 that 140,000 policemen had been deployed across all provinces under a programme to ensure the country against all forms of crime. The Director-General of Algerian security said that the number would increase in the current year to 200,000 policemen. [51] This was confirmed by BBC Monitoring [16b] However, according to the *International Herald Tribune*, Algeria will only add 15,000 extra police officers per year, with the force being expanded through 2010 to reach the target of 200,000 officers nationwide. [51a]

8.10 The Italian news agency *ANSAMED* reported on 19 May that women who wear the hijab (the Islamic veil) would not be admitted to the Algerian police according to the director of national security. He is quoted as saying: "The women who want to join the police will have to renounce the veil because this Islamic attribute is incompatible with the difficult job in the police".

Another minister is quoted as saying: Algeria boasts the "biggest number of female agents in the countries of the Arab world".

The article went on to say that women in the police number some 9,000 equal to 7.8% of the total. [55]

8.11 On 23 July 2008 *El Khabar* reported that the Homeland Security Administration, DGSN, had adopted a new police uniform. It had been issued to police in four provinces, prior to a nationwide roll out. The article gave no details of the new uniform. [50b]

ABUSES BY POLICE

8.12 The USSD Human Rights report for 2007 reported 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. In 2006, 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.

"During the year, Ali Tounsi, director general of the DGSN, confirmed that 10 DGSN officials arrested for embezzlement, use of public money for personal gain, and cronyism, were 'no longer a part of the police force.' Trials were conducted by the DGSN and the officials were fired. DGSN membership was more than 108,000.

"In August General Commander of the National Gendarmerie Ahmed Bousteila announced that between 2000 and 2006 the gendarmerie had fired 5,000 gendarmes for violating a professional code of ethics and for being involved in corruption, absenteeism, tardiness, and drinking on duty. The National Gendarmerie further stated that, of the 5,000 fired, 1,600 gendarmes had been brought to justice for various charges. No information was available

at year's end on whether cases were pending against the other 3,400 gendarmes fired". [6i] (Section 1d)

LOCAL MILITIAS

8.13 Jane's in a country risk assessment updated 11 March 2008 reported:

"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". [83h]

8.14 Amnesty International (with Human Rights Watch, the International Centre for Transitional Justice, and the International Federation for Human Rights), in a public statement dated 1 March 2006, expressed concern that Groupes de légitime défense (Legitimate Defence Groups, Legitimate Self-Defense Groups or GLDs) would not be pursued in relation to perpetrating past abuses:

"The text does not explicitly mention members of civilian militias armed by the state, the so-called 'Legitimate Self-Defense Groups'. However, the phrases 'artisans of safeguarding the ... Republic' and 'belonging to any component whatsoever of the defense and security forces' suggest that the amnesty in fact covers abuses committed by members of these groups.

"The decree also provides an amnesty to members of armed groups who surrender or are in prison, as long as they did not 'commit, or were accomplices in, or instigators of, acts of collective massacres, rape, or the use of explosives in public places'. However, these exceptions, no matter how appropriate, do not extend to other grave crimes, suggesting that armed group members who murdered one or more persons will go free as long as the killings were not collective in nature. The amnesty would also cover other grave crimes committed by armed groups, including torture and the abduction of persons whose fate remains unknown.

"Moreover, no details have been provided concerning the mechanism or process for determining whether armed-group members applying for amnesty are ineligible due to their implication in 'collective massacres, rapes, or the use of explosives in public places'. Given the virtual lack of investigations into these crimes when they were committed, a thorough vetting process today to exclude their perpetrators from the amnesty would require much political will and resources from the state. The Civil Harmony Law of 1999 created a screening mechanism that operated arbitrarily and with a lack of transparency, resulting in de facto wide-ranging impunity for abuses committed by armed groups." [26h] (p2)

Arbitrary arrest and detention

8.15 The USSD report for 2007 states: "The constitution prohibits arbitrary arrest and detention. In 2005 the head of the government-appointed National Consultative Commission for the Promotion and Protection of Human Rights

(CNCPPDH) said that pre-trial detention, although defined as an exceptional measure by article 123 of the penal code, was overused". [6i] (Section 1d)

See also [missing people](#)

8.16 The USSD report for 2007 also stated:

"Impunity remained a problem. The government did not provide disaggregated public information on the numbers, infractions, or punishments of police, military, or other security force personnel. In 2006 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. ...All security forces were provided a copy of a code of conduct establishing regulations for conduct and sanctions for abuses." [6i] (Section 1c)

TORTURE

8.17 A report by Amnesty International dated 10 June 2007 stated that: "Torture and other ill-treatment continue to be perpetrated with impunity in Algeria in cases of individuals who are thought to have information about terrorism". [26b]

The report continued:

"The Department for Information and Security (DRS), widely known as Military Security, an intelligence agency within the military that specializes in counter-terrorism, operates with great secrecy.... While held by the DRS, detainees have no contact with the outside world and there are persistent reports of torture and other ill-treatment. Statements established by the DRS are regularly used in court to obtain convictions for terrorism related offences, while allegations of torture or other ill-treatment in DRS custody are never investigated. Methods of torture include beatings, electric shocks, the forced ingestion of dirty water, urine or chemicals, and the suspension of detainees from the ceiling". [26b]

8.18 The USSD report for 2007 states:

"Human rights lawyers maintained that torture continued to occur in DRS detention facilities, most often against those arrested on 'security grounds.' The *Amnesty International Report 2007* stated that reports of torture and ill treatment were not known to have been investigated." In July 2006 Amnesty International (AI) published a report on torture by the secret military police, which concluded that the security forces continued to benefit from impunity". [6i] (Section 1c)

8.19 The UNHCR reported on 19 June 2008 in Observatory for the Protection of Human Rights Defenders Annual Report 2007 – Algeria:

"In recent years, there has been no response to requests from the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights and freedoms while countering terrorism, the

Special Rapporteur on extrajudicial, summary or arbitrary executions, and the Working Group on enforced or involuntary disappearances”. [89b]

8.20 Reuters reported on 12 March 2008 that the Algerian President had said in a written reply to questions put to him that Algeria will severely punish anyone using torture to pursue the country’s “implacable” struggle against terrorism. [17s]

8.21 Amnesty International reported in its Briefing to the Committee Against Torture on 17 April 2008:

“The vast majority of the human rights abuses committed by both armed groups and state security forces, including torture and ill-treatment, in the context of the internal conflict have not been investigated. Impunity for past violations has been further entrenched through amnesty laws introduced by the government in 2006 with the stated intention of bringing closure to the years of violence. These laws provided for exemption from prosecution or release under an amnesty of those convicted of or detained on charges of terrorist activity, and granted comprehensive impunity to members of the security forces responsible for human rights violations”. [26d]

8.22 The report continued:

“Women have been particularly affected by violence since the onset of the internal conflict. They have been targeted for abduction, rape and other forms of sexual violence by armed groups, and have suffered disproportionately from the anguish at not knowing the truth as to the fate of thousands of men forcibly disappeared during the conflict. Further, violence against women within the family is prevalent. The Algerian authorities acknowledge this in principle but they have failed, to date, to take sufficient and effective measures to protect women from such violence. Many of the recommendations made by the Committee against Torture and other human rights bodies to the Algerian authorities have yet to be implemented”. [26d]

8.23 The report added:

“Massive human rights violations, including secret detentions, torture and other cruel, inhuman and degrading treatment or punishment (hereafter: ill-treatment) and enforced disappearances were committed by the Algerian security forces during the 1990s, in the name of counter terrorism. Although today the level of serious human rights abuses in Algeria has decreased compared to the 1990s, it is in the context of counter-terrorism measures that torture and ill-treatment continue to be committed. There has been a decrease in reports of torture and other ill-treatment of persons in custody of the police and the gendarmerie, but torture and ill-treatment continue to be used regularly by the DRS, widely known as ‘Military Security’. 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”. [26d]

8.24 El Khabar reported on 20 May 2008 that three police agents had been remanded in custody, while a police superintendent, an officer, two detectives,

and two agents had been subjected to legal restrictions, having been charged with practicing torture against some arrested people in Cheraga near Algiers. [50aj]

8.25 Algeria-Watch reported on 31 July 2008 that:

“The Chairman of the Algerian league for the Defence of Human Rights, (LADH) had accused some General Prosecutors of not opening investigations about lawsuits lodged by some citizens, including dealing with torture acts at police stations and penitentiaries...He approached the issue of torture acts taking place at police stations, adding that the league had received during the last months, tens of complaints”.

He went on to say:

“The incumbent regime has indicated repeatedly that the torture acts are isolated; but we are quiet [sic] sure that it is a deliberate torture policy as the penal code has been amended several times. Unfortunately, it does not protect the citizens form torture”. [24e]

TORTURE METHODS

8.26 The USSD report for 2007 states: “The *Amnesty International Report 2007* reported detainees were "beaten, tortured with electric shocks, suspended from the ceiling, and forced to swallow large amounts of dirty water, urine, or chemicals...” [6i] (p3) (Section 1c)

8.27 Amnesty International reported in its Briefing to the Committee Against Torture on 17 April 2008:

“The most frequent reports of torture, as received by Amnesty International, include beatings, electric shocks, and the chiffon method, which consists in tying down a detainee and forcing him to swallow large quantities of dirty water, urine or chemicals through a cloth placed in the mouth. Detainees have also reported being stripped of their clothes and humiliated, beaten on the soles of their feet (a method known as falaka), and suspended by the arms from the ceiling for prolonged periods during interrogation. In some cases, detainees allege that they were threatened that their female family members would be arrested and raped; in others, male detainees are alleged to have been sexually abused although few details are available due to the cultural sensitivity surrounding the issue of sexual violence against men in Algeria”. [26d]

8.28 The report continued:

“Most detainees have reported being tortured and otherwise ill-treated in order to force them to give information about the activities of armed groups in Algeria, or about international terrorism. Some detainees are reported to have been required under torture or other duress to divulge the names of other people with links to terrorism, leading to further arrests. Detainees are then usually forced to sign an interrogation report, which they may not be permitted to read. Many of these include the detainees ‘confessions’ to involvement with armed groups or international terrorism. Some interrogation reports have

contained declarations stating that detainees consider themselves to have been well treated in detention". [26d]

- 8.29 Referring to other reports of torture and other ill-treatment the report stated: "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". [26d]

TORTURE AND OTHER ILL-TREATMENT IN EL HARRACH PRISON

- 8.30 Amnesty International reported in its Briefing to the Committee Against Torture on 17 April 2008:

"On 19 February 2008, at least 30 detainees at El Harrach prison in Algiers, were reported to have been beaten severely by prison guards after they and other inmates refused to return from the prison yard to the ward of the prison in which they were held in protest at the transformation of their prayer zone into accommodation for more detainees. According to the information obtained by Amnesty International, they were taken individually or in groups of two or three to a hall where they were stripped naked, kicked, punched, beaten with metal bars, insulted and threatened with sexual abuse. One inmate sustained a broken leg, another had his jaw fractured, and a third sustained an injury to his nose. The detainees were then reportedly placed in solitary confinement as punishment, were denied visits for three days and medical care. No investigation is known to have been conducted into these alleged assaults". [26d]

TORTURE IN THE CONTEXT OF DEMONSTRATIONS

- 8.31 "Torture is not confined to cases connected with 'acts of terrorism or subversion'. The security forces have also been responsible for torturing or otherwise ill-treating] both political activists arrested during or following demonstrations protesting against government policies or practices, and ordinary criminal suspects, though less much frequently than in the mid- to late-1990s. For instance, demonstrators detained in 2001 following anti-government protests in the north-eastern Kabylia region after secondary school student, Massinissa Guermah was shot dead in custody by a gendarme at Béni Douala³, were tortured after arrest. Dozens of other protesters were shot dead or wounded by the security forces". [26d]

GOVERNMENT RESPONSE

- 8.32 The USSD report for 2007 states, regarding anti-torture legislation:

"Articles 34 and 35 of the constitution and articles 263 and 263 bis-1 of the penal code prohibit torture and other cruel, inhuman, or degrading treatment or punishment; however, NGO and local human rights activists reported that government officials employed such practices and that the members of the military intelligence service's Department of Information and Security (DRS) frequently used torture to obtain confessions.

"The penal code criminalizes torture; government agents can face prison sentences of up to 10 to 20 years for committing such acts, based on a

December 2006 modification to the law. However, impunity remained a problem". [6i] (Section 1c)

8.33 AFP reported on 2 May 2008 that a UN panel of experts had sought answers to allegations of torture by the Algerian authorities, and had criticised the length of the state of emergency and called for its lifting. The Rapporteur to the UN on Algeria wanted to know whether any members of Algeria's department of information and security had ever been prosecuted on charges of torture, and whether there were statistics for groups or individuals who had brought legal action against the department on torture charges. [59b]

8.34 The UN Committee against Torture published Algeria's response on 5 May 2008. The Algerian delegate stated that:

"Article 45 of the Charter of Peace and National Reconciliation did not say that any act that had been perpetrated by the security could not be prosecuted. It said that the State could not prosecute what had happened during military operations where soldiers had been fighting against an enemy in battle that was not covered by the status and rules of normal military conflicts. Algeria had not been fighting a foreign state, but individual terrorists. It was not a blanket amnesty. If anybody was guilty of a heinous crime he could be prosecuted".

The report went on to say that Algeria rejected the committee's comments on the length of the state of emergency and claimed it was the continuation of the rule of law in exceptional circumstances. He went on to say that Algeria did not challenge that torture could not be justified as the Algerian people had undergone acts of torture before gaining independence. [56a]

8.35 In its final report on 16 May 2008 the UN Committee Against Torture noted that torture had been criminalised through amendments to the Penal code. They also stated that they were preoccupied with the state of emergency as one of the results of this situation was that of the role of the judiciary police still remained in the hands of the DRS, which according to information, was at the origin of several cases of torture. The committee also reminded Algeria that an amnesty or any other obstacle to pursuing perpetrators of acts of torture or ill-treatment violated the principle on non-derogability, and that the Algerian government should amend the relevant article, in order to specify that such an amnesty did not apply in such cases. [56b]

[Return to contents](#)
[Go to list of sources](#)

NON-GOVERNMENT ARMED FORCES/INSURGENTS

See also [Annex D - Armed groups](#)

FRONT ISLAMIQUE DU SALUT (FIS)

9.01 Jane's Sentinel noted on 27 June 2008 that::

"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". [83b]

THE ARMED ISLAMIC GROUP (GIA) (GROUPE ISLAMIQUE ARMÉ)

9.02 The following information is from the United States Department of State Country Report on Terrorism, updated 30 April 2008:

"Armed Islamic Group (GIA)

A.k.a. Al-Jama'ah al-Islamiyah al-Musallah, Groupement Islamique Arme

"Description: The Armed Islamic Group (GIA) aims to overthrow the Algerian regime and replace it with a state governed by Sharia law. The GIA began its violent activity in 1992 after the military government suspended legislative elections in anticipation of an overwhelming victory by the Islamic Salvation Front, the largest Algerian Islamic opposition party.

"Activities: The GIA engaged in attacks against civilians and government workers. The group began conducting a terrorist campaign of civilian massacres in 1992, sometimes wiping out entire villages and killing tens of thousands of Algerians, alienating itself from the Algerian populace. Since announcing its campaign against foreigners living in Algeria in 1992, the GIA killed more than 100 expatriate men and women, mostly Europeans, in the country. Many of the GIA's members joined other Islamist groups or have been killed or captured by the Algerian government. The government's September 2005 reconciliation program led to an increase in the number of GIA terrorist suspects who surrendered to security forces. The GIA's most recent significant attacks occurred in August 2001. After the arrest of the GIA's last known emir and subsequent counterterrorism operations, the Algerian government declared that the GIA network was almost entirely broken up. The last terror attack attributed to the GIA occurred in 2006.

“Strength: Precise numbers are unknown, but the group continues to decline and probably numbers fewer than 40. The last known emir was Nourredine Boudiafi, who was arrested by Algerian authorities in November 2005.

“Location/Area of Operation: Algeria, the Sahel, and Europe.

“External Aid: GIA members in Europe provide funding, but most funding comes from the group members’ criminal activity”. [6p] (Chapter 6)

THE SALAFIST GROUP FOR CALL AND COMBAT (GSPC) / AL QAEDA IN THE ISLAMIC MAGHREB (AQIM)

9.03 The following information is from the United States Department of State Country Report on Terrorism, updated 30 April 2008:

“Al-Qaida in the Islamic Maghreb (AQIM)

a.k.a. Tanzim al-Qa’ida fi Bilad al-Maghrib al-Islamiya; Le Groupe Salafiste pour la Predication et le Combat; Salafist Group for Call and Combat; Salafist Group for Preaching and Combat

“Description

The Salafist Group for Preaching and Combat (GSPC) officially merged with al-Qa’ida (AQ) in September 2006 and subsequently changed its name to al-Qa’ida in the Islamic Maghreb (AQIM). The GSPC formed in 1998 when its members left the Armed Islamic Group (GIA) over disagreements about leadership, tactics, and indiscriminate targeting of Algerian civilians. In contrast to the GIA, it has pledged to avoid attacks on civilians inside Algeria, but civilians have died in numerous GSCP/AQIM attacks. The GSPC retained GIA’s mission of overthrowing the Algerian government and installing an Islamic regime. AQIM is the most effective and largest armed group inside Algeria. AQIM and AQ have used the merger extensively in their propaganda.

“Activities

On April 11, 2007, AQIM for the first time employed suicide tactics. The attacks on that date, near-simultaneous bombings of multiple targets inside Algiers including the office of Algeria’s prime minister, claimed more than 30 lives. Shortly thereafter, AQIM vowed to continue to use suicide tactics, and the organization carried out five further suicide attacks in Algeria during 2007. On December 11, AQIM carried out two near-simultaneous suicide vehicle-borne improvised explosive device (VBIED) attacks that struck two UN offices and the headquarters of Algeria's Constitutional Council, killing 41 people, (including 17 UN employees), and wounding at least 170 others. AQIM had previously attacked vehicles belonging to foreign corporations several times during the year, beginning in December 2006 with an attack in Algiers on a bus belonging to a U.S.-Algeria joint venture and carrying several expatriate workers.

“Outside Algeria: in December 2007, multiple AQIM-linked attacks in Mauritania were the first terrorist incidents since 2005, when the GSPC had claimed responsibility for an attack on a remote Mauritanian military outpost that killed 15; this appeared to indicate an AQIM shift towards a more regional terrorist campaign. Also during 2007, police in France, Italy, and Spain arrested several individuals from Algeria and other Maghreb countries suspected of providing support to AQIM. French officials announced that

AQIM had issued an Internet call-to-action against France, declaring France 'public enemy number one.'

“Strength

AQIM has several hundred fighters operating in Algeria and the Sahel. Abdelmalek Droukdel, a.k.a. Abu Mus'ab Abd al-Wadoud is the leader of the group.

“Location/Area of Operation

Algeria and the Sahel, with affiliates and logistics/fundraisers in Western Europe.

“External Aid

Algerian expatriates and AQIM members abroad, many residing in Western Europe, provide financial and logistical support. AQIM members also engage in criminal activity to finance their operations”. [6p] (Chapter 6)

- 9.04 In respect of the links to al Qa'eda (AQ) the USSD report on Terrorism states:

“2007 was marked by the affiliation of regional insurgent groups with AQ, notably the growing threat in North Africa posed by the Algerian Salafist Group for Preaching and Combat's (GSPC) September 2006 merger with AQ, which resulted in GSPC renaming itself al-Qa'ida in the Islamic Maghreb (AQIM). AQIM is still primarily focused on the Algerian government, but its target set is broader than it was prior to the merger. For example, AQIM claimed responsibility for the near-simultaneous December 11 bombings of the Algerian Constitutional Council and the United Nations headquarters in Algeria; building upon previous attacks on foreign vehicles and AQIM statements, the attack on the UN underlined that AQIM now considers foreign interests to be attractive targets. In April, AQIM launched suicide attacks for the first time and vowed to use them as a primary tactic against their enemies. In 2007, AQIM carried out eight suicide attacks that resulted in large numbers of government and civilian casualties. The suicide bombers used by AQIM are typically recruited from easily exploitable groups, such as teenagers in the July 11 and September 8 attacks, or the elderly and terminally ill, as in the December 11 UN attack”. [6p]

- 9.05 With regard to the GSPC Jane's Sentinel noted on 27 June 2008 that:

“The radicalisation and transformation of the GSPC culminated in January 2007 with the decision of the group to rename itself 'Al-Qaeda in the Islamic Maghreb'. This declaration presaged an upturn in violence as the group launched bomb attacks in February, March, April, May, July, September and again in May when twin car bombs exploded in the United Nations offices and a government building, killing 34 people. The attacks, in which two amnestied Islamist militants blew themselves up in the country's capital, served as a potent reminder to the Algerian government and population that violence has not been completely eradicated from society, even if its nature may have changed. The Algerian military launched a major crackdown in response to the attacks, but it seems that more attacks can be expected.

“The fear is that the increase in terror attacks does not stem from AQIM desperation, as Algerian authorities have long claimed, but rather from AQIM

resurgence. Algerians returning from Iraq pose a serious problem for the regime. It was Algerian fighters in the war against the Soviets that stoked the flames of the civil war which killed over 200,000 Algerians. The 'Algerian Afghans' were more numerous than the 'Algerian Iraqis' but the latter can still be dangerous. They had been exposed to the sophisticated terror methods used in Iraq and they have the potential to inflict chaos and large numbers of casualties. In Europe, governments are becoming increasingly concerned about links between these Algerian Iraqis and French radical Islamists.

“However, AQIM has not yet succeeded in destabilising the Algerian government or in replicating the spectacular attacks of Al-Qaeda in Iraq. It has also not managed to significantly broaden its scope of operations beyond Algeria's borders. This might be due to the fact that ‘this is not part of a global jihad at all’, as Algeria expert Hugh Roberts has said. ‘Despite its pretensions to be a Maghreb-wide organisation, it is mounting attacks only in Algeria’, Roberts has further added. For now, AQIM stands little chance of dragging the country into a repeat of the civil war of the 1990s. The likelihood remains that the movement's brutality will repel the people who might otherwise sympathise with its goal of toppling the regime”. [83b]

VIOLENCE / ABUSE BY NON-GOVERNMENT ARMED FORCES / INSURGENTS

- 9.06 Amnesty International in their Annual Report for 2008, stated that: “Continuing political violence across the country left at least 491 people dead, an increase over 2006. Many were killed in bomb attacks for which a group calling itself al-Qa’ida Organisation in the Islamic Maghreb claimed responsibility”.

The report further stated that :

“Al-Qa’ida Organisation in the Islamic Maghreb, formerly known as the Salafist Group for Preaching and Combat, the main Islamist armed group in Algeria, attacked both civilian and military targets. The group claimed responsibility for bomb attacks in Algiers in April and December and in Batna and Dellys in September, which killed at least 130 people, many of them civilians, and injured hundreds of others. In September, the authorities announced that Hassan Hattab, the Salafist Group’s first leader, had turned himself in”. [26e]

- 9.07 The USSD report for 2007 stated:

“In contrast to previous years, Ministry of the Interior (MOI) and government press releases concerning the total number of terrorist, civilian, and security force deaths were infrequent. However, during the year, according to MOI and press reports, the total number of terrorist, civilian, and security force deaths increased to 670 (compared to 489 in 2006 and 488 in 2005). Of these, government and press reports stated that terrorists killed 132 civilians (70 in 2006, 76 in 2005) and 160 security force members (142 in 2006, 177 in 2005); security forces killed an estimated 378 suspected terrorists (277 in 2006, 235 in 2005).

“Most of the terrorist attacks during the year were attributed to the Salafist Group for Preaching and Combat (GSPC), which allied itself to Al-Qa’ida in September 2006 and changed its name in January to Al-Qa’ida in the Islamic Maghreb (AQIM).

“The year was marked by significant violence. For example, on April 11, three suicide car bomb attacks in Algiers caused 33 deaths and over 100 injuries. One of the attacks targeted the building housing the prime minister's office and the office of the interior ministry. The two other attacks targeted a police station in Bab Ezzouar, a suburb of Algiers. AQIM claimed responsibility for the attacks.

“On July 11, a suicide car bomb attack occurred in Lakhdaria, a town southeast of Algiers, targeting a military barracks and resulting in 10 deaths and 35 injuries, all soldiers. On September 6, a man wearing a suicide vest detonated himself in a crowd in Batna waiting to greet President Bouteflika, killing 19 citizens, injuring 107. On September 8, a suicide car bomb detonated inside a coastguard base in Dellys, killing 35 and wounding 60. On December 11, two suicide vehicle bombs in Algiers claimed the lives of 37 individuals, according to press reports. A bus filled with students bore the brunt of one of the blasts. The other bombing specifically targeted the offices of the UN Development Program (UNDP) and resulted in the deaths of 11 UN workers. AQIM claimed responsibility for all five attacks.

“In February 2006 Ali Tounsi, director general of the national police, stated that terrorism had been nearly eliminated and that organized crime was responsible for some of the violence. Subsequent events, however, did not support this claim. During the year most violence continued to be localized in mountainous and rural areas in northern Algeria. Revenge, banditry, and land ownership disputes prompted some of the reported killings”. [6i] (Section 1a)

- 9.08 Terrorist incidents and security forces' clashes with armed groups have continued in 2007 and 2008.

Reports on the BBC timeline for 2007 include: Seven bombs going off almost simultaneously east of Algiers, in February, killing six; the Army stepping up its offensive against Islamist militants to stamp out a surge in attacks in March-April; three Algerians and a Russian killed in a roadside attack on a bus carrying workers for a Russian gas pipeline construction company in March; 33 people killed and more than 200 injured in two bomb blasts in Algiers in April, one of them near the prime minister's office. Al-Qaeda in the Islamic Maghreb claims responsibility; dozens killed in the run-up to the Parliamentary elections in May, in a wave of fighting between the military and armed groups. Pro-government parties retain their absolute majority in parliament; a suicide bomber targets a military barracks near Bouira in July, killing at least nine people; at least 50 people killed in a series of bombings in September. Double car bombing in Algiers in December hits a UN building and a bus full of students killing dozens of people. Al-Qaeda in the Islamic Maghreb claims responsibility for the attacks.” [60a]

[See: 4.01 Recent Developments](#)

- 9.09 In a document titled Algeria: Briefing to the Human Rights Committee dated 1 October 2007 it states:

“In 2007, there has been a resurgence of bomb attacks, some of which appear to have deliberately targeted civilians. For instance, on 11 April bomb attacks

in Algiers killed 33 people and injured more than 200. On 6 September, a suicide attack in Batna killed at least 22 people and injured 107, after the attacker reportedly triggered a bomb in the middle of a crowd gathered for a visit by President Abdelaziz Bouteflika in the town. Amnesty International condemned both attacks.

“Responsibility for these attacks was claimed by the Salafist Group for Preaching and Combat (Groupe Salafiste pour la Prédication et le Combat, GSPC) which, according to a statement posted in January 2007 on a website believed to be linked to the group, reportedly changed its name to the al-Qa’ida Organization in the Islamic Maghreb. The GSPC is alleged to be the main remaining armed faction fighting against the Algerian authorities, although its leadership, composition and motivations are more and more unclear. It is increasingly difficult to discern a clear rationale behind most attacks by armed factions, whose members are also believed to engage in other criminal activities, such as smuggling, protection rackets and money-laundering. The reported affiliation of the GSPC to al-Qa’ida seemed to correspond with an increasing targeting of civilians through the use of suicide and other bomb attacks”. [26a]

- 9.10 The Global IDP Project’s paper, ‘Algeria: Towards durable solutions for IDPs?’ of 19 December 2007 considers displacement of population by the violence:

“In general, the security situation has improved considerably during recent years, but clashes continue between the government and remaining armed groups. The organisation called ‘al Qaeda in the Islamic Maghreb’ emerged from the un-ion of al Qaeda and a splinter group of the GIA, and re-intensified attacks against Western targets and the Algerian security forces throughout 2007. These attacks have pushed the government to take a strong stand against terrorism, and condemn a number of Islamist militants to death (although no-one has been actually executed in Algeria since 1993). The state of emergency has remained in place since 1992, despite international pressure to end it”. [54a] (p1)

- 9.11 The US International Religious Freedom Report 2007 states, regarding Muslims not aligned to radical Islamist groups as victims of violence:

“The country’s decade-long civil conflict pitted Islamist terrorists belonging to the Armed Islamic Group and its offshoot, the Salafist Group for Preaching and Combat (GSPC), against the Government. While estimates vary, approximately 100 thousand to 150 thousand civilians, terrorists, and security forces have been killed during the past 15 years. Islamist extremists have issued public threats against all ‘infidels’ in the country, both foreigners and citizens, and have killed both Muslims and non-Muslims. During the reporting period, terrorist violence based on religious extremism increased after the GSPC was recognized by al-Qa’ida in September 2006 and changed its name in February 2007 to al-Qa’ida in the Islamic Maghreb (AQIM). As a rule the majority of the country’s terrorist groups do not differentiate between religious and political killings.” [6k] (Section 2)

- 9.12 The Kuwait News Agency reported on 19 August 2008 that:

“Acts of terrorism and suicidal explosions perpetrated by the Al-Qaeda in Islamic Maghreb terrorist organization (sometimes referred to its French

acronym GICM) in Algeria since February, 2007 have resulted in the killing of 147 people and the wounding of 449 others, among them 60 killed and 109 wounded since the start of last June". [57]

Reuters reported that in 2008 incidents have included 12 members of government forces six rebels and one civilian being killed in February. [17e] Eight members of government forces, 11 rebels and two civilians killed in March. [17f] 23 rebels and six members of government forces killed in April. [17g] Eight members of government forces, five rebels and two civilians killed in May. [17h] 16 members of government forces, three civilians, a French engineer and seven rebels killed in June. [17i]

9.13 On 19 August 2008 Reuters reported:

"Attacks claimed by al Qaeda's north African branch or suspected to be the work of the group have killed more than 200 people in Algeria in the past 18 months. The group has also carried out attacks in Morocco and Tunisia.

Here is a chronology of recent attacks in Algeria:

Feb. 13, 2007 - Seven bombs go off almost simultaneously in Algeria, killing six people east of Algiers.

March 4 - Three Algerians and a Russian are killed in a roadside attack southwest of Algiers.

April 11 - Bombs kill 33 people in Algiers in attacks claimed by al Qaeda.

July 11 - Suicide car bomb outside barracks kills eight in Kabylie region east of Algiers. Al Qaeda claims responsibility.

Sept. 6 - Al Qaeda suicide bomb attack before a scheduled visit by President Abdelaziz Bouteflika kills 20 people and wounds 107 in Batna, southeast of Algiers.

Sept. 8 - Al Qaeda car bomb kills 37 people at a coast guard barracks in the port of Dellys, east of Algiers.

Dec. 11 - Two blasts kill at least 41 people, including 17 U.N. staff in Algiers at U.N. offices. Al Qaeda claims responsibility.

Jan 2, 2008 - Al Qaeda suicide bomber rams into a police station in Naciria, east of Algiers, killing four policemen.

Jan 29 - Al Qaeda car bomb explodes at police station in Thenia, east of Algiers. At least two people are killed.

June 5 - Six soldiers killed when convoy hit a bomb planted by rebels in coastal village of Cap Djinet, east of Algiers.

June 8 - French engineer and driver killed east of Algiers.

Aug 3 - Suicide attack in Tizi Ouzou town east of Algiers wounds 25 people. Al Qaeda says it is responsible.

Aug 9 - Suicide bombing kills six in the coastal town of Zemmouri el Bahri 45 km (28 miles) east of the Algiers. Eighteen people are wounded.

Aug 18 - A bomb attack, targeting a paramilitary gendarmerie training school at Issers, 55 km (34 miles) east of Algiers, kills 43. At least 38 people are wounded". [17l]

- 9.14 According to the BBC, the attack reported by Reuters on 9 August 2008 killed eight people and injured 19. [60h]
- 9.15 Maghrebia reported on 5 April 2008 that a remote-controlled bomb had exploded in the town of Djebel Sbaa 150 miles south of Algiers killing one army officer and wounding another. [32e]
- 9.16 Associated Press reported on 4 June 2008 that a suicide bomb attack took place at the entry to a military barracks outside of Algiers wounding six people. A further bomb exploded outside a café five minutes later, which did not appear to be suicide bomb. [71a]
- 9.17 In addition to the incident reported in the Reuters report of 8 June 2008, the BBC reported on 9 June 2008 that at least 12 people were killed in two explosions at a train station in Beni Amrane in Boumerdes region. The second blast occurred as rescue workers arrived after the explosion that killed the French engineer. [60g] However, a report in the International Herald Tribune on 10 June 2008 stated that the Algerian Defence Ministry had denied the reports that 13 had died and stated the only people killed had been the French engineer and his driver. [52b]
- 9.18 Xinhua reported on 24 July 2008 that a suicide bomber on a motorbike had attacked a convoy of Algerian military trucks injuring at least 13 soldiers. [70a] At least one soldier was killed and 7 others injured in a twin bomb attack near the station of Omar in Bouira province. [50m]
- 9.19 On 11 August a bomb blast wounded three Algerian police officers near Tighzirt. The bomb went off near a police station not far from the beach. Earlier security forces had made two other bombs safe. (AFP) [59g] AFP also reported on 16 August that an army colonel and another soldier had been killed in a bomb attack in the Jijel region. [59h] On 19 August 2008 a twin bomb attack took place, this time in the eastern town of Bouira. One of the attacks targeted the Sophie hotel, in the town centre. The second bomb went off near the military headquarters in Bouira 70 miles southeast of Algiers. The blast at the hotel hit a nearby passenger bus, and the second ripped the front off of the military headquarters. Eleven people were killed and 31 injured. (BBC News) [60d] On 21 August Reuters reported that al Qaeda in the Mahgreb had claimed responsibility for the bombs. [17m] On 26 August a bomb exploded on a highway near Boumerdes seriously injuring a truck driver. Three other roadside bombs in the area targeting a police barracks were defused. On 27 August two bombs exploded in the Boumerdes region, one killed the terrorist who was carrying it the other targeted a police patrol. (New York Times) [68c]
- 9.20 In addition to the bomb attacks there have also been a number of attacks on, and by, both the security forces and the insurgents.

January 2008 - six troops were wounded when they drove over an explosive device. (BBC News) [60e]

February – The army killed five insurgents of different nationalities in the Rhourd Ennous area. (BBC Monitoring) [16c] Another in Haj Ali (BBC Monitoring) [16d] 17 in El Oued (Reuters) [17a] Two in Si Mustapha, including a terrorist chief (BBC Monitoring) [16e] Five at Djebel Oum El-Kmakam again including foreign nationals (El-Khabar, El-Watan) [50c] and another suspected leader was killed in Legatha. (AP) [58]

Terrorists killed eight Algerian troops in the village of Draa Argayen. (BBC Monitoring) [16f] and a security guard at a quarry in Ammal. (Reuters) [17c]

March - Algerian security forces killed 25 suspected members of al Qaeda in the region between Tizi-Ouzou and Bejaie regions. (ABC) [62] The killed five terrorists and wounded others in an attack in the Boudekhane mountains. (BBC Monitoring) [16g] Another terrorist was killed at near Tadmait, and another wounded. (BBC Monitoring) [16h] A well known terrorist was killed in Ramelia. (Magharebia) [32d]

Al Qaeda claimed to have killed 20 Algerian soldiers and wounded 30 in clashes in the area between Tizi Ouzou and Bejaia. They denied the killing of 25 terrorists in Tizi-Ouzou and Bejaie regions. (Reuters) [17n] Three security guards were killed by al Qaeda on a construction site in Ziana. (Magharebia) [32c] A roadside bomb killed one soldier and wounded 17 others near El Aouana. In a separate incident a bomb killed a student and injured two school children in Kadiria. (Magharebia) [32d] Al-Qaeda attacked a mosque in al-Wadi province and killed two men belonging to a moderate group of Salafites opposed to the terrorist activities carried out by al-Qaeda. (AKI) [63a]

April - In separate incidents 14 prominent Al—Qaeda leaders were killed in one week, and 25 people belonging to the support and backup networks arrested. (BBC Monitoring) [16i] El Khabar reported that Al-qaeda had launched a propaganda war to hide its heavy losses in April. [50d]

Three policemen were injured by terrorists in Constantine province. [50e] A policeman was killed by “terrorists” in a fake roadblock in Tizirt. According to the paper El Watan, gunmen stopped a van on the road linking Tizirt with the Berber Province of Tizi Ouzou, checked the IDs of the passengers, spotted an off-duty policeman and shot him. The “terrorists” then distributed VCDs on terrorist attacks carried out in the Kabylie region. (BBC Monitoring) [16k]

May - 4 terrorists were killed in Remchi in Tieceem western province. (El Khabar) [50f] While two more were killed in the Seth Fentis region between Khenchla and Tebessa eastern provinces. (El Khabar) [50g]

Nine Algerian soldiers were killed by terrorists in two separate attacks, six near Medea, and three near Bouria. (ANC via Sapa) [64a]

June - Security forces killed an armed man in the town of El-Oued. (IOL) [65a] Eight al Qaeda gunmen killed in the Tizi Ouzu region, and a further three killed in Boumerdas in separate incidents. (UPI) [66a] Three terrorists were killed in Medea. (El Khabar) [50i] Troops killed three terrorists in Medea province. (El Khabar) [50j] An armed Islamist was killed in the village of Akaouadj (The Times) [67a]

One soldier was killed and another injured in a clash in Skikda. (El Khabar) [50h] A municipal guard was killed in Medea, and two army officers and a non-commissioned officer were injured. (El Khabar) [50i] Some 30 gunmen attacked a two-car police patrol in an attack that killed four police officers and wounded two. (International Herald Tribune) [68a]

July - The Algerian security forces killed a top leader with the Al-Qaeda organisation known as "al-Tuhami". Two other members of Al-Qaeda were also killed. (AKI) [63b]

August - At least three terrorists were killed in a fire fight in Benchoud near Boumerdes central province, one of those killed was a terrorist chief called El Bombi. (El Khabar) [50j] Twelve suspected Islamist extremists were killed in the Berber stronghold of Tizi Ouzou (eNews) [69] Algerian troops killed 10 Islamist militants in the western province of Ain Delfa. (AFP) [59a]

Terrorists killed an Army Major and 8 police agents in an ambush in Oued Kechra municipality, Western Skikda. (El Khabar) [50k] In Djbel Elouahch region in Constantine province terrorists injured three members of the National Gendarmerie. [50l]

The Algerian army killed four armed Islamic militants over two days, three in the Lakhdaria hills and one in the town of Bouderbala. (International Herald Tribune) [68b] Five Algerian soldiers were killed and 14 injured in an attack by 30 to 40 insurgents near the city of Batna. Two communal guards were also killed. Several insurgents were injured. Elsewhere, two remote bombs were detonated in Ain Defgla province killing one communal guard and injuring two soldiers in Gueroune locality. (El Khabar) [50ax]

Suspected Islamist militants dressed as police officers raided a bar in Boghni and robbed bar patrons. They beheaded one customer because they discovered he was a prison guard. They also kidnapped an Algerian-born emigrant in an apparent bid to win a ransom. (International Herald Tribune) [68d]

NUMBERS OF INSURGENTS

- 9.21 The USSD 2007 Country Report on Terrorism in Algeria, published on 30 April 2008, states:

“It was estimated that the Algerian security services killed and arrested upwards of 1100 terrorists, compared to the estimated combined killed and arrested figure of about 650 for 2006...AQIM, thanks in part to high unemployment among Algerian youth, was partially successful in replenishing its numbers after the arrests, surrenders, and deaths of over 1,000 terrorists. Those remaining appeared to be more hard-line and resistant to the government's amnesty offer”. [6p]

[Return to contents](#)
[Go to list of sources](#)

THE NATIONAL RECONCILIATION PROCESS

CIVIL CONCORD LAW (AKA CIVIL HARMONY LAW)

10.01 The Europa World website (accessed 16 July 2008) states:

“Following clandestine negotiations between the Government and representatives of the FIS, in June 1999 the Armée islamique du salut (AIS, the armed wing of the FIS) announced the permanent cessation of its armed struggle against the Government. President Bouteflika’s plans for a national reconciliation initiative were incorporated in a Law on Civil Concord, promulgated in July, whereby there was to be an amnesty for members of armed Islamist groups who surrendered within a six-month deadline and who were not implicated in mass killings, rape or bomb attacks on public places. The legislation was approved by 98.6% of those who voted in a national referendum in September”. [1h] (Recent History)

10.02 The Europa Regional Survey of 2005 states, regarding the controversial nature of the amnesty:

“Families of victims of Islamist attacks denounced the new Law on Civil Concord, which was condemned by the French-language press as ‘a shameful capitulation to Islamist violence’. An editorial in the independent daily Le Matin accused Bouteflika of handing the ‘terrorists’ a political victory ‘on a silver platter’ just when they had been defeated militarily. Given the controversial circumstances of his election, some politicians accused Bouteflika of using the referendum to bolster his own legitimacy. After the results of the vote were announced the President called for those members of armed groups who surrendered to be welcomed back into society without question”. [1a] (p175)

10.03 The Europa World website (accessed 16 July 2008) noted:

“A sharp escalation in violence at the end of 2000 added weight to the arguments of those who believed that the amnesty under the Law on Civil Concord had done little to quell unrest. Indeed, more than 1,300 deaths (among Islamist fighters, government forces and civilians) were reported as a result of continuing attacks involving armed Islamist groups between late 2000 and the holy month of Ramadan in 2001”. [1h] (Recent History)

10.04 The Europa World website (accessed 16 July 2008) continues:

“In early January 2000, following discussions between representatives of the Government, the army and the AIS, an agreement was reached whereby the AIS pledged to disband in return for the restoration of full civil and political rights to its former members. It was estimated that some 1,500–3,000 rebels were to be granted a full pardon under the agreement, some of whom were to be temporarily enlisted in an auxiliary unit to assist the security forces in apprehending members of the GIA and of a breakaway group from the GIA, the Groupe salafiste pour la prédication et le combat (GSPC, or Da’wa wal Djihad). In mid-January, following the expiry of the amnesty period specified under the Law on Civil Concord, the armed forces launched a concerted assault on rebel strongholds in the north-east and south-west of the country, in an attempt to eliminate remaining anti-Government factions. It was officially

stated at this time that 80% of members of armed groups had surrendered”.
[1h] (Recent History)

“The security situation improved in 1997 when the AIS declared an unconditional, unilateral ceasefire; more insurgents surrendered during an amnesty in 1999”. (Jane’s Sentinel Country Risk Assessments: Algeria. Posted 27 June 2008) [83b]

REFERENDUM OF 29 SEPTEMBER 2005

- 10.05 A referendum was held by the Algerian Government on 29 September 2005 to approve or reject President Bouteflika’s ‘Charter for Peace and National Reconciliation’. The CNN news world / election watch page on the referendum summarises the purpose as: “This referendum was to approve the Draft Charter for Peace and National Reconciliation, which called for implementing measures to strengthen national cohesion in Algeria”. [61a]
- 10.06 The same CNN page notes that a popular majority was needed for the referendum to pass and gives the actual wording posed to the voters: “This referendum asked voters: ‘Do you agree with the Draft Charter for Peace and National Reconciliation, which is proposed to you?’” [61a]

[Return to contents](#)
[Go to list of sources](#)

EVENTS BEFORE THE REFERENDUM

Charter for peace and national reconciliation

- 10.07 The draft Charter was unveiled by President Bouteflika on 14 August 2005. A Middle East Online article, dated 15 August 2005 and entitled ‘Bouteflika unveils new reconciliation plan’, noted:

“The draft calls for ‘concrete steps to stop the bloodshed and restore peace’ in the north African country after 13 years of unrest while banning the ‘exploitation’ of Islam for political purposes, Bouteflika was quoted as saying.

“It provides for legal proceedings to be dropped against those Islamic extremists who ended their armed activities and surrendered to authorities after January 13, 2000, when legislation on ‘civil reconciliation’ took effect.”
[78b]

- 10.08 The same report adds further detail:

“It provides for legal proceedings to be dropped against those Islamic extremists who ended their armed activities and surrendered to authorities after January 13, 2000, when legislation on ‘civil reconciliation’ took effect.

“But the draft excludes those involved in mass killings, rape or bomb attacks in public places.”

The report continued:

“Persons involved in activities of support of terrorism who identify themselves to the competent authorities’ will also have legal charges against them dropped, Bouteflika said, adding that the plan provides for sentences to be commuted or reduced in the cases of other individuals who have been tried and found guilty of terrorism.” [78b]

The referendum and its conduct

- 10.09 The CNN news world/election watch page on the referendum gave the electorate as 18,310,125 people out of a total population of 32,531,853 (July 2005 estimate). [61a]

Results

- 10.10 The same CNN report gave the referendum results as 14,054,164 valid ‘Yes’ votes (97.36 per cent of all valid votes cast) and 381,127 valid ‘No’ votes (2.64 per cent). [61a]

Reaction to the referendum

- 10.11 The turnout, and thus the popular support, of the referendum has been questioned in the September-October 2005 issue of the Amnesty International associated UK Algeria Watch:

“Independent estimations of the number of voting people show for the main cities results about 20- 30% less than the official results. The newspaper *Le Soir d’Algérie*, for example, estimates a participation in the city of Sétif of 50%, in spite of the 90.27% declared by official sources. In w. Annaba independent sources estimate a participation of the 9.86% [sic], in spite of the 89.94% declared by official sources. Abroad, where foreign media observed the participation to the vote, the rate number is less than 36%.” [19a]

- 10.12 A Political Risk Services (PRS) Group article, dated 1 November 2005 and headed ‘Algeria – and the winner is Bouteflika’, suggests a political context for the referendum, stating:

“The protection of members of the armed forces from prosecution for wartime abuses will leave the military indebted to the president, while a provision of the charter banning Islamist parties sidelines one of the most important potential sources of organized opposition.” [40a]

NGO concerns

- 10.13 The Amnesty International document ‘Algeria: Submission to the UN Universal periodic review dated 28 November 2007 notes:

“The Algerian authorities introduced blanket amnesty measures in 2006, as part of their policy of “peace and national reconciliation”, with the stated aim of turning the page on the conflict. The Decree Implementing the Charter for Peace and National Reconciliation (Law 06-01), adopted on 28 February 2006, declared that any complaint against the security forces, and those who acted in conjunction with them, would be inadmissible in courts, so conferring complete immunity for the perpetrators of thousands of extra-judicial executions, enforced disappearances and widespread torture. Moreover, the

same Decree threatened with imprisonment those who speak out about abuses by the security forces.

“The Decree also widened the scope of measures adopted in 1999 and 2000, granting exemption from prosecution to members of armed groups who surrendered to the authorities within a stipulated six month period or were in prison and who were not responsible for ‘acts of collective massacres, rape, or the use of explosives in public places’, stating that this served to end fighting by armed groups. The Decree provides insufficient safeguards to ensure that those who have committed serious crimes, for example killings of civilians, will be prosecuted. According to official statements, up to 300 armed group members had surrendered by the deadline, but no details have been provided so far as to how many were exempted from prosecution and by what process. Moreover, further official statements have suggested that those who give themselves up even after the six-month deadline would benefit from similar measures.

“The Decree also provided for the release under an amnesty of those detained or imprisoned for alleged involvement in terrorist activities except for collective killings, rape and bomb attacks. According to the Algerian delegation to the UN Human Rights Committee session in October 2007, some 2,500 detainees benefited from amnesty measures under the Decree. However, their names and the process for determining their eligibility have not been published. According to Amnesty International’s information, some detainees eligible for release under the Decree are still detained, while others were released although they were not entitled to be released under the Decree, suggesting arbitrariness in the application of the Decree”. [26a]

EVENTS AFTER THE REFERENDUM

- 10.14 The US State Department’s Country Reports on Terrorism, dated 30 April 2007, states on the effect of the reconciliation:

“The final stages of implementation of the national reconciliation, a major policy initiative of Algerian President Abdelaziz Bouteflika, took place in 2006, and sought to bring closure to the near civil war between Algeria’s secular government and Islamic terrorists in the 1990s. A cornerstone of this initiative was the six-month amnesty program from March to September 2006 for repentant imprisoned or active terrorists who had not committed bombings, massacres, or rapes. As of September, over 2,300 convicted terrorists were released and more than 350 terrorists surrendered to authorities in order to benefit from the amnesty; statistics on the recidivism of these individuals were not available. Despite a September deadline for amnesty, the government has quietly extended the amnesty grace period indefinitely. In addition, some members of the banned political party Islamic Salvation Front returned to the country from self-imposed exile as part of the amnesty.

“The National Reconciliation policy was an effort to resolve divisions that had resulted during more than a decade of civil strife. The amnesty, however, paradoxically appeared to harden the resolve of the remaining terrorists. Indeed, there were reports of terrorists killing cohorts who surrendered to the authorities. During the March through September amnesty period, 199 security officials and civilians were killed, compared to 107 during the rest of the year. Perhaps as a show of defiance and renewed determination, the AQIM/GSPC

was responsible for the death of 78 security officials and civilians in October and November, immediately after the amnesty period ended.” [6p] (Chapter 2)

[Return to contents](#)
[Go to list of sources](#)

MILITARY SERVICE

11.01 The Central Intelligence Agency (CIA) World Factbook, updated 15 July 2008, notes that as of 2005, the main branches of the military were National Popular Army (ANP; includes Land Forces), Algerian National Navy (MRA), Air Force (QJJ) and Territorial Air Defense Force, combining a potential force of males aged 19-49 of 9,736,757, of whom 8,141,864 were deemed fit for military service, and 9590,978 females of whom 8,215,895 were deemed fit for military service (figures 2008 estimates). [2a] (Military)

11.02 An article in the Arab Reform Bulletin titled 'Algeria: Bouteflika and Civil-Military Relations' published June 2007 states:

"Since his rise to power, President Abdelaziz Bouteflika has struggled to sever the traditional link between the power structure and the military. Even during his 1999 presidential campaign - in which the army supported him and all other candidates withdrew - Bouteflika sent messages to the army that civil-military relations needed to change. The army, according to Bouteflika, had arrogated to itself extra-constitutional powers during the exceptional and painful circumstances of the civil war. According to the constitution, Bouteflika said, the army should be under the president's authority.

"During his first term in office Bouteflika maneuvered to diminish military involvement in politics. At the beginning of his presidency, Bouteflika struggled to control cabinet appointments, at one point protesting that he would not be 'three-quarters of a president.' Looking to boost his popularity, Bouteflika publicly repudiated the cancellation of the 1991 elections, calling it 'an act of violence.' He gradually began to place personal and political allies in top posts in the ministries and regional institutions, while launching a process of shifts in the army high command to acquire loyalty among those most able to undermine his efforts.

"With time, Bouteflika's efforts began to tell. By May 2003, Chief of Staff Lt. Gen. Muhmmad Lamari announced that the army would not have a preferred candidate in the 2004 presidential election and that it would be prepared even to accept an Islamist as president if he were committed to upholding the democratic institutions of the Algerian state. Bouteflika was re-elected, and took advantage of his constitutional prerogatives by creating the position of General Secretary within the Ministry of Defense. Another important indication that Bouteflika was asserting his authority came with the official resignation of Lamari, who was then replaced by Bouteflika's close friend Major General Ahmed Salah Gaid. Bouteflika was also able to consolidate his authority over the Ministry of Defense by appointing retired General Abdelmalek Guenaizia to the newly created post of Deputy Minister.

"As Bouteflika nears the end of his second term, it is clear that he has diminished the military's power over the presidency." [91]

CONSCRIPTION

11.03 The Central Intelligence Agency (CIA) World Factbook, updated 15 July 2008, estimates that 374,365 young men, and 360,942 young women, reached military age annually (2008 estimate). The source continues to state that as of

2006, the conscript service obligation is 18 months to be performed between the ages of 19 and 30 years of age. [2a] (Military)

11.04 Jane's Sentinel states that:

"Conscription is still used each year to bring up to 80,000 young men into the army for 18 months of service. This includes six months of basic army training, with the remainder served with the regular army, often undertaking civilian aid projects and, especially during the period of the insurgency, internal security operations. There are no conscripts assigned to the air force or navy." (Jane's Sentinel Country Risk Assessments: Algeria. Posted 7 January 2008) [83e]

11.05 Similar information about national service is posted on the Algerian Consulate, London's website. [42b] Algerian passports and identity cards may be renewed at the Algerian Consulate, with the website giving the documentation required. [42a]

[Return to contents](#)
[Go to list of sources](#)

DESERTERS

11.06 The Washington Post, in an article entitled 'US is faulted over Algerian's detention; UN panel calls confinement 'arbitrary'', published on 22 March 2005, states:

"Human rights organizations, including Amnesty International, have said that deserters from the Algerian military sometimes face 'torture and execution upon return.' The Algerian Embassy has in the past insisted that its military has not executed a deserter since 1962." [46a]

11.07 The Canadian IRB / CISR issued a Response to Information Request (RIR) dated 18 May 2005 that noted:

"An undated article posted on the Algeria-Watch Website stated that [translation] 'a large proportion of youths' avoid military service without even obtaining an exemption or stay (yellow card). According to the article, they wait - sometimes until their thirties - for a possible amnesty (Algeria-Watch n.d.). The article also stated that these youths are eventually forced to join the army after ignoring many notices to report for duty (ibid.)."

"According to the Website for the Algerian consulate in Saint-Étienne, France, national service regularization does not apply to deserters, [translation] 'under the 1999 presidential measures, which stipulate that Algerian citizens born before 31 December 1981 no longer have to justify their national service status at border stations upon leaving Algeria' (n.d.)." [8f]

11.08 The Canadian IRB / CISR issued a further RIR dated 25 May 2005 that noted:

"The Website of the Algerian Embassy in Ottawa indicates that regularization of national service status is offered to draft dodgers from 2002, that is, those who were born in 1982, and to [translation] 'citizens from earlier groups who were late to regularize their status and who completed or abandoned their studies by 31 December 2001' (n.d.a). However, according to the consular

section at the Algerian Embassy, this regularization is offered to people born in 1983 and earlier (24 May 2005).

“Persons concerned must report to Algerian authorities with their birth certificate, a piece of identification, their consular registration card, two photographs and a copy of their diploma (or a certificate indicating abandonment of studies) (Algerian Embassy n.d.a). The embassy also indicated that a certificate of activities and an application form, available on the embassy’s Website in Arabic only, must be filled out (ibid.).

“In 24 May 2005 correspondence, the consular section of the Algerian Embassy in Ottawa indicated that the process to regularize an individual’s national service status is the same in Algeria as it is abroad.” [8g]

11.09 The same RIR dated 25 May 2008 also states:

“According to the consular section at the Algerian Embassy in Ottawa, two types of documents are issued to people who have regularized their situation: a deferment card (for individuals who are continuing their studies and who have provided evidence of that) and an exemption card (for individuals whose status has been regularized) (24 May 2005).” [8g]

Another RIR, dated 13 May 2005, gives descriptions and further details of these documents. [8h]

In a follow-up to the RIR of 18 May 2005, an RIR dated 7 June 2005 notes the punishments for draft evaders as being:

“... if an Algerian is convicted of draft evasion, sentences could entail incarceration for a maximum of 36 months, 18 months of military service, or both. The courts tend to impose ‘more lenient sentences, especially for those who merely sought to avoid doing their service, and the latter are, therefore, often only sentenced to do their normal service term’.” [8j]

And continues on punishments for deserters:

“Deserters are dealt with much more severely than draft evaders. If deserters under 55 years of age are caught, they can be taken before a military tribunal for trial. ‘The penalty can be 6 months’ to 5 years’ incarceration for junior military personnel and up to 10 years for an officer, after which he may still be required to finish his military service.’ However, Brian Davis could not provide any information ‘on how tribunals are presently deciding these types of cases’.” [8j]

11.10 The USSD Report for 2007 noted, in relation to military tribunals:

“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 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". [6i]
(Section 1e)

[Return to contents](#)
[Go to list of sources](#)

JUDICIARY

STRUCTURE

12.01 The CIA World Factbook, updated 15 July 2008, summarises as follows:

“Legal system: socialist, based on French and Islamic law; judicial review of legislative acts in ad hoc Constitutional Council composed of various public officials, including several Supreme Court justices; has not accepted compulsory ICJ [International Court of Justice] jurisdiction.” [2a] (Government)

12.02 The EuropaWorld website (accessed 21 July 2008) states regarding the court system:

“The highest court of justice is the Supreme Court (Cour suprême) in Algiers, established in 1963, which is served by 150 judges. Justice is exercised through 183 courts (tribunaux) and 31 appeal courts (cours d’appel), grouped on a regional basis. New legislation, promulgated in March 1997, provided for the eventual establishment of 214 courts and 48 appeal courts. The Court of Accounts (Cour des comptes) was established in 1979...In February 1993 three special courts were established to try suspects accused of terrorist offences; however, the courts were abolished in February 1995. Constitutional amendments introduced in November 1996 provided for the establishment of a High State Court (empowered to judge the President of the Republic in cases of high treason, and the Head of Government for crimes and offences), and a State Council to regulate the administrative judiciary. In addition, a Conflicts Tribunal has been established to adjudicate in disputes between the Supreme Court and the State Council.” [1k] (Judicial System)

12.03 The USSD report for 2007 states:

“Although the constitution provides for an independent judiciary, executive branch decrees and influence limited judicial independence. The constitution provides for the right to a fair trial; however, in practice, authorities sometimes did not respect legal provisions regarding defendants' rights and denied due process.

“The High Judicial Council is responsible for judicial discipline and the appointment of all judges. President Bouteflika was President of the Council.

“The judiciary is composed of civil courts, which heard cases involving civilians facing charges not related to security or terrorism, and the 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 both Shari'a (Islamic law) as well as civil law.

“The nine-member Constitutional Council reviewed 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, to confirm the results of any type of election, and to serve as the final arbiter of amendments that pass both chambers of the parliament before becoming law.

“As part of a program intended to eliminate judicial corruption, in February the High Judicial Council decided the cases of 17 suspended magistrates. Six magistrates were permanently fired from the Court of Algiers, two received a ‘serious warning,’ three were demoted, and three were found innocent. The decisions regarding the remaining three magistrates were not available at year's end.

“In 2005 at a disciplinary hearing that did not afford full due process, the High Judicial Council permanently dismissed and disbarred Judge Mohamed Ras El Ain, who was accused of criticizing the politicization of the judiciary. Ras El Ain maintained that the judicial system had been abused to serve the interests of a political party

“Most trials are public and non-jury. Defendants are presumed innocent and have the right to be present and to consult with an attorney, provided at public expense if necessary. Defendants can confront or question witnesses against them or present witnesses and evidence on their behalf. Defendants and their attorneys were sometimes denied access to government-held evidence relevant to their cases. Defendants also have the right to appeal. The testimonies of men and women are considered of equal weight”. [6i] (Section 1e)

SHAR'IA

12.04 The USSD report for 2007 states: “Legal decisions regarding family matters are based on both Shari'a (Islamic law) as well as civil law”. [6i] (Section 1e)

12.05 The USSD report adds, regarding the effect of Shar'ia:

“The constitution provides for gender equality; however, some aspects of the law and many traditional social practices discriminated against women. The Family Code, adopted in 1984 and amended in 2005 by presidential decree, 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”. [6i] (Section 5)

12.06 Freedom House in its 2008 edition of Freedom in the World states: “The judiciary is not independent and is susceptible to government pressure”. [29a] (Political Rights and Civil Liberties)

12.07 On 31 March 2008 the Financial Times reported that according to the online press 17 judges would be facing charges of corruption at the Higher Justice Council on 5 April 2008. Among the charges they faced were, breaching reservation duty, corruption, faking and bias in favour of the litigating party. [80a]

12.08 On 6 April El Khabar reported that six judges involved in power abuse and corruption had been dismissed, while the cases of another two were still under consideration. The report went on to say that since the first disciplinary

commission session in September 2005, in a total of eight sessions, 120 judges records had been investigated, with the majority being fired. [50w]

- 12.09 A further report from the same source on 27 May 2008 stated that 22 judges had been summoned to appear before the State Supreme Court disciplinary Committee during its next session beginning on 21 June 2008. They faced charges of drunken driving, taking bribes, and the abuse of authority. [50z]
- 12.10 On 4 May, a Spanish judge specialising in international cooperation, in a speech at a judicial training session, stated that Algeria needed to improve its judicial procedures and training of judges in relation to cases concerned with international cooperation in terms of handing over wanted people, exchanging information, and implementing letters seeking information and investigations.

He went on to say that several cases related to judicial cooperation between Algeria and Europe were lagging behind because of Algeria's slow legal and judicial procedures. He further mentioned that Algeria should implement a code containing the legal framework of judicial international cooperation procedure, so as to facilitate the treatment of cases with international dimensions by judges. (El Khabar) [50x]

- 12.11 El Khabar reported on 13 May 2008 that orders from the Justice Minister that a ruling must be made on emergency and professional conflicts within a period of 15 days, as an infringement on the independence of the Judiciary. One judge is quoted as describing the instructions as "abuses to the Constitution, because Justice Ministry, who is after all a representative of the executive apparatus, is intervening in judge's prerogatives" [sic]. The article went on to say that in this context article 147 of the Constitution mentions that the judge is subject to the authority of law only, while the instructions are an abuse to the independence of Justice consecrated in article 138 of the Constitution. [50y]
- 12.12 Algeria-Watch reported on 31 July 2008 that the Chairman of the Algerian league for the Defense of Human Rights, (LADH), had criticised the infringement of the Ministry of Justice by the State Council when it promulgated a decision that dismissed judges should be reintegrated. [24e]
- 12.13 El Khabar reported on 13 August 2008 that the Ministry of Justice had instructed courts nationwide that they had to open at weekends, and that this had angered court workers, with some Judges calling it a serious breach of labour law. The instruction to the courts bearing reference 844 orders the courts, which are in charge of issuing certificates of nationality, and police records, to be on duty during the weekend days of Thursday and Friday. The duty hours entered into force from 31 July 2008 and will last until 26 September 2008. The Ministry of Justice has justified the instruction by the escalating need of citizens for both documents, which are usually included in records. [50aa]

Return to contents
Go to list of sources

ARREST AND DETENTION – LEGAL RIGHTS

STANDARD DETENTION PROVISIONS

13.01 The USSD report for 2007 stated, with regards to arrest and initial detention:

“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(s) 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. However, detainees in prolonged pre-trial detention were sometimes not promptly charged”. [6i] (Section 1d)

PRE-TRIAL DETENTION

13.02 The USSD report for 2007 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 prosecutor requests for extending preventive detention. Detention can be appealed to a higher court but was rarely overturned. If the detention is overturned, the defendant can request compensation. In December 2005, the minister of justice acknowledged publicly that prosecutors sometimes abused investigative detention. Most detainees had prompt access to a lawyer of their choice and, if indigent, were provided a lawyer by the government. In November according to the prison administration, pre-trial detainees represented 6,100 persons or 11 percent, of those 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. Frequent reports that these rights were not extended to detainees continued during the year”. [6i] (Section 1d)

See also [Missing people](#)

DOUBLE JEOPARDY

- 13.03 The Office of the UNHCHR’s website relays that Algeria is a signatory of (as of 10 December 1968) and has ratified (as of 12 September 1989) the International Covenant on Civil and Political Rights, agreed New York, 16 December 1966, and thus of Article 14.7: “No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.” [88a]

IN ABSENTIA CONVICTIONS

- 13.04 An article on Reuters Alertnet titled ‘Top Algeria rebels get death sentence in absentia’, dated 18 March 2007 states that:

“An Algerian court has sentenced to death in absentia two former leaders of an al Qaeda-aligned rebel group for forming ‘an armed terrorist group’ and carrying out attacks, state radio said on Sunday.

“Hassan Hattab, former leader of the Salafist Group for Preaching and Combat (GSPC) and Mokhtar Belmokhtar, a senior member of the same armed movement, were condemned to death on Saturday at a court in Batna province, 430 km (270 miles) east of the capital Algiers, the radio said.” [17b]

- 13.05 An Algerian court handed death sentences on 19 June 2007 to 13 Islamists, the Algerian News Agency reported. The condemned, who were in absentia from the court in Boumerdes, east of the capital Algiers, were found guilty of ‘belonging to an armed terrorist group’, kidnapping, issuing death threats, and murder. (Sources: Independent Online, 20/06/2007) [47a]

[Return to contents](#)
[Go to list of sources](#)

PRISON CONDITIONS

14.01 The USSD report for 2007 stated:

“In August a British delegation along with experts from the European Commission visited prisons run by the justice ministry's penitentiary administration. According to press reports, one British expert who had visited two prisons said that prisons did not meet international standards for medical care and recreational activities.

“In a November press conference, Mokhtar Felioune, the justice ministry's Director General of the Prisons Administration said there were 54,000 prisoners housed in 127 prisons. He added that 6,100 of the 54,000 had not yet been convicted. Overcrowding was a problem in some prisons. According to human rights lawyers, the problem of overpopulation can be partially explained by ‘the abusive recourse to pre-trial detention.’ Detainees are held separately in the prison system”. [6i] (Section 1c)

14.02 El Khabar reported on 9 June 2008 that 7,547 ‘good prisoners’ had been provisionally released in an effort to ease the overcrowding in prisons, at the start of the second stage of the Algerian/British programme for the setting up of model prisons by March 2010. The Director of Prisons stated that 14,000 prisoners are following professional training courses, while 1551 passed high school certificate exams and 1357 prisoners passed the Bacallaureate exam. He went on to say that 81 prisons were to be constructed in accordance with international standards. [50ak]

POLITICAL PRISONERS

14.03 Following Bouteflika's election as president in April 1999 he announced “... a programme of dialogue and concessions to ‘moderate’ Islamists. This included the release of thousands of imprisoned activists and the consolidation of the October 1997 ceasefire”. (Jane's Sentinel Country Risk Assessments: Algeria. Posted 27 June 2008) [83g]

14.04 The USSD report for 2007 stated: “Unlike in the previous year, there were no reports of political prisoners and political detainees during the year”. [6i] (Section 1e)

See also [Restrictions in practice](#)

INDEPENDENT MONITORING OF PRISONS

14.05 The USSD report for 2007 noted that:

“During the year the government permitted the International Committee of the Red Cross (ICRC), the UNDP, and the Red Crescent Society to visit regular, non-military prisons. ICRC visits were in accord with standard modalities. The government denied independent human rights observers visits to military and high-security prisons and detention centres”. [6i] (Section 1c)

[Return to contents](#)
[Go to list of sources](#)

DEATH PENALTY

- 15.01 The abolitionist NGO group Hands Off Cain website gives the following details regarding Algeria and the death penalty in 2008:

“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 [1966] 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. On April 3, 2006, Algeria approved a new criminal code that did not scrap the death penalty. It had seemed as though the government was intent on abolishing capital punishment, however, the new code retained a full version of ‘Article 5’ foreseeing its application. The political events of 1991/92 which culminated in an annulment of the vote following the election of the Islamic Front, and subsequent acts of terrorism, led to the declaration of a state of emergency and the introduction of special laws in September 1992 (anti-terrorism decree) extending the application of the death penalty. This special decree was almost entirely included in the ordinary law of 1995 that is currently applicable.” [47a]

- 15.02 The Hands Off Cain website continues, regarding the effective moratorium on the death penalty:

“Former President Liamine Zeroual declared a moratorium on executions in December 1993 and no executions have been carried out since. 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.” [47a]

- 15.03 “On December 18, 2007, 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]

- 15.04 “On April 8, 2008 three defendants were sentenced to death by the Criminal Court in Algeria's southern province of Ghardaia for trafficking 625kg of cannabis. They were charged and found guilty by a jury of smuggling prohibited products, affecting public health, and forming a criminal conspiracy. The three said the drugs belonged to an unknown person named Salek, who recruited them to transport the cannabis from Bechar to Ourgla for 2m Algerian Dinar. The defendants were arrested in a car with the cannabis in October, 2004. The judge said he did not believe that the unknown person named Salek was a real person”. (Sources: *El Khabar*, 09/04/2008) [47a]

- 15.05 “On 22 February 2008 the chairman of the National Advisory Committee on Human rights in Algeria said on government TV that Algeria should abolish capital punishment, even if it was against shari’a law”. (Al-Sharq Al-Awsat via The Memri Blog) [109a]

- 15.06 In the UN Human Rights Council Universal Periodic Review dated 23 May 2008 the Algerian Foreign Minister in his report stated that:

“Since September 1993, Algeria has been observing a moratorium on death penalty and, since then, capital punishment is transformed into prison sentences. During the last session of the General Assembly, Algeria assumed co-authorship of the resolution on the moratorium and ultimately voted for the text proposed by the European Union”. [35c]

DEATH PENALTY FOR TERRORISM

- 15.07 On 7 April 2008 the Chief criminal court handed down a death sentence to an Al Qaeda recruiter for membership of an international network, the creation of an armed group, assassinations and destruction. (BBC Monitoring 8 April 2008) [16o]
- 15.08 “On May 27, 2008 an Algerian court handed down death sentences in absentia to 16 alleged Islamic fighters on terrorism-related charges. Judicial officials say the militants are believed to be at large or among unidentified dead from clashes between rebels and security forces in Algeria. The officials said the convictions bring to 188 the number of death sentences handed down in absentia this year by the court in Boumerdes”. (Sources: PR-Inside.com, 27/05/2008) [47a]
- 15.09 In contrast to the above paragraph on 26 May 2008 News24 reported that an Algerian court had sentenced 12 people to death in absentia on terrorism charges. On 24 May, the same court had condemned another 24 people for similar offences – bringing to 175 the number of death sentences pronounced on Islamist extremist in absentia. [117a]
- 15.10 “On May 30, 2008 an Algerian criminal court sentenced 14 people to death in absentia for a series of crimes, the official Algerian News Agency reported. The suspects were sentenced by the Court of Boumerdes for the ‘constitution of an armed terrorist group and possession of weapons, ammunitions and explosive materials,’ an Algerian judicial source was quoted as saying. Some defendants walked away with lighter sentences as the level of punishment was largely dependent on the gravity of the criminal charges. Mehdi, the key suspect in the case, was sentenced to 20 years imprisonment. ‘The Algerian authorities showed some degree of leniency owing to the fact that Mehdi identified seven people arrested in the case,’ a reliable source said. During the investigations, Mehdi led the security forces to secret caches in the mountains of Zbarbar in Bouira which served as the main operational base for his group”. (Sources: Xinhua, 30/05/2008) [47a]

[Return to contents](#)
[Go to list of sources](#)

POLITICAL AFFILIATION

FREEDOM OF POLITICAL EXPRESSION

- 16.01 The USSD report for 2007 states: “The government actively monitored the communications of political opponents, journalists, human rights groups, and suspected terrorists.” [6i] (Section 1f)
- 16.02 The USSD report for 2007 continued to report that: “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”. [6i] (Section 3)
- 16.03 The USSD report 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 FLN. Media access during the elections was generally equitable. Each party was given equal amounts of time on local radio and television to present campaign programs, though some parties complained about their time slots”. [6i] (Section 3)

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 16.04 The USSD Human rights report for 2007 states: “The constitution provides for freedom of assembly and association; however, the exercise of these rights was severely restricted in practice”. [6i] (Section 2b)
- 16.05 With regard to freedom of assembly the USSD report for 2007 states:
- “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. Citizens and organizations were required 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.
- “In February security forces banned an international seminar on forced disappearances organized by several NGOs, including SOS Disparus, Djazairouna, the National Association of the Families of the Disappeared (ANFD), and Somoud, an advocacy group for victims of terrorism. Roberto Garreton, a UN expert on human rights, and Anne Laurence Lacroix, deputy director of the NGO World Organization Against Torture, were denied visas to attend the seminar. The NGOs held the same seminar in March in Brussels, Belgium.
- “In the past, LADDH reported repeated difficulties in obtaining permission to hold outdoor meetings and, as a result, held indoor meetings. During the year,

it reported no such difficulties; however, most meetings were held indoors. Groups opposing the charter on peace and reconciliation have had difficulty securing permission to hold public gatherings.

“During the year outside the capital, the government broke up at least four marches, protests, and demonstrations in El Oued, Ain Talout, Oran, and Boussaada. Since September 2006 members of the NGO SOS Disparus have gathered weekly in front of the CNCPPDH headquarters to urge President Bouteflika to take further action on the problem of the disappeared”. [6i] (Section 2b)

16.06 With regard to the freedom of association the USSD report for 2007 states:

“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 Ghazali 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”. [6i] (Section 2b)

16.07 The Freedom House Annual Report 2008 states:

“The government acted to restrict freedom of assembly and association in 2007 as the country suffered its first suicide bombings, which resulted in over 100 civilian deaths. However, Algerian police can disperse peaceful demonstrations even in an ordinary security environment. Government permits are required to establish nongovernmental organizations (NGOs), and the government is wary of any organization with Islamist leanings. Workers can establish independent trade unions. The main union, the General Union of Algerian Workers (UGTA), has been criticized for being too close to the government and failing to tackle labor issues aggressively. In October 2007, several independent trade unions led by the National Council for Teachers in

Higher Education (CNES) announced a strike against a new government-proposed wage structure". [29a] (Political Rights and Civil Liberties)

- 16.08 Amnesty International, in its Algeria: Briefing to the Human Rights Committee, dated 1 October 2007 states:

"Articles 21 provides for the right to peaceful assembly. The holding of assemblies is subject to an authorization by the *wali* (prefect) under the authority of the Ministry of Interior, which has to be requested eight days before the event. In the case of public meetings, the authorization has to be requested five days before the event. In practice, authorization of public assemblies and meetings are often denied, if they are related to topics that the authorities do not approve of". [26a]

- 16.09 The document goes on to state that:

"Article 22 enshrines the right to freedom of association. Article 22.2 sets out strict criteria for restrictions of the right to freedom of association. It states that: 'No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.' Article 42 of the Algerian Constitution guarantees the right to create political parties as long as they are not based on 'religious, linguistic, racial, gender-related, corporatist or regional' grounds. A law (Law no 97-09 of March 6, 1997) on political parties reaffirms these restrictions to the foundation or activities of political parties in its Article 5. Article 3 of the same law stipulates that 'the fundamental components of the national identity in its three dimensions, Islam, Arabism and Amazighté [Berber ethnicity], cannot be exploited for partisan propaganda purposes'.

"These restrictions are vaguely worded and therefore subject to interpretation by the authorities. In 1999, at least three political parties failed to obtain their registration under law 97-09. They were the Movement for Fidelity and Justice (WAFJA), headed by the former Minister of Foreign Affairs and 1999 presidential candidate Ahmed Taleb Ibrahim; the Democratic Front (FD), headed by Sid Ahmed Ghazali; and Amara Benyounes' Union for Democracy and the Republic (UDR). There are no criteria set out for the application of this provision, which again is vaguely worded and can be used to undermine the fundamental right to freedom of association. This provision is implicitly aimed at members of the FIS, which was banned in 1992". [26a]

[Return to contents](#)
[Go to list of sources](#)

TRADES UNIONS

- 16.10 The USSD report for 2007 states:

"The constitution allows workers to form and join unions of their choice but requires workers to obtain government approval to form a union. The law on labor unions requires the Ministry of Labor (MOL) to approve or disapprove a

union application within 30 days and allows for the creation of autonomous unions. However, the government may invalidate a union's legal status if its objectives are determined to be contrary to the established institutional system, public order, good morals, or the laws or regulations in force. There were no legal restrictions on a worker's right to join a union. Approximately two-thirds of the labor force belonged to unions. The General Union of Algerian Workers (UGTA) was the only labor confederation. The UGTA included national unions that were specialized by sector.

“The law prohibits discrimination by employers against union members and organizers and provides mechanisms for resolving trade union complaints of antiunion practices by employers. It also permits unions to recruit members at the workplace. Unions may form and join federations or confederations. In practice, attempts by new unions to form federations or confederations were obstructed by delaying administrative manoeuvres. Since 1996, the Autonomous Unions Confederation, functioning without official status, has attempted unsuccessfully to organize the autonomous unions. The law permits unions to affiliate with international labor bodies and develop relations with foreign labor groups. For example, the UGTA was a member of the International Confederation of Free Trade Unions. However, the law prohibits unions from associating with political parties and also prohibits unions from receiving funds from foreign sources. The courts are empowered to dissolve unions engaged in illegal activities”. [6i] (Section 6a)

16.11 The Freedom House Annual Report 2008 states:

“Workers can establish independent trade unions. The main union, the General Union of Algerian Workers (UGTA), has been criticized for being too close to the government and failing to tackle labor issues aggressively. In October 2007, several independent trade unions led by the National Council for Teachers in Higher Education (CNES) announced a strike against a new government-proposed wage structure”. [29a] (Political Rights and Civil Liberties)

Strikes

16.12 The USSD report for 2007 states:

“The law provides for the right to strike, and workers exercised this right in practice, subject to some conditions. The law provides for collective bargaining for all unions, and the government permitted the exercise of this right in practice for authorized unions. Under the state of emergency decree, the government can require public and private sector workers to remain at work in the event of an unauthorized or illegal strike. According to the law on industrial relations, workers may strike only after 14 days of mandatory conciliation or mediation. On occasion, the government offered to mediate disputes. The law states that decisions reached in mediation are binding on both parties. If no agreement is reached in mediation, the workers may strike legally after they vote by secret ballot to do so. A minimum level of public services must be maintained during public-sector service strikes.

“The law provides that all public demonstrations, protests, and strikes receive prior government authorization. During the year, strikes and labor meetings occurred in various sectors, including the construction, medical, port facility,

and education sectors. A ban on marches and demonstrations in Algiers has remained in effect since 2001". [6i] (Section 6b)

16.13 Magharebia reported on 16 January 2008 that:

"Union workers across Algeria joined in a one-day national strike on Tuesday (January 15th) to protest the country's new pay scale. Meeting at the National Co-ordinating Committee for Independent Public Sector Unions (CNSAFP), the unions represent state and higher education, health care workers and government administrators. Notice of the strike was given on January 7th. The workers are challenging certain elements of their individual terms of employment as well as the new national wage structure, which has failed to meet their expectations. Many accuse authorities of not following through on their promises.

"The group of unions also claim the government refuses to recognise their legitimacy. In fact, when the new terms of employment for public sector workers were drafted along with the pay scale, the government recognised only the General Union of Algerian Workers (UGTA) for the purposes of negotiation.

"Speaking on the eve of the strike, CNSAFP spokesman Meziane Meriane decried the marginalisation of the unions, saying the current stoppage is just a prelude to further protest". [32n]

16.14 On 14 February 2008 the World Markets Research Centre reported that public-sector workers had begun a three day strike to demand pay increases and negotiations with the government. At the time only the General Union of Algerian Workers (UGTA), which is close to the government had been allowed to negotiate. As with the January strike the workers were challenging elements of their individual terms of employment as well as the new national wage structure. Eight independent trade unions had joined together to organise the strike. [113a]

16.15 On 17 February another three day strike was started by paramedical staff in most of the Algerian hospitals for higher wages and improvement in working conditions. According to a reporter the strike triggered a logjam in all the facilities that he visited particularly in the emergency wards. (Echorouk Online 14 April 2008) [114]

16.16 Al Arab reported on 8 March 2008 that following the two three day strikes by municipal and health workers, the CNSAFP an independent federation of trade unions, had stated that they may stage an unprecedented indefinite strike if the governments ignored their demands. [98b]

16.17 The independent trade unions representing civil servants threatened to broaden their strike if their demands were not met according to Echorouk Online on 14 April 2008. [114b]

16.18 Trade Union demonstrators were dispersed with truncheons, and had their banners seized, when they attempted to hold a rally near the Government headquarters on 15 April 2008. The rally had been called by the independent trade unions after the three-day strikes by workers in the education, health

and higher education sectors. Many of the demonstrators were arrested. (El Khabar 16 April 2008) [50ar]

- 16.19 Education International reported on 12 August 2008 that 35 teachers in Algeria had been on hunger strike since 15 July 2008. All the strikers were contract teachers protesting against the increasing job insecurity in the teaching sector. They called for the regularisation of the professional situation of 40,000 teachers, some of whom had been on contract for 14 years. They were also protesting against non-payment of salaries, with some teachers owed more than three years back pay. [115a]

[Return to contents](#)
[Go to list of sources](#)

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

Front Islamique Du Salut (Islamic Salvation Front) (FIS)

- 16.20 Jane's Sentinel Security states:

“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 27 June 2008) [83g]

- 16.21 The Europa World website (accessed 21 July 2008) records that:

“In early July 2003 the two leaders of the proscribed FIS, Abbassi Madani and Ali Belhadj, were released, after having completed their 12-year gaol sentences. However, upon their release both men were issued with court orders prohibiting them from: engaging in any political activity; holding meetings; establishing a political, cultural, charitable or religious association; voting or standing as candidates in any election.” [1h] (Recent History)

- 16.22 The USSD report for 2007 notes:

“Membership in the Islamic Salvation Front (FIS), a political party banned in 1992, remained illegal.” [6i] (Section 2b) Amnesty International noted in October 2007: “...At the time, the country was in the midst of an internal conflict, sparked by the cancellation in 1992 of the multi-party elections which the Islamic Salvation Front (*Front Islamique du Salut*, FIS), an Islamist political party, was widely expected to win. A state of emergency was declared, the FIS was banned and the military took power. Seeking to claim the electoral

victory of the FIS by means of violence, armed groups targeted state institutions and increasingly civilians thought to have backed the military coup, or to have failed to conform to their conception of 'Islamic' value". [26a]

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

[Return to contents](#)
[Go to list of sources](#)

FREEDOM OF SPEECH AND MEDIA

- 17.01 The USSD report for 2007 summarises 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 harassment and arrest for 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. [6i] (Section 2a]

- 17.02 Amnesty International (AI) expressed concern, in the document ‘New amnesty law will ensure atrocities go unpunished’, published 1 March 2006, over the provisions of the new charter that would restrict the freedom of expression on the topic of the 1990s conflict:

“Perhaps most ominously, the new legislation seeks to end not only prosecutions for crimes of the past, but even public debate about them. Article 46 states:

‘Anyone 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 honorably served it, or to tarnish the image of Algeria internationally, shall be punished by three to five years in prison and a fine of 250,000 to 500,000 dinars.’

“This provision threatens the right of victims and their families, human rights defenders, journalists, and any other Algerians to document, protest, or comment critically on the conduct of state security forces during the years of the internal conflict. It even threatens to penalize families of the ‘disappeared’ who continue to campaign for disclosing the truth about the fate of their relatives. At a time when Algerian authorities have been aggressively prosecuting journalists working in privately-owned media for independent reporting and critical speech, and when state media allow virtually no dissenting views, laws based on this formulation would further narrow the space for free expression in Algeria, and for pursuit of truths about past events.” [26h] (p3)

[Return to contents](#)
[Go to list of sources](#)

NEWSPAPERS

- 17.03 The USSD report for 2007 notes:

“The country's print media consisted of more than 52 daily, 95 weekly, 14 fortnightly, 27 monthly, and 3 occasional 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 government continued to influence the independent press through the state-owned advertising company, Agence Nationale d'Edition et de Publicite (ANEP). ANEP 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. During the year, independent advertisers played a considerably smaller, but increasingly visible, role in advertising revenue. Most independent newspapers continued to rely on the government's four publishers for printing presses and newsprint. ”. [6i] (Section 2a)

- 17.04 The Financial Times reported on 3 April 2008 that according to El Khabar newspaper the 3rd annual report on freedom of the press, which was issued by the Amman Centre for Human Rights Research had placed Algeria in 13th position in the Arab World in terms of press freedom in 2007. The reason that made Algeria lag behind the Arab countries in terms of freedom of the press was owed to the law allowing imprisonment of journalists for slander or humiliation. [80d]
- 17.05 A new 32 page daily French language newspaper was launched on 13 April 2008. Algerie-News as the newspaper is called, said that it intended to be “a bridge between the two Arabic and French-speaking intellectual circles in Algeria”, and pledged to “give the floor to all those who are looking for space in which to express a different opinion or defend an idea”. [16q]
- 17.06 A report in El Khabar on 21 July 2008 stated that the Minister of Communications had denied having declared that the State had decided to cancel debts owed by private newspapers to government owned printing works. The report said that 37 newspapers, including 6 state-owned ones benefit from financial aid from the Government and that if it stopped assisting them financially they would be subject to bankruptcy. [50aq]

RADIO AND TELEVISION

- 17.07 The USSD 2007 report on Human Rights stated:
- “Radio and television are government-owned, with coverage favorable to government policy. 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 legislative elections and again prior to the November 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”. [6i] (Section 2a)
- 17.08 BBC Monitoring reported on 24 February 2008 that a new local radio station had begun broadcasts from Saida. [16p]

INTERNET

17.09 The USSD 2007 report went on to say:

“Access to the Internet was generally unimpeded by the government; however, the government monitored email and Internet chatrooms. On June 11, Internet blogger Abdulsalam Baroudi appeared in court on charges, brought by the Director of Religious Affairs, of posting defamatory material on a personal blog. Baroudi was fined \$148 (10,000 dinars). Article 14 of the 1998 ministerial decree on telecommunications states that Internet service providers are legally liable for the material and Web sites they host. The same decree specifies measures to be taken to ensure content control of Web sites, with the objective to prevent access to material ‘incompatible with morality or public opinion.’ According to press reports, 3.5 million users accessed the Internet, including 800,000 using ADSL services at home. There were approximately 6,000 Internet cafes”. [6i] (Section 2a)

[Return to contents](#)
[Go to list of sources](#)

[See also Ethnicity - Berbers](#)

RESTRICTIONS IN PRACTICE

17.10 The USSD report for 2007 also reports that:

“The law specifies that freedom of speech must respect ‘individual dignity, the imperatives of foreign policy, and the national defense.’ The state of emergency decree introduced in 1992 and still in effect, gives the government broad authority to restrict these freedoms and take legal action against what it considers to be threats to the state or public order. These regulations were heavily applied throughout the year”. [6i] (Section 2a)

17.11 The Freedom House report 2007 states:

“Although Algerian newspapers are aggressive in their coverage of local affairs, the government uses various methods to punish those critical of the regime. The government enforces strict antidefamation laws and influences content through the state-owned printing press and advertising company. In February 2006, the cabinet approved, as part of a decree implementing the Charter for Peace and National Reconciliation, Article 46, which says, ‘[A]nyone who, by speech [or] writing, ... exploits the wounds of the National Tragedy ... shall be punished by three to five years in prison and a fine of 250,000 to 500,00 dinars.’ While television and radio are government controlled, there is little monitoring or restriction of the internet.

“Mohamed Benchicou, publisher of the defunct French-language daily Le Matin, was released from prison following the completion of his two-year sentence in June 2006. Benchicou was jailed in 2004 after being found guilty of violating currency laws. Algerian journalists and human rights activists believe that the charges against him were politically motivated and the result of the newspaper’s harsh criticism of Bouteflika and powerful government ministers. Prior to his imprisonment, Benchicou had written a book titled Bouteflika, An Algerian Fraud. Earlier in 2006, a reporter for the independent Arabic-language daily El-Khabar spent a month in prison after he was found guilty of defaming public officials. In July, following an original announcement

in May on World Press Freedom Day, Bouteflika reiterated an amnesty for journalists who were on trial for defamation.

“Like many other Muslim states, Algeria was affected by the fallout from the publication in Denmark in 2006 of cartoons depicting the prophet Muhammad. According to international human rights groups and press reports, two Algerian publications - the weeklies Panorama and Essafir - were closed and their editors briefly imprisoned after they ran articles that criticized the Danish publication, but also printed the cartoons. According to press reports, several journalists working for two television stations were dismissed after the stations ran footage with images of the cartoons.” [29a] (Political Rights and Civil Liberties)

17.12 The USSD report for 2007 adds:

“The law permits the government to levy fines and to imprison members of the press in a manner that restricts press freedom. The government censored directly and indirectly 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.

“Charges of defamation are based on the 1990 communication law which protects Islam from defamation, controls access to external information, and outlaws writing that threatens national unity. In 2001, the laws were amended to criminalize writing, cartoons, and speech that insult or offend the president, parliament, judiciary, or armed forces. The Penal Code imposes high fines and prison terms of up to 24 months for defamation or ‘the insult’ of government figures, including the president, members of parliament, judges, members of the military, and ‘any other authority of public order.’ Those convicted face prison sentences that range from 3 to 24 months and fines of \$740 to \$7,400 (50,000 to 500,000 dinars).” [6i] (Section 2a)

17.13 The USSD report for 2007 states with regards to Government control of the newspaper media:

“Defamation laws were used by the government in an attempt to silence editors, journalists, and the owners of printing houses. On October 18, the International Federation of Journalists (IFJ) condemned actions taken by the Algerian government against journalists. In the press release, IFJ General Secretary, Aidan White said, ‘Algeria has been using its criminal law to silence any critical voices and journalists continue to be victims of this repressive tactic. We are calling on the government to make a commitment to press freedom and to allow the media to work independently without fear of reprisals’.

“The government continued restrictions on both the local and international media’s coverage of issues relating to ‘national security and terrorism.’ Al Jazeera has been banned from reporting in the country since 2004, when the government closed its office. The accreditation card of Al Arabiya’s correspondent, Ahmed Magaache, was withdrawn in 2004”. [6i] (Section 2a)

17.14 Reporters Without Borders states in its 2008 Annual Report:

“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”. [112a]

- 17.15 On 28 April 2008 Magharebia reported that an executive decree was adopted by the government on 22 April 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. [32m]

[Return to contents](#)
[Go to list of sources](#)

TREATMENT OF JOURNALISTS

- 17.16 The USSD 2007 Human rights Report stated in relation to treatment of journalists during 2007: “In 2006 68 press-related defamation cases were tried. In 2005 there were 114 recorded cases of defamation directed at the press. There were no accurate numbers available to reflect the number of defamation cases during the year.

“On April 4, the Algiers Court of Appeal imposed suspended sentences of six months in prison and a fine of \$7,400 (500,000 dinars) on editor Ali Fodel and reporter Naila Berahal of the Arabic-language daily Echourok el-Youmi. The prosecutor's request to have the newspaper closed was rejected. In October 2006 an Algiers court convicted both men on charges of defaming ‘Libyan leader Muammar al-Qadhafi, the Libyan state, and the security of the Algerian and Libyan states.’ The judge sentenced both defendants to six months in prison and ordered the newspaper closed for two months. Fodel and Berahai appealed.

“In April 18, Saad Lounes was given a one-year sentence for tax fraud on the basis of a complaint by the Ministry of Commerce dating back to 1995. Lounes was the target of legal pressure for more than 10 years, resulting in the loss of his newspaper and his printing company Sodipress, the only privately owned printing house at that time. His company printed several publications that the state presses refused to handle. Lounes appealed the court's decision. Lounes currently resides abroad.

“On October 15, Dhif Talal, an Al Fadjr journalist, was sentenced to a jail term of six months after being convicted of defamation charges. The initial charges were brought by the Ministry of Agriculture because of Talal's article exposing monetary losses suffered by the ministry due to poor administration. Talal appealed the decision but a court date had not been set by year's end.

“On November 19, a journalist at Arabic-language daily *Al Bilad*, Ouahid Oussama, received a summons to appear in court on defamation charges. Oussama wrote a report outlining the failings of the Djelfa education system”. [6i] (Section 2a)

- 17.17 The Algeria section in ‘Attacks on the Press 2007’ from the Committee to Protect Journalists (CPJ) website reported that Anis Rahmani editor of the Arabic-language weekly *Echourouk* stated that he and reporter Naila Bedrrahal had received death threats in June 2007 from what they suspected was an al-Qaeda-affiliated group. He was quoted as saying: “They threatened to kidnap and kill me if I did not stop writing articles they deemed against al-Qaeda and Islam”.

He went on to say the on 1 August 2007 he had received a letter from the General Directorate of National Security in Algiers informing him that “...based on the confessions made by a detained terrorist”, armed terrorist groups were targeting the editor. [31b]

- 17.18 In its 2008 report on events in 2007 Reporters Without Borders states:

“The country’s journalists seem to have got a breather in 2007. Prosecutions were fewer and violence less but this did not mean press freedom was any more respected, as the lack of diversity in broadcasting and indirect pressure on journalists demonstrated.

“A dozen journalists were brought before courts in 2007, fewer than previous years, when the Algiers court was nicknamed ‘the editorial room’ because journalists spent so many long hours there each week. But those appearing in 2007 were heard by judges with bad records for independence from the regime. Omar Belhouchet, head of the daily *El Watan* and an old hand in the courts, and columnist Chawki Amari were given two month prison sentences on 27 May and fined 1 million dinars (€10,635) for supposedly libelling a prefect by saying he was corrupt. Journalists are often targeted for exposing embezzlement by powerful officials, as was Nureddin Boukraa, of the national daily *Ennahar*, who was arrested on 14 November and questioned for 24 hours, two days after writing about links between police and local gangsters in Annaba. Two journalists from the daily *Ech Chorouk* were given suspended six-month prison sentences on 4 April as a result of a 2006 libel suit by Libyan leader Muammar Kadhafi. Arezki Ait-Larbi, a stringer for several French papers, was acquitted after a 10-year libel case brought by a prison official. Jamal Belkadi, correspondent for *El Watan* in Constantine, was manhandled by the prefecture’s head of security official on 16 May as he took photos of the site of the attacks and his equipment was seized. He was charged with ‘crossing a security barrier’ and a month later was given a small fine. The communications ministry rejected visa demands in 2007 by several foreign TV crews, including the French station *M6*, which wanted to report on children of terrorists born while in hiding”. [112a]

- 17.19 allAfrica.com reported on 7 March 2008 that the appeal court had upheld the two-month jail term given to the editor and reporter from *El Watan* (see para 17.18 above), and that this had been condemned by Reporters Without Borders. In another case, a journalist on the daily *Echourouk El Youmi* was sentenced to pay four million dinars in damages for a number of defamation cases. [93e]

- 17.20 allAfrica.com also reported on 17 March 2008 that *Ennahar's* correspondent (see para 17.18 above) had been formally charged by the court in Annaba and had placed him under judicial control. He had been questioned several times by police over the article he wrote on 12 November 2007. [93f]
- 17.21 Reporters Without Borders reported on 21 March 2008 that two journalists had been questioned by an investigating judge on 17 March about their report that a police officer in Tighennif had been arrested for corruption. They were released provisionally after interrogation. [112b]
- 17.22 The World Association of Newspapers strongly condemned the continuing legal harassment exerted against the Algerian cartoonist Ali Dilem. On 1 June 2008 the State Prosecutor, in a case brought by the Defence Ministry, requested a two month prison sentence for the cartoonist and both the publisher and managing editor of the newspaper *Liberté*, for a cartoon published in 2004 which portrayed the retiring Chief of Staff of the Algerian army. This was the third trial faced by Dilem since the beginning of 2008. In one instance he received a six-month suspended sentence and the other was being appealed. Since the start of his career 19 years ago he has been prosecuted more than 50 times, mainly by the Presidential Office and the military. (allAfrica.com 4 June 2008) [93h] A further report by the same source on 17 June 2008 stated that all three men had been fined 20,000 dinars. [93g]
- 17.23 allAfrica.com reported on 17 June 2008 that the *AFP* bureau chief and *Reuter's* correspondent in Algeria had their accreditation withdrawn on 10 June after reporting on terrorist activity. According to Algerian authorities AFP "exaggerated" the toll of two bombings at a station in Béni Amrane on 10 June, whilst Reuters was accused of reporting a bombing that did not take place. Both news agencies had published the interior ministry's denials. Reporters Without Borders condemned the action. [93g]

[Return to contents](#)
[Go to list of sources](#)

HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

NON-GOVERNMENTAL ORGANISATIONS (NGOs)

- 18.01 The Internal Displacement Monitoring Centre (IDMC), of the Norwegian Refugee Council noted, in its 19 December 2007 report:

“The Government continues to impede the work of local and international human rights NGOs although some are allowed to move about freely. Numerous local and human rights groups encountered government interference with their work when trying to investigate human rights violations and publishing their findings. Though visa requests are rarely denied the delay in processing the applications have prevented some international human rights group from implementing their activities. Long standing requests by the UN Special Representative on extrajudicial, summary or arbitrary executions, the UN Special Rapporteur on Torture and the UN Working Group on Enforced or Involuntary Disappearances have not been accepted. However, government invited the UN special rapporteur on freedom of expression and on violence against women to visit.” [54a] (p87)

- 18.02 The USSD report for 2007 adds:

“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 and LADDH, 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 operated openly, such as women's advocacy groups and charity organizations. Unlicensed NGOs did not receive government assistance and citizens were at times hesitant to be associated with these organizations”. [6i] (Section 4)

- 18.03 The USSD report for 2007 continues:

“The most active independent human rights group was the LADDH, an organization 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 less active LADH is an independent organization based in Constantine. LADH has members throughout the country monitoring individual cases.” [6i] (Section 4)

INTERNATIONAL NGOS

18.04 The USSD report for 2007 notes that:

“International NGOs continued to experience delays in obtaining visas, but outright refusals for visas were rare. 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 International Committee of the Red Cross (ICRC) had full access to civilian prisons and pre-trial detention centres; however, it was not granted access to the country's military or high-security prisons.

“International NGO Handicap International and local NGO FOREM [National Foundation for Health Progress and Research Development], which both work on children's rights, did not report difficulty conducting investigations.

“In January Yakin Erturk, UN special rapporteur on violence against women, visited Algeria. 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)”. [6i] (Section 4)

18.05 “In February security forces banned an international seminar on forced disappearances organized by several NGOs ... Roberto Garreton, a UN expert on human rights, and Anne Laurence Lacroix, deputy director of the NGO World Organization Against Torture, were denied visas to attend the seminar. The NGOs held the same seminar in March in Brussels, Belgium.

“During the year, an international democracy advocacy organization was required to obtain government permission prior to selecting domestic partners to collaborate on activities. The government further maintained that legislation did not allow branches of foreign NGOs to operate legally in the country. The government had at times made it difficult for NGO officers to obtain visas to visit the country and prevented citizens from travelling outside the country to attend events sponsored by international NGOs”. [6i] (Section 2b)

18.06 “International NGO Handicap International and local NGO FOREM, which both work on children's rights, did not report difficulty conducting investigations”. [6i] (Section 4)

See [Freedom of movement](#)

Return to contents
Go to list of sources

FREEDOM OF RELIGION

- 19.01 The US State Department International Religious Freedom (USSD IRF) Report 2007 states:

“The Constitution declares Islam to be the state religion and prohibits institutions from engaging in behaviour incompatible with Islamic morality. The Constitution does not provide explicitly for religious freedom; however, it provides that the people set up institutions whose aims include the protection of fundamental liberties of the citizen. Ordinance 06-03, which delimits the conditions and rules concerning the exercise of religious rites for non-Muslims, provides for the freedom to practice religious rites, on condition that the exercise thereof is in keeping with the ordinance, the Constitution, other laws and regulations, and that public order, morality, and the rights and basic freedoms of others are respected. The law limits the practice of faiths other than Islam, including prohibiting public assembly for the purpose of their practice. However, the Government allows registered non-Muslim religious groups, in limited instances, to conduct public religious services in preapproved locations. Religious practices that conflict with the Government’s interpretation of Shari’a (Islamic law) are prohibited.

“There was no change in the status of respect for religious freedom by the Government during the period covered by this report. In 2006 the Government confined non-Muslim worship to specific buildings approved by the state, increased requirements for the registration of religious organizations; increased punishments for anyone who proselytizes Muslims; and made regulations on the importation of non-Islamic religious texts more stringent through the adoption of Ordinance 06-03. Since it took effect in September 2006, there have been no reports of its enforcement. In May and June, 2007, the Government issued executive decrees providing greater specificity to Articles Eight and Nine of the Ordinance, and which functioned as implementing legislation.

“Differences within the Muslim majority about the interpretation and practice of Islam caused some discord among religious groups. Islamist terrorists continued to justify their killing of security force members and civilians by referring to interpretations of religious texts. Terrorist violence based on religious extremism increased after the terrorist organization Salafist Group for Preaching and Combat (GSPC) was recognized by al-Qa’ida in September 2006 and changed its name in February 2007 to al-Qa’ida in the Islamic Maghreb (AQIM).

“Differences that remain within the country’s Muslim majority about the interpretation and practice of Islam caused some discord among religious groups.” [6k]

- 19.02 The Freedom House Annual Report 2008 states:

“Algeria’s population is overwhelmingly Sunni Muslim, but the small non-Muslim communities are able to practice their faiths without systematic harassment. Given Algeria’s civil conflict, security services monitor mosques for Islamist activity”. [29a] (Political Rights and Civil Liberties)

[Return to contents](#)
[Go to list of sources](#)

ISLAM

- 19.03 The USSD IRF 2007 report states:
- “More than 99 percent of the population is Sunni Muslim. There is a small community of Ibadi Muslims in Ghardaia.” **[6k] (Section 1)**
- 19.04 The USSD IRF Report 2007 adds:
- “The Government appoints imams to mosques and, by law, is allowed to provide general guidance on sermon topics. In theory the Government also can pre-screen and approve sermons before they are delivered publicly during Friday prayers. In practice each wilaya (state) and दौरا (county) employs religious officials to review sermon content, generally after the sermons are delivered.” The USSD IRF Report adds that activities in mosques are monitored for security reasons. **[6k] (Section 2)**
- 19.05 The USSD IRF 2007 report states that:
- “The country’s decade-long civil conflict pitted Islamist terrorists belonging to the Armed Islamic Group and its offshoot, the Salafist Group for Preaching and Combat (GSPC), against the Government. While estimates vary, approximately 100 thousand to 150 thousand civilians, terrorists, and security forces have been killed during the past 15 years. Islamist extremists have issued public threats against all ‘infidels’ in the country, both foreigners and citizens, and have killed both Muslims and non-Muslims. During the reporting period, terrorist violence based on religious extremism increased after the GSPC was recognized by al-Qa’ida in September 2006 and changed its name in February 2007 to al-Qa’ida in the Islamic Maghreb (AQIM). As a rule the majority of the country’s terrorist groups do not differentiate between religious and political killings.” **[6k] (Section 2)**

OTHER RELIGIONS

- 19.06 The USSD IRF Report 2007 states:
- “Official data on the number of non-Muslim citizens is not available; however, practitioners reported it to be less than five thousand. The vast majority of Christians and Jews fled the country following independence from France in 1962. Many of those who remained emigrated in the 1990s due to violent acts of terrorism committed by Islamic extremists. According to Christian community leaders, Methodists and members of other Protestant denominations account for the largest numbers of non-Muslims, followed by Roman Catholics and Seventh-day Adventists. There are three thousand members of evangelical churches (mostly in the Kabylie region) and three hundred Catholics. A significant proportion of the country’s Christian alien residents are students and illegal immigrants from sub-Saharan Africa seeking to reach Europe; their numbers are difficult to estimate.” **[6k] (Section 1)**
- 19.07 On the Jewish community, the USSD IRF 2007 adds:

“There was no active Jewish community, although a very small number of Jews continue to live in Algiers. Since 1994 the size of the Jewish community has diminished to virtual non-existence due to fears of terrorist violence, and the synagogue in Algiers remained closed.” [6k] (Section 1)

PROSELYTISING AND CONVERSIONS

19.08 The USSD IRF report 2007 notes:

“Conversions from Islam to other religions are rare. Shari’a, as interpreted in the country, does not recognize conversion from Islam to any other religion; however, conversion is not illegal under civil law. Due to safety concerns and potential legal and social problems, Muslim converts practice their new faith clandestinely. Christians report that conversions to Christianity take place.” [6k] (Section 2)

The report continued:

“In general society tolerates foreigners who practice faiths other than Islam; however, citizens who renounce Islam generally are ostracized by their families and shunned by their neighbours. The Government does not usually become involved in such disputes.” [6k] (Section 3)

19.09 On 19 February AFP reported that:

“The Arabic-language Algerian press had for some weeks run a protest campaign at what it called the ‘evangelisation’ of Algerians in the northwest, around the coastal city of Oran, and in Kabylie in the northeast, heartland of the indigenous Berber people”.

The report continued to say that the press mainly blamed priests from evangelical churches in the US who they accused of trying to bribe young people to turn to Christianity.

The article also reported that a French Roman Catholic priest had been convicted and sentenced by a court for proselytism for his activity among Cameroon migrant Christians. He was given a one year suspended sentence.

He was convicted under the March 2006 decree that banned preaching other than Islam outside “buildings intended for this purpose” and also made such buildings subject to authorisation from the ministry of religious affairs. A further report in the newspaper El Khabar on 30 April 2008 stated that the sentence had been reduced by a court in TImcen from one year to two months. [50n]

The same article went on to say:

“He had expressed support for an Algerian doctor, whose identity had not been disclosed, who was sent to prison for two years in the same case, after being accused of pinching medicine from the Maghnia health centre to give them to migrants. ‘those medicines were brought by the church’ the priest said”. [59j]

19.10 On 26 March 2008 France24 reported that the Algerian authorities had closed ten protestant churches on the grounds that they were proselytising, and that

they had threatened to expel an American priest based in Oran for 45 years. The report went on to quote the Algerian Religious Affairs Minister as saying:

“I equate evangelism with terrorism. The campaign is going to last a hundred years, two hundred years. It’s going to be hard but it will die out. I’ve asked the imams to remind the people that pastors don’t come to Algeria because they love the country, or because they love Christianity. They come here to create minorities, which would give foreign countries a pretext to interfere in our internal affairs to protect minorities.”

The report continued:

“...since 2001, a new religious phenomenon has emerged in Algeria, especially in the Kabylie region. Evangelist priests have been looking to convert Muslims to Christianity. According to the country’s Religious Affairs Ministry, there are approximately 50,000 followers of the evangelical church, with 10,000 practicing Christians grouped into 33 communities. There are no independent figures available”. [72a]

- 19.11 On 24 March 2008 the BBC reported that according to the Algerian newspaper *Liberte*, leading Algerian figures from the worlds of culture, the university, the press and human rights had signed an appeal “for tolerance” and “respect for freedoms”. In the document they denounced what they referred to as the harassment of Christians “for the Misdemeanour of prayer” and expressed their “solidarity with Algeria’s Christian community, which has been the target of measures that have been as harsh as they were unjustified”. They went on to affirm their dedication “to freedom of conscience and the right of each person to practice the religion of his choice, or not to practice”. [16l]
- 19.12 On 29 March 2009 Worthy News reported that up to 19 churches and congregations had been ordered to close down since November 2007 until they were issued with the permit required by non-Muslim groups to pursue organised workshop. Among those closed were 13 chapels, 11 in the city of Tizi Ouzou. [73a] On 1 April 2008 BBC reported that according to the Algerian electronic daily *Tout sur l’Algerie*, the Protestant church of Algeria had decided to reopen the majority of its houses of worship across the country. According to the report only four or five houses of worship remained closed in Tizi Ouzou. [16m]
- 19.13 On 7 April the Iranian newspaper *Alalam News* reported that the head of the Algerian National Reform Movement in an interview that Christians in Algeria were seeking to Christianize people by deceitful means based on their own ethic courses. He said that Christianization had started in the tribal regions of Algeria but was now spreading to other regions. The head of the Algerian Society of Peace Movement (MSP) stated: “The existing Christianizing publicity is not a religious one, because if it is so, then the people will communicate each other through coexistence and discussions like previous times.

‘The event which is politically motivated has been enlarged by intention of provoking the religious and racial differences,’ he added”. [75a]

- 19.14 Another report from the BBC on 14 April from the Algerian paper El-Khabar state that the [Islamist] Nahda movement had also called on the Algerian authorities to deal with the issue of Christianization. [16n]
- 19.15 Compass Direct News reported on 11 April 2008 that an Algerian Christian had been given a two year suspended sentence for proselytism in an ongoing government crackdown on 26 of Algeria's 50 protestant congregations. The report went on to say that police had detained several other Christians in the past weeks, including a women detained for 24 hours on 29 March 2008, when police discovered she was carrying six books about Christianity on the outskirts of Tiaret. [76a]
- 19.16 On 16 April the same source reported that following the increase in church closures and convictions of Christians in Algeria in 2008 the UN Human Rights Council review in Geneva had cast the issue of religious rights in Algeria into the spotlight. In response to criticisms by the Council the Algerian delegate claimed that the new laws were established to stop the abuse of religion and to halt "the exploitation of circumstantial problems and various ways of seducing in the name of freedom of religion". He acknowledged that the 2006 decree restricted legitimate religious activity. [76d]
- 19.17 On 7 May 2008 El Khabar reported that the Religious Affairs Minister had said that "he had told the French Interior Minister that Algeria practiced no segregation between Muslims and adherents of other religions, including Christians". He went on to say that the French Interior Minister had enquired about the truth of the media reports that Christians in Algeria were subject to persecution and prohibited from freedom of worship. The Religious Affairs Minister said that he had formerly denied these rumours accusing Algeria of persecuting Christians. [50o]
- 19.18 Compass Direct News reported on 9 May 2008 that an Algerian Christian, a resident of Tiaret, had been detained for five days for carrying a bible and personal bible study books and was fined 300 euro by a court in Djilfa. [76b], and on the 15 May reported that six Christians had been charged with distributing illegal religious material after detaining them as they left a prayer meeting in Tiaret city. They were charged with "distributing documents to shake the faith of Muslims" according to the court summons. [76c]
- 19.19 On 22 May 2008 a report stated that six people who had converted to Christianity could end up in prison in a case that would begin on 27 May 2008. (AKI 22 May 2008) [63c]
- 19.20 In the trial of the six Christian converts the prosecutor called for two-year jail sentences and fines of 500,000 dinars (5,000 euros). As with the case at 19.25, they were accused of practising a non-Muslim religion without official permission. (Sapa 27 May 2008) [64b] Two of the accused were acquitted, while another received a six month prison sentence and was fined US\$3,087. The three remaining accused were jailed for two months and fined US\$1,544 each. (allAfrica.com 6 June 2008) [93d]
- 19.21 On 1 June 2008 Reuters reported that the head of the government-appointed Higher Islamic council had refuted "foreign accusations that minority Christians were being harassed, and claimed that Protestant evangelicals were secretly

trying to divide Algerians to colonise the mainly Muslim north African country”. [17o] This view was reaffirmed on 5 June when El Khabar reported that:

“The Minister of Home Affairs and Local Authorities has reaffirmed that Algeria respects religious fundamental freedoms in the framework of the law and the legal conditions, pointing out that there is no difference between laws imposed on mosques and churches. He further expressed the denial of the Algerian Government after the unfounded accusations alleging that the Algerian authorities are putting pressure on Christians living in Algeria”. [50p]

- 19.22 Two converts to Christianity were convicted on 2 July 2008 of proselytizing at the court in Tissemsilt. They were charged with “distributing documents in order to disrupt the Muslim faith”. Both were given a suspended six month sentence and a 100,000 dinar fine. The two had been convicted in absentia for the same offence in November 2007, but had asked for a new hearing as was their right under Algerian law. One of the accused Rachid Seghir had been convicted of the same offence in June in Tiaret, where he had received a six month suspended sentence and a 200,000 dinar fine. [See para19.28 below]. (Reuters 2 July 2008) [17p] According to Worthy News on 26 June 2008 which also reported the story, Seghir last name has also been spelt as Essaghir. [73b]
- 19.23 Three Christians fighting a blasphemy sentence arrived in court at Ain El-Turck to find that their hearing had been postponed until 21 October 2008. Rachid Essaghir (Seghir) was accused with two other men of “blaspheming the name of the Prophet [Muhammad] and Islam” and of threatening the life of a man who claimed to have converted to Christianity but who “returned” to Islam. According to one of the accused the convert and plaintiff had professed Christianity from July 2004 through to July 2006, when it was found that he had links with Islamic fundamentalists. After excommunicating him the three Christians were summoned by police, and their accuser registered his complaint that they had insulted the prophet Mohammad and Islam and threatened his life. (Compass Direct News 18 July 2008) [76f]

Habiba Kouider

- 19.24 On 29 March 2008 local police had reportedly detained two Algerian Christians travelling by public bus for carrying 11 bibles. (Worthy News) [73a]
- 19.25 On 22 May 2008 it was reported that a woman, Habiba Kouider, arrested on a bus, [see para 19.24 above], after 10 copies of the bible were found in her handbag, and facing charges in the court at Tiaret, had been accused by the country’s public prosecutor of abandoning the Islamic faith without the permission of government authorities, and that the public prosecutor had demanded a three-year prison sentence. (AKI 22 May 2008) [63c]
- 19.26 A later report on 6 June 2008 from allAfrica.com stated that international media attention had caused the judge to delay the trial of Habiba Kouider and ask for an investigation. [93d]
- 19.27 On 1 June 2008 Habiba Kouider was stopped by five plainclothes police officers on the street in Tiaret, and after examining her handbag and body-searching her, interrogated her on the street for two hours. She recognised

one of the officers as having escorted her to her court hearing on 27 May 2008. (Compass Direct News 2 June 2008) [76e]

[Return to contents](#)
[Go to list of sources](#)

ETHNIC GROUPS

BERBERS

- 20.01 The World Directory of Minorities, published in 1997, states regarding the Berbers:

“Berbers call themselves Imazighen [alt. Amazigh] meaning noble or free born. The term ‘Berber’ derives from the Greek ‘barbario’ and the Latin ‘barbari’ from which Arabs derived the term ‘barbariy’, meaning primitive or foreign. The Berber-speaking population of Algeria comprises a little over one quarter of the population of 26 million and is concentrated in the mainly mountainous areas of Kabylia, Chaouia, the Mzab and the Sahara. Berbers are the indigenous inhabitants of the North African littoral, isolated from the rest of Africa by the Sahara Desert.” [3] (p393)

- 20.02 The USSD Human Rights Report for 2007 summarises, regarding the political status of Berbers: “The ethnic Berber minority of about nine million cantered in the Kabylie region participated freely and actively in the political process and represented one-third of the government ministers”. [6i] (Section 3)

Berber language and culture

- 20.03 “A 1998 law that enshrined Arabic as the official language of public life was seen as a major setback” for Berber culture. However, in what was meant as a concession to the Berbers, the government announced in March 2002 “... that Tamazight would be recognised as a national, although not an official language.” (Jane’s Sentinel Country Risk Assessments: Algeria. Posted 18 May 2007) [83b] The US State Department Background Note, published in February 2007, noted that the status of the Tamazight language remains a contentious issue. [6j] (History)

- 20.04 The USSD 2007 Report on Human Rights 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”. [6i] (Sect 2a)

See also [Education](#)

[Return to contents](#)
[Go to list of sources](#)

Berber Groups – The MCB (Mouvement Culturel Berbère)

- 20.05 The Canadian Immigration and Refugee Bureau (Canadian IRB) database of responses notes in a response dated 5 August 2004 on the MCB:

“Founded in 1980 in Kabylia (ICG 10 June 2003, 3), the MCB is an organization made up of various factions that sometimes espouse different ideas (L’Expression, 27 Apr. 2003). According to L’Expression, the MCB, which was formerly [translation] ‘repressed by the only party, ended up flourishing because of a multi-party system and the will of the public to move toward democracy’ (17 Apr. 2004).” [8b]

“In August 2003, one faction of the MCB, led by Ould Ali El-Hadi, organized a summer university, in which over 200 supporters of Berber culture participated (L’Expression, 14 Aug. 2003). When an Algerian political party, the National Liberation Front (Front de libération nationale, FLN), announced that it was willing to work with the MCB, El-Hadi explained the reasons for the break with the Berber political party Rally for Culture and Democracy (Rassemblement pour la culture et la démocratie, RCD), which, according to him, was not open enough to the opinions of the other factions (ibid.).” [8b]

“On 20 April 2004, two factions of the MCB held a demonstration to denounce some of the government practices concerning poverty in Algeria and to affirm their rights as Berbers (Le Matin 18 Apr. 2004).” [8b]

- 20.06 A report by the International Crisis Group (ICG) in June 2003 stated that the MAK – Mouvement pour l’Autonomie Kabylie, led by Ferhat Mehenni and a minor party that advocates an autonomous Kabylia – although supported outside Algeria, was not popular in Kabylia, and that it had been used by the authorities to divert attention from the demands of the protest movement. [37b] (p24)

Treatment of Berbers

- 20.07 The ICG report of June 2003 states: “The Kabyles are not generally discriminated against in public life on the basis of their identity, and their preoccupation with the issue [of identity] has other causes.” [37b] (p5)

[Return to contents](#)
[Go to list of sources](#)

EVENTS OF 2001-2007 IN KABYLIA

- 20.08 As summarised in the US State Department’s Background Note dated October 2007:

“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". [6j] (History)

ISSAD REPORT

- 20.09 The Europa World website (accessed 15 August 2007) summarises the findings of the official inquiry into the July 2001 riots, and its subsequent political reception, stating:

"Meanwhile, in December 2001 the final report of the Issad commission had been published, confirming the initial findings that the gendarmerie had been to blame for the repression in Kabylia, and also expressing deep pessimism about the immediate future of the region. Emphasizing the increasing authority of the military throughout the country since 1992, the report stated that the responsibilities of the civil and military authorities had become blurred and denounced the subtle slide from 'a state of emergency to a state of siege'. Issad also condemned the military's widespread abuse of its powers and the laws of the country." [1h] (Recent History) "Algeria's Berber community continues to feel marginalised and under-represented at a national level, although government concessions, including the recognition of the Berber's Tamazight language and the withdrawal of the hated gendarmes from the main Berber region, Kabylia, have gone some way to appeasing the political militants." (Jane's Sentinel Country Risk Assessments: Algeria. Posted 18 May 2007) [83c]

EL KSEUR

- 20.10 A BBC News report dated 17 January 2005, 'Algeria strikes deal with Berbers', adds: "Several aspects of the new agreement, such as making Tamazight an official language and cutting the number of security forces in Kabylia, have not been agreed in detail and could take years to implement." [60b]
- 20.11 In a news report of 24 November 2005, AFP reported that two provinces in the Kabylie region held polls for 131 local councils and 90 members of provincial parliaments. [59d] The majority of the population are of the Berber minority, and the report talks about the dissolution in July 2005 of the previous assemblies and councils with the co-operation of the Berber community leaders (the a'archs), stating, "President Abdelaziz Bouteflika's government struck a deal with influential traditional Berber tribal leaders, the a'archs, to dissolve the assemblies because local people regarded them as unjustly put in place." [59d] The AFP reported the next day, on 25 November 2005, that, "Algeria's main opposition parties have kept their lead and support in elections in the two northeastern Kabylie provinces where most of the country's Berber minority live, official results showed Friday [25 November 2005]." [59e] The same report adds detail as to why the previous assemblies were held to be unrepresentative: "When the last poll for assemblies of the mainly poor, highland provinces were held at the end of 2002 the outcome was strongly contested. In some areas the opposition called for a boycott and turnout was less than one percent." [59e]
- 20.12 On 22 March 2008 El Khabar reported that at least one person was killed and 17 wounded 2 seriously, in riots which erupted in Beriane a Berba town in Ghardia province. [50ac] On 5 April the same sourced reported that 10 people

had been arrested following riots that had broken out the previous day in the town, with 10 people being arrested. Ten people were injured bringing the total of those injured to 26 in the previous 48 hrs. [50ad] On the following day the newspaper reported that 20 people had been charged after three days of rioting. [50ae] 16 of those arrested were released, 12 on bail and 4 acquitted. [50af]

- 20.13 On 18 May 2008 Reuters reported that large numbers of Algerian security forces had been deployed in Beriane to end three nights of clashes between Arabs and Berbers. Residents claimed that two people had been killed and dozens made homeless. [17r] 500 families were homeless according to El Khabar on 20 May 2008. [50ag] According to the same source on 19 May 2008, 71 people had been injured, 2 seriously, and 12 wounded between the joint security and emergency services. [50ah] Magharebia reported on 21 May 2008 that 28 arrests had been made following the clashes. [32i] On 22 May 2008 the same source reported that town elders had intervened to stop the week of violence in the town. [32j] While on 28 May 2008 the South African Press Association reported that four people had been arrested and six computers seized by police. The computers contained material inciting ethnic cleansing. [64c]
- 20.14 On 23 July 2008 El Khabar reported that Berriane town had again been the scene of violent riots, which injured 10, whilst 6 trucks and 4 houses had been destroyed. Ten people were arrested. The riot took place in three locations. Calm was restored after discussions between the Prefect for Ghardaia, the security services and local elders. [50ai]

TUAREG

- 20.15 The World Directory of Minorities, published in 1997, states:

“The 12,000 Tuareg, who are nomadic Berbers, live almost exclusively among the mountainous massifs of Ajjer and Ahaggar in southern Algeria. Raiding and the control of caravan routes were the traditional mainstay of Tuareg economic organization in pre-colonial times, but increasing French control limited raiding and necessitated the development of salt caravans to Niger. Independence brought the almost total disruption of Tuareg society with its large class of slaves, iklan, bought from Sudan, and former slaves, haratin. Socialist ideology and nationalism committed Algeria to the assimilation of minority groups and the welding of the north and south into a unified state. Freed slaves, haratin, began to rise against the Tuareg and refuse to pay their contract dues for cultivating land. Violent skirmishes resulted in the imprisonment of some Tuareg and a policy of promoting sedentarization through the construction of cooperatives. By the end of the 1960s the Tuareg had little choice but to assimilate into the Algerian system.” [3] (p394)

[Return to contents](#)
[Go to list of sources](#)

LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

LEGAL RIGHTS

- 21.01 An April 2007 world survey of laws prohibiting same sex activity between consenting adults by Daniel Ottosson and published by ILGA states that under:
- “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.
If one of the participants is below 18 years old, the punishment for the older person can be raised to 3 years’ imprisonment and a fine of 10,000 dinars”.
[30b]
- 21.02 The Canadian Immigration and Refugee Bureau’s Refinfo database in an entry dated 30 July 2007 added: “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”. [8e]
- 21.03 The USSD 2007 Report on Human Rights stated: “The law criminalizes public homosexual behaviour and there is no specific legal protection of homosexuals in the country”. [6i]
- 21.04 In its concluding observations on Algeria on 12 December 2007 the UN Human Rights Committee at its ninety-first session stated: “The Committee notes with concern that some provisions of the Criminal code, in particular article 338, prohibits private sexual activity between consenting adults of the same sex (Covenant, arts.17 and 26). The State party should revoke these provisions”. [35a]

SOCIETAL ILL-TREATMENT OR DISCRIMINATION

- 21.05 The Amnesty International report of 1 June 2003, ‘Asylum-seekers fleeing a continuing human rights crisis’ states, regarding homosexuality:
- “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.” [26i] (p8)
- 21.06 The Canadian Immigration and Refugee Bureau’s Refinfo database in an entry dated 30 July 2007, quoting Amnesty International and a number of gay NGO sources, reported that Algerian attitudes were “violently homophobic”; that gay people can be assassination targets for Islamic fundamentalists, and that honour killings by family and neighbours are not rare.

The report went on to report the story of a homosexual Algerian refugee who claimed to have witnessed both the murder of two gay friends by Islamic

fundamentalists, and the stoning of two men, alleged to homosexuals, by neighbours.

Other reports from French newspapers described two cases in which gay men were beaten and rejected by their families for being homosexual. While a report in a UK magazine asserted that there were no gay organisations or support groups in Algeria. The same magazine stated that the Algerian police do not protect “sodomites” from violence, and that rape, beatings and torture are reported to be common for gay men in both civilian and military prisons.

The report goes on to say that according to another UK magazine *Gay News* the police and military “harass and brutalise gay people with impunity”.

The report also stated that there were two Algerian Web sites dealing with gay issues: Kelmaghreb, which described itself as the first online magazine for gay Maghrebians, and Algerigay, founded in 2004. [8e]

- 21.07 Behind the Mask reported on 3 April 2008 that lesbian women in Canada had organised themselves to fight for lesbian, bisexuals, transgender and transsexual rights for the Maghreb region, and formed an organisation named Zaafaran. The report stated that to date the organisation had 44 members, and quoted one new member as saying “I am a lesbian from Algeria. I left my country so that I can live my lesbian life safely. I am very excited about the new organisation and would like to get more involved with the organisation” [33a]
- 21.08 The 2008 edition of the international gay guide, *Spartacus*, states that two men were stoned to death in Algeria in 2001. [10a] (page1218)
- 21.09 The USSD 2007 Report on Human Rights stated:
- “There was also generally societal discrimination against homosexuals, but not violence or official discrimination. While some homosexuals lived openly, the vast majority did not”. [6i]
- 21.10 However, in an article on Kelma.org in 2005, reported by Behind the Mask, an Algerian gay states “Contrary to Egypt which judges its homosexuals, Algeria tolerates them without any trouble”. [33b]
- 21.11 The British Embassy in Algeria in an e-mail dated 23/1/08 stated:
- “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]

[Return to contents](#)
[Go to list of sources](#)

DISABILITY

22.01 The USSD report for 2007 states:

“The law provides protection, including free medical care, for persons with disabilities, especially children; however, there was widespread social discrimination against persons with disabilities. Laws prohibit discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. 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 only a very small portion of their budgets--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”. [6i] **(Persons with Disabilities)**

22.02 Details of statutory disability benefits in Algeria are outlined in the Algeria overview of the United States Social Security Administration’s ‘Social security programs throughout the world’, updated September 2005. [41a] The overview sets out details of permanent disability pensions (“80 per cent of average earnings during the last year or the best three years of the total professional career (whichever is higher)”) [41a] (p28), and temporary disability benefits (100 per cent of net daily earnings until recovery or certification of permanent disability). [41a] (p30)

[Return to contents](#)
[Go to list of sources](#)

WOMEN

23.01 Freedom House in *Freedom in the World – Algeria (2008)* reported that:

“Algerian women continue to face discrimination, at both the legal and societal levels. According to the family code, which is based on Islamic law, women do not enjoy equal rights in marriage and divorce. There remains considerable room for improvement, particularly in the area of inheritance, where women receive less than men.” [29a]

23.02 The Afrol Gender Profile – Algeria (accessed on 30 August 2008) noted that: “The 1984 Family Code, based in large part on Shari’a, treats women as minors under the legal guardianship of a husband or male relative.” The Profile went on to state that female life expectancy was “71.02 years (2000 est.)”. [13a]

23.03 The US State Department Report on Human Rights Practices 2007 (USSD 2007), published on 11 March 2008, noted that: “The constitution prohibits discrimination based on birth, race, sex, language, and social status. In general, the government enforced the nationality and family codes, although women continued to face some legal and social discrimination”. [6i] (Section 5)

23.04 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.” [84c]

23.05 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:

“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”. [35b]

POLITICAL RIGHTS

23.06 The US State Department Report on Human Rights Practices 2007 (USSD 2006), published on 11 March 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 the following three major political parties - FLN, RND, RCD - 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”. [6i] (Section 3)

23.07 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]

[Return to contents](#)
[Go to list of sources](#)

SOCIAL AND ECONOMIC RIGHTS

23.08 With regard to marriage and citizenship, the Algerian Consulate, London's website outlines the regularisation of marriage in terms of an Algerian national registering an Algerian civil marriage as follows:

“The marriage of an Algerian National can be registered at the Algerian Consulate. Required documents are:

1. Copy of marriage certificate issued by Registration Office (Marriage certificates issued by Mosque are not valid)
2. Copy of birth certificate of applicant
3. Copy of birth certificate of spouse. If the spouse's birth certificate is issued in another language than Arabic, English or French, please provide a translation of this document.” [42c]

“One of the key aspects of the marriage process in Algerian society is the role of the bride's male guardian, the *wali*. El Alami & Hinchcliffe, Islamic Marriage and Divorce Laws of the Arab World, London 1996 reproduces the 1984

Family Code, (given as “Law No. 84 - 11 of 9 June 1984 comprising the Family Law”), which includes the following: “Article 20: The future husband may be validly represented in the conclusion of the contract of marriage by a representative who is given a proxy to do so.” [43] (p42) It should be noted that this is the final act of a marriage process that begins with betrothal, includes agreements over dowry, and overseen by the marriage guardian of the bride (*wali*). The marriage has to “be concluded before a notary or official who is legally competent subject to the provisions of Article 9 of this law.” (Article 18) The marriage has to be registered in the Register of Civil status and a marriage certificate issued. [43](p42) The modifications of the 1984 Family Code, which were introduced into parliament in August 2004, did away with the need for a male guardian in marriages where the woman is 19 years or older. [7e] (p15871)

- 23.09 The US State Department Report on Human Rights Practices 2007 (USSD 2006), published on 11 March 2008, noted that:

“Women suffered from discrimination in inheritance claims. In accordance with Shari’a, women are entitled to a smaller portion of an estate than are 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 are to 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. 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 Centre of Trade Records, 9,500 women had their own business in 2006. According to a February report by the National Office of Statistics, there were 1,179,000 women workers and 858,000 unemployed women in the country”. [6i] (Section 5)

- 23.10 The USSD 2007 report also noted that:

“In urban areas, there was social encouragement for women to pursue a higher education or a career. Girls have a higher high school (baccalaureate) graduation rate than boys. According to 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 7.7 million workers, 1.4 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. In addition, women police officers have been added to some precincts to assist women with abuse claims”. [6i] (Section 5)

- 23.11 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.” [100]

23.12 An article in the New York Times, dated 26 May 2007, reported that:

“Women make up 70 percent of Algeria’s lawyers and 60 percent of its judges. Women dominate medicine. Increasingly, women contribute more to household income than men. Sixty percent of university students are women, university researchers say.

“In a region where women have a decidedly low public profile, Algerian women are visible everywhere. They are starting to drive buses and taxicabs. They pump gas and wait on tables.

“Although men still hold all of the formal levers of power and women still make up only 20 percent of the work force, that is more than twice their share a generation ago, and they seem to be taking over the machinery of state as well.” [101]

23.13 The article continued to state that:

“... for women, [Hugh Roberts, the North Africa project director of the International Crisis Group] added, university studies get them out of the house and allow them to position themselves better in society.” [101]

Later in the same article, it was noted that:

“In some neighborhoods ...birthrates appear to have fallen and class sizes in elementary schools have dropped by nearly half. It appears that women are delaying marriage to complete their studies, though delayed marriage is also a function of high unemployment. In the past, women typically married at 17 or 18 but now marry on average at 29, sociologists said.” [101]

23.14 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 national machinery for women lacks the legal and financial means to effectively address women’s human rights violations. Furthermore, while women are discouraged from denouncing violence to the authorities, the State fails to adequately protect and support those women that do seek justice. This failure manifests itself in gaps in the legal framework, lack of specialized women’s shelters, gender bias among police officers, lax sentencing practices and an inequitable marital property regime.

“The Charter for Peace and National Reconciliation, approved in 2005 by referendum, excludes rapists from amnesty and the perpetrators of the systematic sexual violence committed during the “black decade” effectively enjoy impunity. Meanwhile their victims continue to experience considerable grievance and hardship.

“The families of the disappeared, consisting mainly of women, are still denied their right to truth, which is tantamount to emotional violence. They also face difficulties in accessing the compensation promised under the Charter”. [35b]

- 23.15 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]

- 23.16 El Khabar reported on 1 April 2008 that the Minister for Family and Women had revealed that a recent census had shown that women represented 17% of the overall labour market in Algeria. 49% of women were employed in the health sector, with the education sector employing 48%. She went on to say that 35% of judges were now women. However, she concluded that even with women having the necessary skills, they were not allowed to hold the top positions. [50ab]

- 23.17 The Italian news agency ANSAmed reported on 19 May 2008 that women who wear the hijab (the Islamic veil) would not be admitted to the Algerian police according to the director of national security. He is quoted as saying: "The women who want to join the police will have to renounce the veil because this Islamic attribute is incompatible with the difficult job in the police".

Another minister is quoted as saying:

Algeria boasts the "biggest number of female agents in the countries of the Arab world".

The article went on to say that women in the police number some 9,000 equal to 7.8% of the total. [55]

[Return to contents](#)
[Go to list of sources](#)

VIOLENCE AGAINST WOMEN

- 23.18 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]

- 23.19 The US State Department Report on Human Rights Practices 2007 published on 11 March 2008, noted that:

“Rape, spousal and no spousal, occurred. No spousal rape is illegal; spousal rape is not. Prison sentences for no spousal rape range from one to five years.

“Spousal abuse occurred. The law 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, however, women frequently were reluctant to endure this process. Claims filed by women for rape and sexual abuse rarely were investigated or brought to justice.

“According to a 2006 study performed by the National Institute of Public Health (INSP), 3,746 women who were the victims of aggression visited a health care facility for medical care and psychological assistance. More than 50 percent of the victims were married and 65 percent were unemployed. The study emphasized that the home was the ‘privileged place for spousal violence.’ A separate 2006 study conducted throughout the country by the national police reported that 2,440 female victims of violence had asked for assistance in police stations. Reports coming out of hospitals in 2006, however, put the number of women victims seeking treatment at over 8,000. According to press reports, the National Gendarmerie handled over 800 cases of sexual abuse of female minors between January and September.

“During the year, the number of women suffering from violence climbed to 9,099 according to the National Health Institute and the national police.

“Violent abuse against women was more frequent in rural areas and among less-educated persons according to a March study published by the National Public Health Institute and was less likely to be reported because of societal pressures. According to a September 2006 National Research Centre for Anthropology study, 52 percent of a sample of 13,000 women indicated that they had suffered from physical abuse on at least one occasion”. [6i] (section 5)

- 23.20 The USSD 2006 report published in March 2007 gave a breakdown of the violence against women in 2006:

“Violent abuse was more frequent in rural areas and among less-educated persons. According to the government, from January to March there were 1,762 cases of violence against women. According to a March 2006 INSP study, 70 percent of abused women are jobless and 26 percent are illiterate. In 2005, according to the government there were 7,419 cases of violence against

women, including 5,178 cases of physical violence, 277 cases of sexual violence, 1,753 cases of 'ill treatment', 34 murders, and 176 cases of sexual harassment. According to a September 2006 National Research Centre for Anthropology study, 52 percent of a sample of 13,000 women indicated that they had suffered from physical abuse on at least one occasion. [6q] (Section 5)

23.21 In an article in the North African Times, Alarab reported on 1 July 2008 that:

"An investigation by the Ministry for the Family and Women's Rights achieved in 2007 reveals that 8277 women were raped, that is 23 victims per day. These were 15.000 in 2006 according to police statistics, of which 531 included tortures, 2511 mistreatments and 174 sexual harassments against 158 in 2006.

"During the same period, 20 women were murdered, 126 raped and 9 kidnapped and raped. 51% of the aggressions were carried out by their husbands. On the second semester of 2006, 16 cases of voluntary homicide were perpetrated by the husband.

"A similar survey was carried out by the National Institute of Public Health in 2005 indicating that out of 9033 women, 55% had been raped by their families of which 5% by their children, 69% of the battered women had no profession and 26% were illiterate, widowed, divorced and more in general single women, who are more exposed to rape.

"The capital, Algiers holds the sad record of physical aggressions in the street: 33 only for the 2nd semester of 2006. Nevertheless a faint hope lingers; more and more Algerian women are denouncing their aggressors. 9000 of them went to the University hospital of Algiers in 2006 and accepted to denounce their aggression. They were 5845 in 2004 and 7400 in 2005". [98a]

23.22 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]

23.23 In the UN Human rights council's Universal Periodic Review of 23 May 2008, the Algerian Foreign Minister told the working group that: “The Government has implemented a national strategy to combat violence against women, ending in 2011”. [35c]

23.24 A report from 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. [32I]

ASSISTANCE TO WOMEN FROM NGOS

23.25 The Women's International League for Peace and Freedom (WILPF) website (accessed 20 July 2007) contains details of nine Non Governmental Organisations that exist in Algeria to assist women. [102]

23.26 The US State Department Report on Human Rights Practices 2007 (USSD 2007), published on 11 March 2008, highlighted various activities and four NGO 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 centre received a growing number of calls. From January to June, the centre received 1,108 calls, compared to 1,524 in 2006. SOS Femmes en Detresse opened a second call centre during the year in the wilaya of Batna and, from January to June, the second centre received 921 calls.

“The punishment for sexual harassment is one to two years' imprisonment and a fine of \$740 to \$1,480(50,000 to 100,000 dinars). The punishment is

doubled for a second offense. The National Public Health Institute reported that 50 sexual harassment cases were brought to court during the year. According to SOS Femmes en Detresse, at least 500 women sought legal advice from the organization by year's end but did not file formal complaints. During the year, according to the National Public Health Institute, 10 persons were convicted and received fines ranging from \$30 to \$740 (2,000 to 50,000 dinars.)" [6i] (Section 5)

23.27 Amnesty International stated in an undated document entitled Women and War – Women activists lead the way that: "In Algeria, the Wassila network, a loose association of women's and children's groups, health workers and other individuals formed in 2000, has documented the testimonies of women victims of violence, and offers them medical care and psychological assistance." [26g]

23.28 A presentation on the Maghreb – Machrek from the Institut Panos Paris website stated that:

"Women in Communication [Femmes en Communication] is an Algerian association created on May 8, 1995 in Algiers 'born of the need to exchange, dialogue, communicate on our concerns between women and with the very whole company, this association wants to try to organize this communication by establishing the relays, the networks necessary and the adequate supports.' It reconciles a 15 years experiment in journalism radio operator (with the radio Algerian Television Chaîne 3, international) his secretary-general, Mrs. Mina Zerrouk, a practice of lobbying with the organization in 1996 of a national campaign of information inviting to revise the code of the family in force since 1984 (a million signatures for the women's right in the family) and a training activity of the graduate future young people (coeds in journalism) in order to sensitize them with their privileged role of support to the evolution of the female statute as future professional of the media." [103]

23.29 In the response to information request on the Immigration and Refugee Board of Canada website (August 2006), the following on assistance for women was detailed:

"The CIDDEF representative stated that Algeria has six centres that work with abused women; two are managed by community organizations and four by the Algerian government (19 Aug. 2006). No additional information on these centres could be found among the sources consulted by the Research Directorate within the time constraints for this Response.

"The CIDDEF representative also noted that community organizations are starting to raise awareness of domestic violence among police officers and gendarmes (CIDEFF 19 Aug. 2006). However, correspondence from the President of SOS Women in Distress indicated that domestic violence is still a part of ... private life' and that neither the police nor the gendarmes tend to intervene in domestic disputes (19 Aug. 2006). She also stated that abusive husbands often prevent their wives from filing complaints (SOS Femmes en détresse 19 Aug. 2006). According to the study conducted by Violence Against Women, the victims who report attacks are mostly educated women with a certain degree of financial independence (Algeria 2005, 43). According Elto the CIDDEF representative, many victims of domestic violence do not dare to file complaints against their aggressors because the family code does not protect them (19 Aug. 2006).

“In an article published in *El Watan*, a representative of the government department responsible for families and the status of women indicated that her department is working to implement ... ‘an empowerment program for abused women and children’ that will run until 2007 (12 July 2006). In addition to bringing about legislative reforms, the program will encourage victims to become independent (*El Watan* 12 July 2006; CIDDEF 19 Aug. 2006)”. [8k]

- 23.30 A report on the Women Against Fundamentalism (WAF) website of a joint meeting between Solidarity with the Women’s Struggle in Algeria (SWASWA) and WAF noted that:

“Women’s associations include SOS Women in Distress which supports battered women, divorcees and abandoned women with children (since the introduction of the Family Code, men usually get the family house after divorce). The aim of SOS is to empower women so they can go back into society, for example helping them find employment. It has a shelter in Algiers and runs an advice service. Other groups include Dia a]-Rahma [sic], which has collected funds for refugees and shelters for children, and the sick and old. Also The Association for Families and Children have sensitised Algeria to the taboo subject of abandoned children and managed to get the law on adoption improved so that people are now allowed to give adopted children the family name.” [104]

- 23.31 Development Issues and Women stated in a report on 1 April 2008 on the 1st International Symposium on Terrorism in Algiers that:

“The national organization of the victims of terrorism was created with a political association in September 1993 and by its serving Secretary General Mrs. FLICI Fatma Zohra.

“This NGO focuses on the assistance and the support for the victim’s families of terrorism [sic] including their [sic] psychological, medical, legal and socio economic issues. It shares the grief of the victims and survivors of the Terrorism in Algeria which left a large number of orphans and handicapped people, psychologically scarred nation with a feeling of insecurity that resulted in slow development of the country.

“The NOVTE organized an international conference on terrorism in March 2008 at Algiers the capital. The conference aimed at bringing think tanks, NGOs, media and other associations working against Terrorism in different parts of the globe. It was chaired by Mme Fatma Zohra Flici, and her team of volunteers organized the two day event. Interestingly the date chooses [sic] i.e. March 22 has deep meaning for the Algerian nation as it celebrates the birthday of the great popular walk countering national terrorism, organized in 1994 in Algiers by the civil company. It was held under the patronage of the president of the Republic”. [95a]

[Return to contents](#)
[Go to list of sources](#)

LEGAL PROVISIONS AND ACCESS TO THE LAW (INCLUDING THE FAMILY CODE)

- 23.32 The United Nations announced that Algeria became a party to the UN Women’s Treaty on the Convention on the Elimination of All Forms of

Discrimination against Women (CEDAW) on the banning of all forms of discrimination against women, on 22 May 1996. [25a] However, Algeria had reservations to articles 2, 9(2),15(4), and 16. Reservations to articles 2 and 16 [Article 2: The Government of the People's Democratic Republic of Algeria declares that it is prepared to apply the provisions of this article (condemning discrimination against women in all its forms, agreeing to pursue by all appropriate means and without delay a policy of eliminating discrimination against women) on the condition that they do not conflict with the provisions of the Algerian Family Code. Article 16: The Government of the People's Democratic Republic of Algeria declares that the provisions of article 16 concerning equal rights for men and women in all matters relating to marriage, both during marriage and at its dissolution, should not contradict the provisions of the Algerian Family Code. [25d] are contrary to the object and purpose of the Convention. [25c] (p4)

23.33 Amnesty International said:

"The government of Algeria has shown a lack of political will to ensure that women are protected from violence. Algeria's reservations to CEDAW are a serious impediment towards guaranteeing the fundamental rights of women and should be lifted." [26j]

23.34 The second periodic report of Algeria was considered by the CEDAW Committee during the 32nd Session, on 11 January 2005. Algeria's progress against and compliance with its obligations under the UN CEDAW was reported on and discussed. [25b]

23.35 In its concluding comments, the Committee appreciated:

"... progress achieved in the area of women's health, including the decrease in maternal and infant mortality and the increase in women's life expectancy". However, it was concerned "... about the apparent lack of cooperation of the authorities with non-governmental organizations in the implementation of the Convention including in follow-up to the concluding comments. The Committee notes with concern that women's non-governmental organizations were not consulted in the process of preparing the report." [25c] (p3, 6)

23.36 The EuropaWorld website (accessed 20 July 2007) gives the following information:

"In August 2004 a bill to improve women's rights was drawn up by the commission in charge of revising the family code, which had been established in October 2003. The new legislation was approved by the Government and sent for review by the Council of Ministers, despite fierce opposition from Islamist groups who considered that it went against the teachings of the Koran. The reform would make it illegal for a man to divorce his wife without stating clear grounds, and would allow a woman to receive financial support from her husband once they were divorced. Moreover, women would no longer have to seek permission from a male relative in order to marry." [1h] (Recent History)

23.37 This is corroborated by an article on Women's eNews dated 3 April 2007, which reported that:

“A law passed in 2005 - announced by Algeria’s president on March 8, International Women’s Day - addressed the special vulnerabilities of women undergoing divorce. The reform law leaves mothers, in most circumstances, with custody rights over children and requires a man to give up the conjugal residence or provide housing when the ex-wife retains custody”.

However, the article continued to state that:

“... the 2005 law has the potential to help divorced women but is currently left largely unenforced” and “... many women in Algeria - despite a 2005 law intended to help them - end up homeless and living in the street, often after their husbands suddenly decided to exercise their right to divorce”.

The article went on to say that:

“According to SOS Women in Distress, a women’s rights organization in Algiers, at least 540 women throughout Algeria have been victims of the nation’s family law and became homeless last year. But the number of women who have found themselves living in the street, very often with their children, is certainly higher. Women gathered at night in the streets of Algiers are a common sight.” [99]

- 23.38 The US State Department Report on Human Rights Practices 2006 (USSD 2006), published on 6 March 2007, noted that:

“The constitution provides for gender equality; however, some aspects of the law and many traditional social practices discriminated against women. The Family Code, adopted in 1984 and amended in 2005 by presidential decree, 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.

“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 them 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.” [6i] (Section 5)

- 23.39 On 11 January 2005, the CEDAW Committee commended Algeria for “including the offence of sexual harassment in the revised Penal Code”.

However, “... While noting that the Constitution, in its articles 29 and 31, stipulates equality before the law without discrimination, including on the basis of sex, the Committee is concerned that [Algeria]’s legislation does not contain a definition of discrimination in accordance with article 1 of the Convention, nor provisions on equal rights of women in line with article 2 (a) of the Convention”.

The Committee was also:

“... concerned about the lack of progress in revising discriminatory legislation. In particular, it expresses concern that the revision of the Code of Algerian Nationality established by Order 70-86 of 15 December 1970 and of the 1984 Family Code has not been completed, thus allowing for the persistence of discriminatory provisions that deny women equal rights with men concerning the transmission of nationality, as well as on issues related to marriage and family life, including divorce and child custody. It also expresses concern that the proposed amendments to the Family Code do not include the abolition of polygamy and of women’s legal guardianship”.

The Committee was also concerned

“that, although women’s access to justice is provided for by law, their ability in practice to exercise this right and to bring cases of discrimination before the courts is limited”. [25c] (p3, 4)

[Return to contents](#)
[Go to list of sources](#)

CHILDREN

BASIC INFORMATION

24.01 The USSD report for 2007 states that: “The government was generally committed to protecting the welfare, rights, health, and education of children”. [6i] (Section 5)

24.02 It continued:

“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.” [6i] (Section 5)

24.03 At What Age? Lists the basic facts on children as:

- Education – Compulsory for all children aged between 6 and 16 years. (Article 4 of the Ordinance of 16 April 1976)
- 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. (Ordinance No 75-31 of 29 April 1975)
- Minimum age for marriage – 21 years for men; 18 years for women. (Act No.84-11 of 9 June 1984)
- Minimum age for criminal responsibility – Under 13 years may not be placed in a prison establishment. Between 13 and 18 years may be placed in a prison establishment only if a provisional measure to that effect seems indispensable or it is impossible to make other arrangements. In that case the minor must be kept in a special section or separate area. (Article 456)
- The age of majority in criminal proceedings is 18 years. (Article 442) [77a]
- The age of consent for male to female sex in Algeria is 16. [105]
- Universal suffrage – 18 years [2a]

[Return to contents](#)
[Go to list of sources](#)

CHILD ABUSE

24.04 The USSD report for 2007 reported 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.

“In January, February, and April 2006, according to press reports, there were incidents involving the kidnap and rape of girls by terrorists. In May 2006 the bodies of 22 children were found in the province of Jijel. They were alleged to have been used as human shields by the GSPC. In July 2006 the body of a young girl, allegedly decapitated by terrorists, was found in Bouira. Terrorist groups did not claim responsibility for any of the incidents”. [6i] (Section 5)

- 24.05 “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”. (El Khabar 1 April 2008) [50q]
- 24.06 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. [79a]
- 24.07 The same source stated that the most common form of youth delinquency is theft, followed by physical violence, destruction of public property and prostitution. [79a]
- 24.08 El Khabar reported on 12 May 2008 on the case of a 13-years old girl who had taken her father, a university lecturer, to court for allegedly beating her. The father claimed that he had not beaten her, but that she had fallen down. The General Prosecutor imposed a fine of 20,000 Dinar. [50r]

[Return to contents](#)
[Go to list of sources](#)

CHILD LABOUR

- 24.09 The USSD report for 2007 states 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... Economic necessity compelled many children to resort to informal employment, such as street vending". [6i] (Section 5 Children)

"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." [6i] (Section 6d)

[Return to contents](#)
[Go to list of sources](#)

EDUCATION

24.10 The USSD report on Human Rights published on 11 March 2007 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". [6i] (Section 5)

24.11 The EuropaWorld website (accessed 19 August 2008) gives 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". [1f] (Education)

24.12 An article on Middle East Online dated 20 June 2007 reports:

“The Algerian government Tuesday approved a plan to set up an academy of the Amazigh language, spoken by the Berber minority, many of whom live in Kabylie in the mountainous north of the country.

“The council of the government has examined and endorsed two presidential decree projects... relating to the creation of an Algerian Academy of the Amazigh Language and of a Higher Council of the Amazigh language,’ a government statement said after its weekly meeting.

“The academy is described as ‘a national institution of a scientific and cultural nature.’

“Both it and the higher council will be under the direct supervision of the presidency under the terms of the decree.

“The measures have been taken in conformity with 2002 legislation amending the constitution making the Berber language a national language on the same footing as Arabic.

“That recognition followed a year of demonstrations in the Kabylie region between April 2001 and March 2002 following the death of a high school student in a police station at Beni Douala, near Tizi Ouzou, east of Algiers.

“Political parties and organisations promoting Berber identity and culture are still calling for the Berber language to be recognised as an official language by the constitution.

“A High Commission for Amazigh affairs (HCA) was set up in 1995 to promote the teaching of the Berber tongue in public schools but has been criticised by Berber cultural movements for its inertia.” [78a]

24.13 The Country Background Note of the US State Department of October 2007 states:

“Algeria’s educational system has grown dramatically since the country gained its independence. In the last 12 years, attendance has doubled to more than 5 million students. Education is free and compulsory to age 16. Despite government allocation of substantial educational resources, population pressures and a serious shortage of teachers have severely strained the system. Modest numbers of Algerian students study abroad, primarily in Europe and Canada. In 2000, the government launched a major review of the country’s educational system and in 2004 efforts to reform the educational system began.” [6j] (People)

24.14 The Economist Intelligence Unit’s 2008 Country Profile for Algeria states in relation to education:

“Since independence the number of children receiving schooling has risen dramatically. Enrolment rates in 2005 were an estimated 97% at primary school level and 66% at secondary school level, according to figures issued by the UNDP. Adult literacy was around 70% in 2005. Education and training account for more than 30% of current government expenditure. However,

owing to years of government-driven education programmes, there is currently a skills mismatch in the labour market. The government is hoping to gradually adapt the education systems to better match the needs of the labour market, partly by increasing vocational training and partly by improving the standard of science and technical education.

“Development plans for the future include a new university in Oran at Ain el-Beida. The new facility should help with overcrowding in the Oran’s Oran-Es-Senia University. It will complement Algeria’s 13 existing major universities, as well as 13 other tertiary institutions”. [84c] (p21)

- 24.15 The Algerian youth literacy rate (the percentage of people aged 15-24 who can, with understanding, both read and write a short, simple statement relating to their everyday life) according to Globalis shows an increase:

Year	1980	1985	1990	2004
Youth literacy rate (Percent)	60.6	69.4	77.3	89.9

[97]

- 24.16 A document issued by the Child Rights Information Network (CRIN) on 1 July 2008 stated that according to a report released by the Algerian Ministry of Employment and Solidarity on child mistreatment in the country:

“Nearly half a million children drop out of school in Algeria each year, and that although education is mandatory under Algerian law, many parents do not require their children to attend school. According to figures from the judiciary police, 3,467 cases of delinquency were reported between January and April 2007”.

The report went on to quote a police spokesperson as saying that the most common form of youth delinquency is theft, followed by physical violence, destruction of public property and prostitution.

An Algerian judge is quoted as saying that although Algeria is a signatory to a number of international conventions on child protection, and has laws that protect children and require them to attend school; they are rarely applied, particularly when parents refuse to enrol their children in schools.

The report then goes on to outline those measures that the Algerian government is taking to tackle juvenile delinquency and to reintegrate children into the schools system. [79a]

- 24.17 In February 2008 a new World Bank study of education in 14 Middle East and North African countries, placed Algeria 8th. The report said that Algeria still adhered to an “outdated method of teaching”, and called on the countries in the Maghreb region to “reform their educational systems so as to meet the demands of an increasingly competitive world, and to benefit from the potentials and capabilities of the already big, and still growing” youth population. (Magharebia) [32f]
- 24.18 On 21 April 2008 the Education Minister announced that students taking the baccalaureate examinations would face tighter supervision and oversight as well as stricter grading. The plan called for the increasing the number of monitors and tightening security in testing centres, after 175 cases of flagrant

cheating were reported in 2007 baccalaureate exams, compared with 17 in the elementary exam. Some teachers felt that this would increase student stress levels, while some felt that the government should make every effort to eliminate fraud. (Magharebia) [32g]

24.19 On 22 April 2008 the Education Minister made another announcement that one and a half hours a week would be allotted to children in primary schools suffering from learning difficulties. The measure would be introduced in the next school year and would have 15 minutes per day devoted to it every morning. The curriculum would be cut to 24 hours per week for all instead of the current 24 hours a week for 1st and 2nd year primary pupils and 25 hrs for 3rd year pupils. Thursday would be a free day for all pupils and a training day for teachers. [50s]

24.20 El Khabar reported on 19 May 2008 that the prosecutor at Sidi M'Hamed court had asked for sentences ranging between 6 months and two years in prison and fines ranging between 20,000 and 50,000 dinars against 97 defendants, including executives and students at the Continuing Education University as well as representatives of the administration for forgery and use of false certificates in the university. Most students were alleged to have purchased the recognised school certificates, some for as much as 1,000 dinars, while the staff claimed that they could not check every certificate. The territorial brigade of the National Gendarmerie d'El Harrach had identified 118 schools in Algiers where school certificates had been falsified, after finding 2,695 files, following the measures to control administrative records deposited at the university between 1999 and 2002. Many of the defendants had since joined the customs, paramilitary or sectors of education. [50t]

24.21 An article on 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. From 1991 to 2002, as many as 200,000 Algerians died in fighting between government forces and Islamic terrorists. Now one of the main terrorist groups, the Salafist Group for Preaching and Combat, or G.S.P.C., has affiliated with Al Qaeda, rebranding itself as Al Qaeda in the Islamic Maghreb.

“There is a sense that this country could still go either way. Young people here in the capital appear extremely observant, filling mosques for the daily prayers, insisting that they have a place to pray in school. The strictest form of

Islam, Wahhabism from Saudi Arabia, has become the gold standard for the young.

“And yet, the young in Algiers also appear far more socially liberal than their peers in places like Egypt and Jordan. Young veiled women walk hand in hand, or sit leg to leg, with young men, public flirtations unthinkable in most other Muslim countries.

“The two natures of the country reflect the way in which Algerian identity was cleaved in half by 132 years of French colonial rule, and then again by independence and forced Arabization. Once the French were driven out in 1962, the Algerians were determined to forge a national identity free from Western influence.

“The schools were one centre of that drive. French was banned as the language of education, replaced by Arabic. Islamic law and the study of the Koran were required, and math and science were short-changed. Students were warned that sinners go to hell, and 6-year-olds were instructed in the proper way to wash a corpse for burial, education officials said.

“There is a feeling among many Algerians that they went too far.

“We say that Algeria’s schools have trained monsters,” said Khaoula Taleb Ibrahim, a professor of education at the University of Algiers. “It is not to that extent, but the schools have contributed to that problem.

“Over the years, the government has pushed back, reintroducing French, removing the most zealous religious teachers and trying to revise the religious curriculum. Seven years ago, a committee appointed by the president issued a report calling for an overhaul of the school system — and it died under intense political pressure, mostly from the Islamists and conservatives, officials said.

“But this year, the government is beginning to make substantive changes. The schools are moving from rote learning — which was always linked to memorizing the Koran — to critical thinking, where teachers ask students to research subjects and think about concepts.

“Yet the students and teachers are still unprepared, untrained and, in many cases, unreceptive”. [101b]

- 24.22 On 31 July 2008 The Education Minister announced that President Bouteflika had issued an order abolishing grants for scholarships abroad for student who passed the baccalaureate exam. He said that the decision had been taken due to the small number of students who returned to Algeria after finishing their studies. (El Khabar) [50u]
- 24.23 Although a declaration was made by an official of the education sector last April indicating that 90 per cent of secondary schools were connected to the internet, a study in Oran western province had shown that more than 83% of school students do not access the internet at secondary school, instead they use cybercafés. The study found that students interested in computer skills ranged from 50% - 80%. Student’s access to the internet ranged from 0 to 35%.(El Khabar 19 August 2008) [50v]

- 24.24 On 31 August 2008 Magharebia reported that a new government report had found fewer male students in high schools and universities compared to female students. While male students outnumber female students in elementary and middle schools, the gender disparity reversed in high school where there were an estimated 596,347 female students compared with 439,516 males. In university females totalled 528,105 against 410,662 males. [32s]

[Return to contents](#)
[Go to list of sources](#)

CHILD CARE

- 24.25 The UK Foreign and Commonwealth Office (FCO) stated in a letter to Country Information and Policy Unit 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]
- 24.26 The FCO information above 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'Acceuil 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]
- 24.27 The FCO information continues: "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]
- 24.28 An article published in Magharebia on 4 July 2008 stated:
- "Natural disasters and a decade of terrorism have produced an ever-increasing number of orphans in Algeria. Members of this marginalised social group are often left to the care of international NGOs, while the government struggles to accommodate them in its social policy.
- "It is difficult to determine how many of them there are. Neither the National Solidarity Ministry nor the associations responsible for helping the orphans have precise figures. The general population census results published on June 16th do not even mention orphans.
- "Everyone agrees, however, that their numbers are increasing.

“The solidarity ministry records 3,000 unmarried mothers every year. In a society which still does not accept the existence of unmarried mothers, most of them are tempted to abandon their children to state nurseries or leave them in hospitals or on the street.

“Last March, National Solidarity Minister Djamel Ould Abbas said that steps would be taken to allow children born illegitimately to receive full civil status--in other words, to be given a family name by means of a DNA test and statements from the mother or close relative.

‘We are in the process of looking into the matter with the security services, and by June we shall have a clearer idea of the number of children and their circumstances,’ Abbas said.

“June has come and gone, however, and the ministry has given no concrete figure.

“To help support government efforts to rescue abandoned children, Algérie Télécom has made two free telephone numbers available to the National Solidarity Ministry and the Ministry for Families and Women’s Affairs. But it is the charities who take on the lion’s share of the work of helping orphans.

“One such organisation, SOS-Kinderdorf International, plans to open a centre in Corso (50 km east of Algiers) in September, in partnership with the National Solidarity Ministry.” [32h]

24.29 The report goes on to explain how SOS-Kinderdorf set up a village for orphans in Draria, and how the new centre will also cater for children with special needs and autistic children. The report continues: “Still working with the solidarity ministry, the NGO will launch a project to care for orphans who have reached the age of majority and must leave the care homes. Since the majority of these young people risk ending up on the streets once they leave the orphanages, the project will help provide them with independent flats”. [32h]

24.30 With regard to adoption the report continues:

“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”. [32h]

[Return to contents](#)
[Go to list of sources](#)

CHILD SOLDIERS

24.31 The Coalition to Stop the Use of Child Soldiers, in the ‘Child Soldiers Global report 2008’ Algeria section, published on 20 May 2008, states:

“Although the voluntary recruitment age remained unclear, children did not appear to have been recruited into government armed forces...In May 2007 the purported leader of al-Qaeda in the Islamic Maghreb released a recorded statement urging the youth of Algeria to join “the growing ranks of martyrs”. It was not known whether armed groups recruited or used under-18s” [39a]

The report went on to say:

“In October 2005 the UN Committee on the Rights of the Child expressed serious concern over the alleged cases of persons under 18 years of age being used by government-allied paramilitary forces and armed political groups, and over deficiencies in the birth registration system for children belonging to nomadic minorities. The Committee expressed deep concern over the situation of Western Saharan children living in refugee camps in Algeria. A bill on child protection (Code de protection de l'enfant) was introduced and was expected to harmonize existing laws pertaining to the protection and promotion of child rights”. [39a]

[Return to contents](#)
[Go to list of sources](#)

TRAFFICKING

- 25.01 The USSD Trafficking in Persons report 2008, published on 4 June 2008, states:

“Algeria is a transit country for men and women trafficked from sub-Saharan Africa en route to Europe for the purposes of commercial sexual exploitation and involuntary servitude. These men and women often enter Algeria voluntarily, but illegally, with the assistance of smugglers. Once in Algeria, however, some women are coerced into commercial sexual exploitation to pay off smuggling debts, while some men may be forced into involuntary servitude in construction and other low-skilled work. According to one NGO, an estimated 9,000 sub-Saharan African migrants currently residing in Algeria are victims of trafficking. In addition, Algerian children are trafficked internally for the purpose of domestic servitude or street vending.

“The Government of Algeria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not report any serious law enforcement actions to punish traffickers who force women into commercial sexual exploitation or men into involuntary servitude. Moreover, the government again reported no investigations of trafficking of children for domestic servitude or improvements in protection services available to victims of trafficking. Algeria still lacks victim protection services, and its failure to distinguish between trafficking and illegal migration may result in the punishment of victims of trafficking”. [61] (Country Narratives)

- 25.02 On 9 June 2008 El Khabar reported that the Algeria had rejected the US report Trafficking in Persons, in which it accused the Algerian government of covering up trafficking in persons and illegal immigrants. The Algerian Justice Minister said “Algeria categorically rejects the US accusations”. [50as]

[Return to contents](#)
[Go to list of sources](#)

MEDICAL ISSUES

GENERAL

26.01 The USSD report for 2007 states that: "The government provided free medical care for all citizens - including children with disabilities - albeit in generally rudimentary facilities, and to both sexes equally. [6i] (Children)

26.02 The US State Department Background Note on Algeria, updated October 2007, states:

"Housing and medicine continue to be pressing problems in Algeria. Failing infrastructure and the continued influx of people from rural to urban areas have overtaxed both systems. According to the United Nations Development Program, Algeria has one of the worlds highest per housing unit occupancy rates, and government officials have publicly stated that the country has an immediate shortfall of 1.5 million housing units." [6j] (People)

26.03 According to the Financial Times a report in El-Khabar newspaper on 10 February 2008 said a recently released report by the World Bank revealed that the Algerian health sector had failed to achieve the objectives scheduled by the UN. The report said that healthcare access in countryside areas was insufficient, because of lack of medical apparatus, medicines, employees, and specialist practitioners particularly in the southern provinces where there was an estimated 0.18% practitioner per 1000 people in the south western areas, compared to an estimated 1.52% in the centre of the country. The report added that practitioners are refusing work in the rural areas. [80b]

26.04 The Economic Times reported on 15 February 2008 that the Algerian Health Minister announced that Algeria had committed a sum of \$28 billion to achieve its health sector goals by 2025. He stated that this investment:

"Will help us bring in an additional 86,000 beds, replace 12,181 others in the old hospitals and build prefabricated hospitals".

He went on to say that the investment was aimed at achieving three main objectives – reaching by 2025 the current health indicators of developed nations, eradicating disparities in regards to health indicators between the provinces and developing a national health care plan.

With regard to the private sector, the minister pointed out that private clinics could not receive more than 6.24 per cent of the total beds. In regard to this, he announced the inauguration of a Cuban hospital in Djelfa to take place in March 2008, with a 120 bed capacity. Three other such hospitals were under construction in Bechar, Ouargia and El Oued, and would come on line by the end of 2008. Three other Cuban hospitals specialising in ophthalmology in Setif, Tiemcen and Tamanrasset would be operative in the near future.

In addition the minister stated that spending on health care had increased from \$77 per person in 2004 to \$171 in 2007, while the WHO index was \$189 per person. [110a]

26.05 Jane's Sentinel noted on 4 March 2008 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." [83f]

Jane's also noted that:

"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." [83f]

26.06 The UN Development Programme (UNDP) Report 2007/2008 (accessed 19 August 2008) placed Algeria in 104th place out of 177 countries in its Human Development Index. The report stated that life expectancy in 2005 was just over 71.7 years. [23a] The Europa World website (accessed 15 August 2007) states that Government expenditure in 2004 on public health was 3.6 per cent of GDP. [1m] (Health and Welfare)

26.07 The Economist Intelligence Unit's 2008 Country Profile on Algeria states 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)". [84c] (p29)

26.08 The Algerian Ministry of Health and Population publishes medical data. This includes lists of regional and specialist hospitals and numbers of medical personnel in the public sector. [22] (Le Ministère, National System of Health)

- 26.09 MD Travel Health website provides daily updated health information and reports recent outbreaks in Algeria:

“An outbreak of typhoid fever was reported in August 2007 from Djelfa province, 300 km south of Algiers, causing 36 cases by the end of the month.” [92]

- 26.10 The MD Travel Health website states:

“Medical facilities are improving, especially in large urban centres, but are still not up to Western standards. Important pharmaceuticals may not be available. Many expatriates use Hospital Mustopha near place de Mer (Place du 1 Mai, Algiers; tel. 02 67 33 33). Most health care practitioners speak French, not English. Most doctors and hospitals will expect payment in cash, regardless of whether you have travel health insurance. Serious medical problems will require air evacuation to a country with state-of-the-art medical facilities.” [92]

- 26.11 A World Bank report titled ‘The Status and Progress of Women in the Middle East and North Africa (2007)’ states regarding health:

“Notable progress was accomplished in access to reproductive and health services with 96 percent of births attended by skilled health staff in 2002. The average fertility rate among Algerian women dropped significantly in twenty years to 2 children / woman in 2004.

“Maternal mortality remains a notable phenomenon with large disparities between different areas. A Child and Mother’s Health survey conducted nationally reported 215 deaths per 100.000 live births in 1992 and a rate of 117 in 1999. According to the Ministry of Health and Population, maternal mortality rates were cut in half in ten years. The maternal mortality ratio of 75.5 deaths per 100.000 live births in 1995 had decreased to 37 deaths per 100.000 live births in 2004.

“Despite continuous efforts undertaken by the State to improve health services (through massive training and construction of health infrastructures), the government has underlined several areas in which the following action is necessary:

- Provide greater emergency obstetrical services and equip health structures with adequate equipment and necessary products to make deliveries safer, particularly in the regions of the south and the high Plateaux.

- Invest additional resources to improve the delivery quality of specific services in the areas of reproductive health, family planning, cancer tests, HIV and AIDS tests and treatment, as well as violence against women.

- Reinforce the statistical database in terms of production and dissemination of data on reproductive health.” [34a]

- 26.12 The US Department of State Consular Information Sheet offers the following advice regarding medical facilities and health information in Algeria as at 8 May 2008:

“Hospitals and clinics in Algeria are available and improving in the large urban centres, but are still not up to Western standards. Doctors and hospitals often

expect immediate cash payment for services. Most medical practitioners speak French; English is not widely used.

“Prescription medicines are not always readily available. Some pharmacies may at times be out-of-stock. In addition, the medicine may be sold under a different brand name and may contain a different dosage than in the U.S. Please be aware that some newer medications may not yet be available in Algeria. It is usually easy to obtain over-the-counter products.

“Emergency services are satisfactory, but response time is often unpredictable. In all cases, response time is not as fast as in the U.S.

“Cases of tuberculosis are regularly reported, but do not reach endemic levels. Every summer, public health authorities report limited occurrences of water-borne diseases, such as typhoid. In addition, HIV/AIDS is a concern in the remote southern part of the country, especially in border towns.” [60]

- 26.13 AllAfrica.com ran a report dated 18 September 2007 noting that Algeria and South Africa have worked together on a number of health issues:

“In 2003, South Africa sent its first cardio-thoracic surgery team to Algeria to perform operations at the request of the Government of Algeria.

“The team was sent off by the South African Health Minister, Dr Manto Tshabalala-Msimang, and the Algerian Minister of Health and Population, Abdelhamid Aberkane.

“South Africa provided emergency relief to Algeria during the unfortunate incident of an earthquake that led to the death of more than 2000 people and left more than 8000 injured in May 2003.

“The relief included medical supplies, medical personnel and equipment to detect bodies trapped during the destruction of some of the infrastructure.” [93a]

- 26.14 An article on the Algeria Events website dated 19 September 2006, updated 14 April 2008, states that:

“Jordanian doctors and businessmen will embark within the few forthcoming months on the general and specialized medicine private hospitals’ construction in Algeria.

“Some of the projects fall within partnership with Algerian doctors’ framework, and others come as individual initiatives. The projects are to cover Algeria deficient specialities.

“In another hand, Jordanian doctors will come to Algeria in order to oversee surgical operations as of next month. The doctors supposed to come to Algeria regularly are going to supervise the difficult surgical operations, The Jordanian health minister advisor, Dr. Rateb Henaoui told El Khabar.

““Many surveys are underway namely technical and financial ones so as to get acquainted with the array of opportunities likely to be seized by investors, thanks to the Algerian legislation’, he pointed out, stressing that ‘such

operations are to take place each three months'. Whereas the agreement concluded between the two ministries enacts the difficult cases' evacuation to Jordan.

"Moreover a great importance is attached to medicines manufacturing, along with expertise exchanges in terms of medical tests. Moreover, a feasibility study, undertaken by the Algerian and Jordanian health ministries is underway on the most important fields lacking Algeria, be it in health care or medicines, to keep in line with 1997 Agreement." [94]

- 26.15 Magharebia reported on 14 March 2008 that in response to consumer complaints about the high price of prescription drugs, the Algerian government had recently passed legislation to promote the use of generic pharmaceuticals. The legislation provided for the creation of a national pharmaceutical agency whose task was to monitor drug availability, safety, quality, inspections and compliance. The list of state-reimbursed drugs was increased from 116 to 295 internationally-recognised medications.

A spokesman for Algerian drug manufacturers claimed that the legislation, opening the market to foreign competitors would threaten the Algerian drugs industry. He said that his group wanted the government to set up a transparent regulatory framework, and accelerate procedures for registration of locally made drugs. "If these recommendations are followed" he said "Algeria will cover 65% of its own needs by 2012". In 2007, Algeria imported drugs worth \$1.4 billion.

The decision by the government that 45% of generic drugs should be imported was criticised by a pharmaceutical company spokesman, who said that it would be hard to sell imported drugs as consumers would not be able to access them until after they had been tested and registered. [32k]

- 26.16 According to El Khabar newspaper on 12 April 2008, the Minister of health announced that a major pharmaceutical manufacturing unit would be opened in the near future in Sidi Yahia. It would be established by a Saudi-Arabian pharmaceutical company, and \$55 billions would be invested for the production of 280 million units of medicines, and was likely to produce 290 million units per year, representing 65% of the medicines market in Algeria. [80c]
- 26.17 In a report dated 13 May 2008 the Minister for Scientific Investigations said that Algeria would produce 65% of its drugs needs by 2012, but the same report stated that the Ministry of Industry and Investment Promotion had indicated that Algeria's drugs imports estimated a \$1 billion per year should be reduced. The Chairman of the National Union of Pharmaceutical Companies said 50 drugs research centres and 50 production companies were threatened with closure, and 12 thousand workers were likely to lose their jobs unless a scientific research policy was adopted by the authorities. [50am]
- 26.18 On 17 April El Khabar reported that the pharmacist's trade unions had warned of drug shortages, while 50 medicines were not available in pharmacies, among them generic and chronic disease drugs. [50an]

- 26.19 The Minister of Trade announced on 15 May 2008 that an amended competition Act submitted to the Senate would allow the government to fix medicine prices. [50ao]

[Return to contents](#)
[Go to list of sources](#)

HEALTH CARE PROFESSIONALS

- 26.20 The World Health Organisation's (WHO) presents in detail the 2005 figures for healthcare professionals in Algeria [15e]

[Return to contents](#)
[Go to list of sources](#)

HIV/AIDS

- 26.21 The World Health Organization / UNAIDS document, 'AIDS epidemic update, December 2005', reports, regarding Algeria:

"Algeria recorded twice as many new HIV cases in 2004 (266 diagnoses) compared with the year before. This might herald a surge in the country's hitherto small epidemic, which is still inadequately surveyed. Modes of transmission are unknown for almost three quarters of the 1721 official HIV diagnoses made by end-2004, making it difficult to pinpoint the routes of transmission (Ministère de la santé Algeria, 2005). However, most infections appear to be occurring during heterosexual intercourse, with commercial sex a prominent factor, especially in the south, where HIV prevalence is much higher than elsewhere in the country. The highest infection levels recorded to date have been among sex workers: 1.7% in Oran, in the north, and as high as 9% in Tamanrasset, in the south, where it has risen sharply from the 2% found in 2000 (Institut de Formation Paramédicale de Parnet, 2004: Fares et al., 2004). In addition to sex workers, military personnel and migrants appear to be particularly vulnerable to HIV in Tamanrasset." [15d] (p71)

The December 2006 update added:

"... the use of non-sterile injecting equipment appears to be common. Various studies show that as many as four in ten injecting drug users in Algeria ... have used non-sterile syringes. ... in Algeria and Morocco, unprotected sex accounts for the majority of reported HIV infections, and women represent an increasing proportion of people living with HIV (Ministère de la Santé Maroc, 2005). At some antenatal clinics in the south of Algeria, more than 1% of pregnant women have tested HIV-positive (Institut de Formation Paramédicale de Parnet, 2004)." [15f] (p60)

- 26.22 The report by the People's Democratic Republic of Algeria Ministry of Public Health and Hospital Reform, Department of Prevention, National STI/HIV/AIDS Control Committee's progress report for 2006 stated:

"The available information shows that HIV infection in Algeria continues to spread, especially through unprotected sex. Injecting drug use, highlighted by the survey of knowledge and behaviours that was carried out in the north of the country in 2004, also represents a not insignificant method of contamination. The reporting data for HIV/AIDS concerning STI/HIV seroprevalence, in addition to the surveillance of knowledge and behaviour,

indicate that Algeria is probably experiencing an epidemic that is concentrated in the highest risk population groups and within certain geographical regions, with the potential for a deterioration of the epidemiological situation unless precisely targeted and rigorous measures are implemented in response to the problems. Furthermore, all of the determinants required for infection to occur exist within the country and could trigger an epidemic process (Sex trade, sexually transmitted infections (STIs), mobility-migration, etc.)". [36a]

The report went on to state:

"The available information shows that HIV infection has continued to spread within Algeria since the detection of the first case in December 1985. The majority of the infections are due to unprotected sex, although injecting drug use is becoming an increasingly important factor. With the advent of systematic HIV screening for blood donors, blood-borne transmission has been virtually eradicated, to such an extent that sexual transmission (sexual contact with infected people) and syringe-borne transmission (for users of intravenous drugs) alone are responsible for maintaining the levels of infection. Taking account of the epidemiological data available up to 2004, the three countries of the Maghreb (Algeria, Morocco and Tunisia) have been ranked in the group of countries with a relatively low epidemic level. The prevalence of HIV infection in these three countries was estimated at between 0.01% and 0.10% by the WHO/UNAIDS organisations at the end of 2003". [36a]

26.23 Jane's Sentinel noted on 4 March 2008 that:

"The HIV infection rate among 15-49 year olds is 0.1 per cent." [83f]

26.24 Two articles on AllAfrica.com dated 8 and 11 January 2006 question Algeria's HIV/AIDS statistics and say that the figures could be much higher due to fear of condemnation under Islam. However, the 8 January 2006 article continues to state:

"In an effort to broaden the fight against AIDS, Amar Tou - the Minister of Health, Population and Hospital Reform - announced last month that 42 new testing centres would be opened in Algeria during the first four months of 2006. Six centres have already been set up, providing a service that is voluntary, anonymous and free.

"We are going to make sure that each wilaya (prefecture) has its own testing centre,' said Tou. There are 48 wilayas in Algeria.

"Care for people who are battling AIDS-related diseases is also provided free of charge, at public hospitals. Ali Ibrir, vice president of Izuran Tmurt, an anti-AIDS group, estimates that almost 2,000 people are currently in need of treatment. According to the health ministry, about 20 cases of full-blown AIDS are recorded each year.

"In addition, an AIDS prevention and awareness campaign was held in Algeria during November and December last year, when posters and publicity flyers were distributed throughout the country." [93b] [93c]

- 26.25 Based in Cairo, the Regional Support Team for the Middle East and North Africa (MENA) for UNAIDS covers 22 countries, including Algeria. In an interview published on IRIN on 2 March 2006, the head of UNAIDS-MENA region said:

“... until HIV/AIDS becomes significantly visible, there’s a tendency not to commit that much political energy to the issue. However, a number of countries are taking this more seriously. For example, in Algeria, there’s a certain high level of political commitment that has even led to the president making a very strong declaration about the issue.” [96a]

- 26.26 IRIN plus news in its 2006 country profile of Algeria states:

“In Algeria, the national response to the HIV epidemic started very early after the first case in 1985 with the elaboration of an emergency plan including blood safety, treatment of AIDS-related opportunistic diseases and training of medical personnel on HIV and AIDS. The major barriers to prevention, treatment, care and support are the lack of a coordinated surveillance system, monitoring and evaluation system, and the lack of voluntary counselling and testing services. All the elements to overcome these gaps exist but the only way to overcome these barriers is a reorganization of the National AIDS Council with a clear mandate, with authority and with the resources to function.

“Although the HIV surveillance system in Algeria is very weak and data collection irregular, the data available show that women, young people and especially marginalized groups are still extremely vulnerable to HIV and unfortunately despite this, prevention activities are not focusing on these groups of the population.

Challenges include reviewing the 2002–2006 National Strategic Plan and elaborating the 2007–2011 one with relevant costing, strengthening the HIV/AIDS 2nd generation surveillance system, standardizing the prevention, care and treatment strategy, implementing a monitoring and evaluation system and Country Response Information System, and implementing voluntary counselling and testing with a clear promotion strategy. [96b]

- 26.27 A report from El Khabar on 7 May 2008 stated that at a Red Cross training workshop on HIV/AIDS participants had discussed the difficulty of convincing HIV seropositive patients to take a blood test. The report went on to say that the numbers of those affected with HIV is still not known. According to the World Health Organisation the numbers of patients in Algeria HIV positive is 11,000, while the figure given by the Algerian government is 2,910. A professor at the workshop who specialised in stomach illnesses denied the accuracy of government figures and thought the number was nearer 30,000. The report said that the outstanding problem was curbing the spread of the virus, by diagnosing the non-identified cases, which at present had reached about 7,000 as a result of HIV seropositive patients avoiding the blood tests. [50a]

[Return to contents](#)
[Go to list of sources](#)

MENTAL HEALTH

- 26.28 The World Health Organization's (WHO) 'Mental health atlas 2005' section on Algeria notes the mental health care system in Algeria operates 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 is no provision in Algeria for care located directly within the community. [15b]
- 26.29 The WHO 'Mental health atlas 2005' also notes 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 are held not to be available. [15b]
- 26.30 Magharebia reported that with the growing number of homeless 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 will 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 so that institutions equipped with financial and mental health resources can lodge and treat them. [32f]

CANCER

- 26.31 80 to 87% of people with cancer of the lung die five years after the tumour detection, and only one in four patients could be given surgery, according to a leading Algerian doctor. Another doctor stated that 90 per cent of lung cancer was caused by smoking. According to the same doctor, 15,000 people die of lung cancer every year in Algeria, three times the number that die in traffic accidents. (El Khabar 14 April 2008) [50ap]
- 26.32 According to Lancet Oncology dealing with survival rates for cancer, The US, Australia, Canada, France and Japan had the highest five-year survival rates, while Algeria, the only African country involved in the survey, had the worst, coming bottom in all types of cancer. It meant an American man was four times more likely to survive prostate cancer than an Algerian, while a Japanese man was six times more likely to survive colon cancer. Algeria was spending around 4% of gross domestic product on health compared with 13% in the US and 7% in the UK. (BBC 16 July 2008) [60f]

HEART SURGERY

- 26.33 Medical doctors from Brazil's National Institute of Cardiology (INC) travelled to Algeria in June 2008 for the third time since December 2007 under an exchange programme in paediatric heart surgery. The aim was to carry out highly complex surgical procedures with the aim of training Algerian professionals. During the first two trips 38 children underwent surgery. [111a]

[Return to contents](#)
[Go to list of sources](#)

HUMANITARIAN ISSUES

MISSING PEOPLE

27.01 The USSD report for 2007 introduces the issue in the following summary:

“Enforced ‘disappearances’, reportedly numbering in the thousands, were a significant problem during the 1990’s. The total number of disappeared during the 1990s continued to be debated. In 2006 the government estimated that 6,546 persons were missing or disappeared as a result of government actions between 1992 and 1999, with approximately 10,000 additional persons missing or disappeared from terrorist kidnappings and murders. Local NGOs reported that security forces played a role in the disappearances of approximately 8,000 persons”. [6i] (Section 1b)

27.02 The USSD report for 2007 continued:

“In July (2007) Daho Ould Kablia, a minister-delegate in the Ministry of Interior in charge of Local Collectivities claimed in an interview with the newspaper *Echourouk el-Youmi*, ‘There has been no forced disappearance since 1999’. On February 6, Algeria signed the new International Convention for the Protection of All Persons from Enforced Disappearances. Law 06-01 of February 27 provides measures for compensating victims of ‘disappearances’.

“Families of the disappeared experienced complications and delays in receiving compensation from the government. According to the Ministry of National Solidarity (MNS), a special fund valued at approximately \$231 million (approximately 15.6 billion dinars) was used to compensate individuals eligible under the Charter for Peace and National Reconciliation. At least 17,000 requests for compensation have been submitted, of which approximately 5,300 requests will be honoured. Another 2,700 requests are under consideration. The remaining 9,000 requests will not benefit directly from the charter, but the individuals will receive financial assistance from MNS. Compensation is handled at the wilaya (province) level and amounts of payments vary”. [6i] (Section 1b)

THE ‘AD HOC MECHANISM’

27.03 The USSD report for 2007 states: “In September 2005 voters approved by referendum President Bouteflika’s proposed Charter for Peace and National Reconciliation, which ended the Ad Hoc Mechanism that was established in 2003 to account for the disappeared.” [6i] (Section 1b)

CRIME

27.04 The US Overseas Security Advisory Council Algeria Crime and Safety Report for 2008 dated 12 March 2008 states:

“The Algerian unemployment rate hovers unofficially above 25 percent, and mostly affects males under 30. This contributes to the crime rate, particularly in urban areas. Kidnappings are still common in the wilayas (provinces) east of Algiers. The level of street crime is rising, with criminals boldly victimizing people in crowded shopping areas within sight of police checkpoints. While the

use of firearms by criminals is relatively rare in the city of Algiers, knives are commonly employed. These weapons are used to cut objects such as purse straps from victims. Reported vehicle theft in Algiers is rare but more prevalent in the eastern part of Algeria. Vehicle theft is often reported in conjunction with false road blocks and personal robberies. Reported residential theft in Algiers is also rare but may be more prevalent in other parts of the country. Identifying accurate reporting of such events is difficult and therefore estimating the level to which they occur is also a challenge". [6h] (Crime)

The report goes on to state:

"Algerian police and security forces have identified organized crime as an emerging issue in Algeria. Money laundering, criminal networks, drug trafficking, arms and cigarette smuggling are some of the criminal organizations that police and gendarme forces are working to combat". [6h] (Regional Terrorism and Organised Crime)

- 27.05 The USSD report for 2007 continues, with regards to roadblocks: "Armed bandits and terrorists intercepted citizens at roadblocks, often using stolen police uniforms and equipment to rob them of their cash and vehicles. On occasion, armed groups killed groups of military and civilian passengers at these roadblocks." [6i] (Section 2d)

[Return to contents](#)
[Go to list of sources](#)

FREEDOM OF MOVEMENT

28.01 The USSD report for 2007 states:

“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.” [6i] (Section 2d)

[Return to contents](#)
[Go to list of sources](#)

REFUGEES

REFUGEES - GENERAL

- 29.01 The 2008 report from the US Committee for Refugees and Immigrants covering 2007, stated:

“Algeria hosted around 95,700 refugees, mainly from the disputed Western Sahara, who sought shelter from the 1976 conflict between Morocco and the nationalist rebel group Polisario Front over the area’s sovereignty. Around 4,000 Palestinian refugees lived in Algeria along with some 1,600 sub-Saharan asylum seekers with no recognition

“There were no reports that Algeria directly returned refugees to countries of feared persecution. In August, however, authorities deported 28 Congolese men the Office of the UN High Commissioner for Refugees (UNHCR) had recognized as refugees, even as they awaited settlement in a third country. The Government deported them after trying them for illegal entry, without giving them information about their trial or access to legal counsel. At the end of the journey to the Malian border, one man was missing and authorities left the rest in a zone of Malian rebel activity at Tinzaouatène. They remained there for two weeks without provisions until UNHCR Mali picked them up and took them to the Malian capital, Bamako, from which the United States resettled them.

“Several times during the year, Algeria conducted mass expulsions of thousands of sub-Saharan migrants and possible asylum seekers, placing them in cages aboard trucks to Mali. It did not allow them to apply for asylum or to appeal against their expulsion.

“On average, authorities arrested some 20 refugees and asylum seekers per month, generally for illegal entry, movement, and employment. Authorities in Algiers at least released those not charged with common crimes upon the intervention of UNHCR-paid lawyers and sentenced them within two weeks. Authorities expelled those of whose detention UNHCR was not aware to the Malian border area.

“Algerian law severely restricted the rights of foreigners to work and made negligible exception for non-Palestinian refugees. Other refugees had no more rights than other foreigners. Their lack of status and right to work legally forced refugees into the informal sector. One with an electronic engineering degree worked as a construction worker and others turned to prostitution”. [116a]

SAHRAWI REFUGEES IN ALGERIA

- 29.02 The Europa World website (accessed 19 August 2008) notes 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. [10] (Country Profile - Morocco)

- 29.03 The USSD report on Human Rights Practices in Western Sahara for 2007, dated 11 March 2008 gives the following information with regards to the status of the area:

“In 1988 Morocco and the Polisario accepted the joint Organization of African Unity/UN settlement proposals for a referendum allowing the Sahrawis to decide between integration with Morocco or independence for the territory. Disagreements over voter eligibility were not resolved, however, and a referendum has not taken place.” [6n]

“On October 31, the Security Council adopted Resolution 1783, extending MINURSO [the United Nations Mission for a Referendum in Western Sahara] and its 227-member military staff until April 31 [sic], 2008.” [6n]

- 29.04 The USSD report for 2007 for Algeria summarises, regarding the Sahrawis 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. According to the UNHCR, the government did not grant refugee status to anyone during the year and it did not permit UNHCR to conduct a census of the Sahrawi refugees. According to the UNHCR, there were no official cases of refoulement”. [6I] (Section 2d)

- 29.05 The USSD report for 2007 for Western Sahara adds:

“Morocco and the Polisario disputed the number of persons in refugee camps. The Moroccan government continued to claim that the Polisario detained 45,000 to 50,000 Sahrawi refugees against their will in camps near Tindouf, Algeria. The Polisario and Algerian government claimed that refugee numbers at Tindouf were much higher, and the Polisario denied holding any refugees against their will. The UNHCR and the World Food Program appealed regularly to donors for food aid and distributed it to approximately 155,000 in refugee camps. However, because Algeria would not allow a census, and partly out of concern over inflated figures, the UNHCR reduced its planning figure to 90,000 through sampling and satellite imagery analysis. The UNHCR provided supplementary rations to pregnant and lactating women, as well as malnourished children under five years of age. The UN reported disruptions in the delivery of food aid. Cereals, which accounted for 70 percent of nutrition provided, were not distributed in July”. [6n]

- 29.06 The USSD report for 2007, on Western Sahara adds further detail:

“In 2004 the UNHCR began a program of Confidence Building Measures (CBMs), highlighted by family visits that allowed individuals to spend five days with long-separated relatives. In August 2005 the program was halted. In November 2006 the UN resumed family reunion flights after a five-month suspension, and flights were ongoing at year's end. During the year 2,109 Western Saharans participated in the family visit program.

“The CBMs also included free-of-charge telephone exchanges between relatives in the territory and refugee camps in Algeria. During the year

approximately 24,700 telephone calls were made. The UNHCR reported that the CBM program, which was dependent on contributions from UN member states, was threatened by a shortage of funds". [6n]

29.07 The 2008 report from the US Committee for Refugees and Immigrants covering 2007 stated in relation to Sahrawi refugees:

"Polisario authorities maintained their own police, judiciary, and detention facilities and applied their own penal code with the acquiescence of the Government of Algeria. They detained up to 100 refugees in at least two jails, Hamdi Ba Sheikh for men, about 30 minutes' drive outside of Polisario's Rabouni headquarters and another for women, and a juvenile detention facility. Refugees interviewed in Morocco reported that authorities imprisoned one refugee for three months for expressing an interest in returning to the Moroccan-occupied Western Sahara. Polisario authorities did not allow the International Committee of the Red Cross or UNHCR to monitor the facilities but did allow Human Rights Watch to visit the facility for men outside Rabouni in November. There was also a protective centre for women pregnant out of wedlock, but it was difficult to determine whether residence was voluntary, as women reportedly had to remain there indefinitely until a man agreed to marry them or their family members agreed to raise the child. UNHCR helped construct a legal library in the camps.

"Polisario issued refugee identity cards to all Sahrawis over the age of 18. UNHCR issued attestation letters to nearly 1,600 refugees and asylum seekers who approached the agency in the capital but had little presence elsewhere. The letters stated that the persons were refugees or of concern to the agency. Police officers contacted UNHCR several times to verify the certificates and released the bearers upon confirmation. Under the law, refugees were eligible for three-year residence cards, but the Government did not recognize any other than the Sahrawis and the Palestinians. Other refugees and asylum seekers did not have access to courts and avoided them for fear of arrest.

"Many black Sahrawis who lived in the refugee camps were slaves under Arab Sahrawi masters, whose names the slaves took. Slave women complained that judges would not allow them to marry without the permission of the male heads of the families that owned them. In May, Polisario detained two Australian documentary filmmakers for about five hours near Rabouni and confiscated their mobile phones because they were documenting slavery in the camps, but released them after UN officials intervened. A Spanish court ruled against the return of a Mauritanian Sahrawi girl to the Tindouf camps when she testified, and SOS Slaves Mauritania confirmed, that she had been a slave. Also in June, a Polisario Ministry of Justice official formally emancipated at least one slave. In June, Polisario's National Saharan Council ratified a new law on civil status law that modified some deficiencies in kinship and marriage cases.

"The Government allowed Polisario to control the movements of some 90,000 Sahrawis in four isolated camps outside the Tindouf military zone near the Moroccan border. Refugees required permits from the Chiefs of *dairas* (districts within camps) to move from one *daira* to another within a camp or from camp to camp or to travel to the surrounding countryside, to Tindouf, or to Mauritania, which they generally issued. An estimated 3,500 Sahrawi at

most lived in Tindouf with Algerian passports, some of them married to Algerians. Polisario forbade return to the Moroccan-occupied Western Sahara, however, and arrested those who expressed an interest in doing so. Even so, a number managed to reach Morocco through Mauritania. To travel to Algiers, refugees needed passports from Polisario, which restricted their issuance according to criteria it did not disclose.

“In the summer, Polisario guards reportedly ceased requiring all passengers on vehicles bound for Mauritania to have travel authorization papers, just the drivers. Polisario guards reportedly opened fire, however, upon at least one pair of persons attempting to cross the sand wall separating the camps from Moroccan-controlled Western Sahara. Polisario checkpoints surrounded the camps, the Algerian military guarded entry into Tindouf, and the police operated checkpoints throughout the country.

“The UN Mission for the Referendum in Western Sahara facilitated more than 2,100 flights by refugees to visit family members in the Moroccan-controlled Western Sahara. Polisario also allowed some refugees to leave for education in Algeria and elsewhere and to tend livestock in the areas of the Western Sahara it controlled and in Mauritania. Nonetheless, members could not leave with their entire families. An unknown number reportedly held Mauritanian passports. The Algerian Government also issued passports to those Polisario members permitted to travel abroad but not to other refugees.

“Sahrawi refugees could work in informal businesses in the remote southwest garrison town of Tindouf, near the camps, but had to have permits to work in Algiers and elsewhere and there were no reports that any received them.

“Although the Constitution provided that ‘Any foreigner being legally on the national territory enjoys the protection of his person and his properties by the law,’ refugees could own only movable property. Sahrawi refugees could own goats and sheep. Legitimate commerce and smuggling cigarettes, medicine, and humanitarian aid were a major source of revenue in the camps.

“In February, the World Food Programme (WFP) reported that about 39 percent of children under five in the Tindouf camps suffered chronic or acute malnutrition, with the latter often undetected, and that two thirds of women of childbearing age suffered from anaemia. In July, WFP did not distribute cereal rations, the source of 70 percent of the refugees’ nutrition, and food was of insufficient diversity and poor quality. The Government contributed over \$200,000 in food aid in 2006 and a large amount of wheat flour during the shortage of 2007. It also supplied health services, transportation, housing, and most of the refugees’ heating and cooking fuel.

“The law required all humanitarian aid to go through the Algerian Red Crescent Society, which worked with its Polisario partner, the Sahrawi Red Crescent Society. The Government’s refusal to allow a registration census prevented UNHCR from profiling the population for humanitarian and protection needs or monitoring aid distribution. A joint UNHCR/WFP assessment mission in January recommended a more transparent and accountable distribution system. In March, Interfaith International testified before the UN Human Rights Council that Polisario diverted and sold humanitarian aid in other countries and ‘spent enormous sums of money on festivals and military parades.’

“Six Sahrawi former camp residents testified before the Belgian parliament that Polisario forced them to undergo military training in Tindouf and to go to Cuba for more.

“UNHCR was able to increase its aid to sub-Saharan refugees and asylum seekers in Algiers and they had free public health services and medicine through its implementing partner, *Rencontre et Développement*. The Palestinian refugees had integrated and did not have contact with UNHCR.

“There were primary schools in the Tindouf camps for Sahrawi children, but they lacked adequate clothing for the cold winters. There were reports that families keeping slave children as domestic servants in the camp did not allow them to attend school. Algeria did not allow sub-Saharan refugees the residency permits necessary to attend classes. UNHCR, however, paid tuition for 32 to attend private schools”. [116a]

[Return to contents](#)
[Go to list of sources](#)

INTERNALLY DISPLACED PERSONS (IDPs)

30.01 The Internal Displacement Monitoring Centre in its report: Algeria: Towards durable solutions for IDPs, dated 19 December 2007 states:

“Although Algeria has been affected by large-scale internal displacement caused by the internal conflict that has ravaged the country since the early 1990s, very little information is available on the current situation of the displaced and their numbers. The European Union estimated in 2002 that violence had displaced one million people, while others put the number as high as 1.5 million. According to government sources, all internally displaced people (IDPs) have returned home. However, no detailed accounts and statistics on the return have been published. IDMC is currently in contact with the Algerian Government and an update will be issued when more information becomes available.

“While security has steadily improved in the past few years, potential obstacles to finding durable solutions for IDPs seem to persist with access to livelihoods remaining the major concern. Moreover, as confirmed by the April and December 2007 bombings in the capital Algiers and by a number of other security incidents throughout 2007, clashes continue between the Algerian security forces and remaining armed groups, notably the organisation called ‘al-Qaeda in the Islamic Maghreb’. This latest resurgence in violence seems at the same time to challenge the process of national reconciliation promoted by President Bouteflika and approved by the Algerian people in a 2005 referendum.

“Several newspapers have reported on the return home of families displaced by the conflict. No reports, however, have been found on the level of integration of IDPs in their areas of displacement, or on their voluntary resettlement. Comprehensive surveys will be needed to assess whether displacement has come to an end and IDPs have attained a durable solution”.

[54a]

[Return to contents](#)
[Go to list of sources](#)

CITIZENSHIP AND NATIONALITY

31.01 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 September 2007), states:

“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.

DUAL CITIZENSHIP: NOT RECOGNIZED.

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]

“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.” [23d]

“The revised provisions (Ordinance No. 05-01 of 27 February 2005) of the Code of Algerian Nationality (Code de la nationalité algérienne) ... allow, among other things, Algerian woman [sic] married to a foreigner to transmit Algerian nationality to her children” [90] (p2)

[Return to contents](#)
[Go to list of sources](#)

AVAILABILITY OF DOCUMENTS AND RECORDS

BIRTH CERTIFICATES

- 32.01 Birth certificates may be obtained from the city hall (Baladia) of the applicant's place of birth. This document is called variously "Extrait des Registres des Actes de Naissance"; "Extrait des Registres de l'Etat Civil (Acte de Naissance)". In the case of a person whose birth was not recorded, one of the following documents may be issued by the appropriate local authority in lieu of a regular birth certificate: "Extrait du Registre d'Inscription des Omis a l'Etat Civil"; "Extrait du Registre Matrice (Valant Acte de Naissance)"; "Fiche Individuelle de Naissance"; or "Acte de Notoriete" executed by an official of the court house (Palais de Justice) at the place of residence of the applicant.

MARRIAGE CERTIFICATE

A marriage certificate (Extrait d'Acte de Mariage) may be obtained from the city hall (Baladia) where the marriage took place.

DIVORCE CERTIFICATE

A divorce certificate (Extrait de Divorce) may be obtained from the city hall (Baladia) where the marriage took place. A copy of the divorce (Jugement de Divorce) may be obtained from the "Grefe du Tribunal Civil" where the decree was pronounced.

DEATH CERTIFICATE

A death certificate (Acte de Deces) may be obtained from the city hall (Baladia) where the death occurred.

POLICE AND PRISON RECORDS

A judicial record (Casier Judiciaire) is obtainable from the Clerk of the Court (Grefe du Tribunal) at the person's place of birth. For non-nationals who resided in Algeria prior to 1962, such records may be obtained from the Ministere de la Justice, Service du Casier Judiciaire, 7 Allee de Brancas 44 Nantes, France. Police and prison records are unavailable to resident non-nationals. The Casier Judiciaire is inclusive and is the only document issued by Algerian authorities which indicates the applicant's police record and/or prison record.

Information on criminal acts by third country nationals is forwarded to the individual's country of origin.

MILITARY RECORDS

A military record (Livret Militaire) can be obtained by writing to the recruiting office (Bureau de Recrutement) in the place where the individual was called to report for military service. For persons who served in the French Armed Forces prior to 1962, military records can be obtained by writing to: M. le Commandant, Bureau Special de Recrutement, Chartres 28000, France.

Note: The form of all these documents frequently varies according to the province (Wilaya) in which they are issued. They are sometimes typed, but

frequently written in longhand, and are executed on stamped paper (Papier timbre) or bear appropriate fee stamps, as well as the signature and seal of the issuing authority. Fraud in the issuance of such documents is rare. (US Department of State – Travel.State.Gov) [6r]

[Return to contents](#)
[Go to list of sources](#)

EXIT/ENTRY PROCEDURES

TREATMENT OF ASYLUM SEEKERS IN ALGERIA

- 33.01 On 15 April 2008 Magharebia reported that the 40-year-old laws regulating foreigners in the country were being discussed by the Algerian parliament.

“Proponents say the measure would facilitate foreigners’ legal entry and circulation while also helping to combat trafficking and terrorism...However, a plan to set up holding centres for illegal immigrants awaiting repatriation is drawing criticism from parliamentarians. Some deputies asked for this provision to be completely cancelled, denouncing the measure as incompatible with freedom and saying it sacrifices humanity to benefit security”.

The article went on to say that the law would:

“Make biometric passports obligatory for diplomatic representation, with fingerprints and photographs being taken from foreigners at border posts or when police checks are carried out within the country. [32o]

- 33.02 On 14 April 2008 the same source had reported an amendment to the residency law aimed at combating human trafficking networks. Under the amendment the Algerian government plan to impose a 3 million-dinar fine on people involved in assisting illegal immigration to Algeria. [32q]
- 33.03 The Algerian Home Affairs Minister rejected the suggestion that Algeria was building transit centres for illegal immigrants due to European pressure. He stated that in Algeria they would be called waiting centres rather than reception centres, as in Europe, and said that as soon as police were notified of an illegal immigrant, they would arrest him and transfer him to a waiting centre, meanwhile the Embassy of his original country is required to take necessary measures to extradite him. (El Khabar 14 May 2008) [50at]
- 33.04 According to El Khabar on 4 June 2008, 12,291 sub-Saharan illegal immigrants were arrested and returned to their countries of origin during 2007. [50au]

PASSPORTS

- 33.05 The BBC reported on 23 April 2008 that Muslim scholars in Algeria had claimed that the governments ban on pictures of veiled women in passport photographs, was contrary to Sharia law, and had denounced the ban, which also applied to bearded men, and issued a fatwa against the ban. [60]

ILLEGAL EMIGRATION FROM ALGERIA

- 33.06 IOL reported on 26 February 2008 that the number of Algerians illegally leaving the country for Europe dropped to a rate of four a day in 2007, according to figure broadcast by state radio. 1,487 illegal migrants were known to have left for Europe in 2007, down from 2,050 in 2006 and 1,871 in 2005. [65b]
- 33.07 El Khabar reported on 11 June 2008 that some MPs have accused the government of not executing the Presidents orders, concerning illegal

immigration. One member gave several examples where students had stolen their mothers' jewellery to finance their trips to Europe. He said that he would be writing to both the Prime Minister and the President on the issue. [50av]

- 33.08 On 30 July 2008 Magharebia reported that the Algerian government had adopted a draft law criminalising illegal immigration and setting stricter penalties. [32p]
- 33.09 On 7 August it was reported that the judicial authorities had enforce the new measures included in the Penal code on sanctioning illegal migrants. 19 would be illegal emigrants (harragas) had been arrested in the sea in Annaba attempting to cross the Mediterranean. They are to be tried on 13 October 2008 on charges of illegal migration. [50aw]
- 33.10 Magharebia reported on 4 September 2008 that the new Penal Code had been approved by the Council of Ministers on 31 August 2008. It provides for up to six months imprisonment for illegal emigrants, with harsher penalties for traffickers who co-ordinate the migration networks, with up to ten years imprisonment in the worst cases. The new law was applauded by the FLN and the RND, but opposed by the FNA and some lawyers. [32r]

TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 33.10 The UNHCR highlighted its renewed concerns regarding returnees in a position paper published in December 2004, particularly in relation to returnees perceived as terrorists:

"UNHCR is concerned that asylum seekers found not to be in need of international protection, who are returned to Algeria may face hostile treatment due to the Algerian Government's perception that such persons may have been involved in international terrorism.

The position paper continues that Western government intelligence reports about terrorist infiltration into North African migrant communities in Europe may have heightened the suspicions of the Algerian authorities towards returnees, notably those linked with Islamist movements. The paper argues: "Therefore, there is a strong presumption that such persons may be subject to persecutory treatment upon return. ... Therefore, the UNHCR continues to emphasize the need to exercise the utmost caution when considering the forced return of rejected asylum seekers to Algeria." [24a]

- 33.11 In a Human Rights Watch (HRW) open letter of 23 June 2005 to Mr Tony Blair, UK Prime Minister, entitled 'UK: Empty promises can't protect people from torture', HRW stated:

"In Algeria, Morocco, Jordan, and Tunisia, persons suspected of terrorist activity or labeled as such are specifically targeted for abusive treatment, including torture. Research by Human Rights Watch and Amnesty International, and detailed assessments of the United States Department of State, all demonstrate the very real risks of sending persons labeled as terrorism suspects back to these countries." [27a]

Death penalty and extradition

33.12 The Hands Off Cain NGO website (updated February 2008) states:

“The EU had repeatedly requested Algeria to abolish the death penalty and eradicate torture. Algeria intended to co-operate more closely with European authorities that refuse to hand over Algerian nationals detained on the continent on charges of terrorism because of the existence of the death penalty in the north African state. The European Convention on Human Rights binds EU countries to reject extradition requests if there is a possibility of a death sentence...On December 18, 2007, 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.” [47]

UNACCOMPANIED MINORS

33.13 The Amnesty International report of 1 June 2003, ‘Asylum-seekers fleeing a continuing human rights crisis’, states regarding unaccompanied minors:

“Amnesty International is not aware of any NGO playing a role in the tracing of parents of relatives, nor, given the difficulties of access to information in Algeria, is it easy to imagine any NGO being able to play such a role. Amnesty International has no information about state or charity care of unaccompanied minors who are returned to Algeria.” [26a] (p12)

[Return to contents](#)
[Go to list of sources](#)

EMPLOYMENT RIGHTS

34.01 The USSD report for 2007 states:

“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.” [6i] (Section 6c) The USSD report for 2007 adds that 16 years is the minimum age for employment. [6i] (Section 6d)

See also [Child labour](#)

34.02 The USSD report for 2007 states:

“The national minimum wage of \$148 (10,000 dinars) per month did not provide a decent standard of living for a worker and family. Ministry of Labor 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.

“The law contains well-developed occupational, health, and safety standards, but MOL (Ministry of Labor) 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.” [6i] (Section 6e)

[Return to contents](#)
[Go to list of sources](#)

Annex A: Chronology of major events

- 1962** Algeria gained independence after a war with France.
- 1989** **February:** A new constitution ending the one party state was approved by referendum.
FIS founded and over 20 parties licensed.
- 1990** Widespread strikes and demonstrations occurred.
June: In the local elections the FIS received 55 per cent of the votes cast.
- 1991** **May:** FIS organised general strikes to protest about the organisation of the forthcoming elections.
June: Violent clashes between Islamic fundamentalists and security forces.
July: The President of FIS, Abbasi Madani, and the Vice President, Ali Belhadj, were arrested.
December: First round of the general election. FIS were the largest party with 47.5 per cent of the votes cast.
- 1992** **January:** The National People's Assembly dissolved, and President Chadli resigned. The second round of voting was cancelled. A five-member High Council of State (HCS) was appointed to act as a collective presidency.
February: HCS declared a state of emergency.
March: FIS dissolved by the Government.
June: President Boudiaf assassinated. Violence increases and the GIA emerges as the main group behind these operations.
July: Madani and Belhadj were sentenced to 12 years' imprisonment.
- 1993** **February:** State of emergency renewed for an indefinite period.
- 1994** **January:** Liamine Zeroual appointed Head of State for a three-year term.
September: Madani and Belhadj released from prison and placed under house arrest.
- 1995** **November:** Presidential election. There were four candidates, and President Zeroual won 61 per cent of the valid votes. The FLN, FFS and FIS urged people to boycott the elections.
- 1996** **November:** A referendum approved changes to the constitution which included changing the law regulating political parties, banning those based on religion, language, gender or regional differences.
- 1997** **January:** The Secretary General of the UGTA, Abd al-Hak Benhamouda, was assassinated.
March: supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative elections.
April: FIS called for a boycott of the elections. Hamas changed its name to Movement of a Peaceful Society, to conform with the new laws regulating political parties.

[Return to contents](#)
[Go to list of sources](#)

June: Elections – the turnout was officially recorded as 65 per cent. The RND won 155 seats and became the largest party in the National Assembly. They

formed a coalition with the Islamist Movement for a Peaceful society (MSP), and the National Liberation Front.

September: FIS chief Madani released, but then placed under house arrest.

October: A major split occurred in FIS, when supporters of Madani denounced other FIS leaders for declaring a cease-fire of its military wing, the Islamic Salvation Army (AIS). Local elections were won by the RND. In October and November the main legal opposition groups organised demonstrations against what they saw as fraud in the elections. Demonstrators were beaten with batons.

December: Members of Algeria's local councils chose representatives to sit in the upper house of parliament. The National Democratic Rally gained 35 of the first 42 seats decided.

1998 February: Four other armed Algerian fundamentalist organisations, the Ansar Battalion, the Al-Sharq al-Awsat, the Rahman Battalion and the Islamic League for the Call and the Jihad had joined the truce announced by the armed wing of the FIS in October 1997.

The violence continued in the early part of 1998, and 400 were killed in one massacre.

May: An executive decree was signed by Algeria's Health Minister on 5 May allowing women who had been raped by suspected Muslim rebels to have abortions.

Thirty political parties were dissolved for failing to conform with the new rules on political parties.

June: On 25 June Matoub Lounes, a popular Berber singer, was killed, and his wife and two sons were wounded, at a false roadblock by an armed group. Rioting and demonstrations in Berber towns followed.

July: Implementation of a law generalising the use of Arabic in enterprises and public departments.

Visit to Algeria by Eminent Panel appointed by the Secretary General of the United Nations.

September: President Zeroual announced that he would resign before the end of his term of office and hand over power after presidential elections in early 1999.

1999 April: Abdelaziz Bouteflika announced as the winner of the presidential election. On the eve of the presidential election six of the seven presidential candidates withdrew from the elections claiming fraud. [1h]

June: The AIS declared an end to their guerrilla struggle against the Government in June. [1h]

President Bouteflika promised an amnesty for the AIS and its supporters and submitted an amnesty law as part of the Civil Concord Law. [1h]

July: Thousands of prisoners imprisoned for subversive acts were released. [83b]

September: Referendum on the question of 'Do you agree with the President's approach to restoring peace and civil accord?' was won by the Yes votes.

November: Abdelkader Hachani, a leader of the FIS, was killed in Algiers. In December a suspect was arrested. [7a]

[Return to contents](#)
[Go to list of sources](#)

- December:** A new Prime Minister, Ahmed Benbitour, and cabinet were appointed. [1h]
- 2000** **January:** About 180 people were killed during Ramadan. [7b]
The AIS and LIDD armed Islamist opposition groups disbanded just before the expiry of the amnesty for armed groups. [1h]
It was reported that many AIS members would join the national army to fight the remaining armed groups. [1h]
April: Four international human rights groups, including AI, were allowed to visit Algeria. [1a]
August: Ali Benflis was appointed Prime Minister. [1h]
November: The Government refused to legalise the Wafa party on the grounds that many of its members were ex-FIS members. [1a] [7f]
December: Over 300 people were killed in violent incidents during the month of Ramadan. [7g] [73b]
- 2001** Violent incidents and clashes with the security forces continued to be reported. Over 66 insurgent acts were reported in the first three months and about 300 people were killed. [73b]
Up to 80 people were killed in riots in the Kabylia region between April and June. This followed the killing of a man in police custody and coincided with the annual "Berber Spring" demonstrations. The RCD party withdrew from the government in protest at its handling of the situation. [1h]
November: Over 700 people were killed in Algiers when floods engulfed the working class district of Bab el Oued following a torrential downpour. [1a]
- 2002** **February:** GIA leader Anton Zouabri was killed by security forces. [1a] (p180)
According to unconfirmed reports Rachid Oukali alias Abou Tourab Errachid, his reported successor, was killed by security forces in June. [7m]
March: The Government agreed a number of concessions in response to the Berber complaints. These included amending the constitution to give official status to the Berber language, and compensation for relatives of victims of the violence. [1h]
May: The FLN party won majority control in elections for the legislative assembly. [1h] [7l] The elections were described in reports as marred by violence and a boycott by the two main Berber parties. [7l] A new government was formed under the previous Prime Minister, Ali Benflis. [7l]
October: The FLN party won the majority in local elections. [7o]
- 2003** **May:** Ahmed Ouyahia replaced Ali Benflis as Prime Minister. [1h]
An earthquake caused serious damage and loss of over 2000 lives in north east Algeria, including parts of Algiers. [1a]
July: Two main FIS leaders, Abassi Madani and Ali Benhadj, were released from prison and house arrest on completion of their sentences. [1h]
August: Tourists kidnapped by an armed Algerian Islamist group in the Sahara desert were freed. [7r] (p15432)
September: Several FLN ministers were dismissed from the government. [1h] [7s] (p15445)

[Return to contents](#)
[Go to list of sources](#)

October: A FLN Congress that was to announce the candidature of Ali Benflis for President was banned by the government. A new cabinet was announced. [7t] (p15488)

December: An Algerian court froze the activities of the FLN party. [7v] (p15562)
The RND party of President Bouteflika obtained 17 out of 46 seats in elections for the Council of the Nation [Senate]. [7v] (p15562) [59f]

2004 January: The head of the Algerian army, General Lamari, stated the army would be neutral in the forthcoming presidential election, also that the army would deal with any threat to political stability. [7w] (p15587)

A joint declaration by leading political figures denounced methods used by the head of state and his clan to hang on to power and called for transparency in the presidential election. [7w] (p15587)

March: Six candidates for the Presidential Election in April were approved by the Constitutional Council:

Ali Benflis: National Liberation Front (FLN) leader

Abdelaziz Bouteflika: Incumbent president

Saad Abdallah Djaballah: National Reform Movement (MRN) leader

Louisa Hanoune: Workers' Party (PT) leader

Said Sadi: Rally for Culture and Democracy (RCD) leader

Ali Fawzi Rabaine: Ahd 54 party leader

It rejected three applicants: Ahmed Taleb Ibrahim, Sid Ahmed Ghazali and Moussa Touati. [60c]

8 April: Abdelaziz Bouteflika was re-elected as President with 84.9 per cent of the votes cast. [59m]

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.

March: Government-commissioned report says security forces were responsible for the disappearances of more than 6,000 citizens during the 1990s civil conflict.

29 September: Referendum on the president's charter for reconciliation and reform. "Voters back government plans to amnesty many of those involved in post-1992 killings." [60a]

November: "Opposition parties keep their majority in local elections in the mainly-Berber Kabylie region, held as part of a reconciliation process." [60a]

December: "President Bouteflika returns home after receiving surgery in Paris for a stomach ulcer." [60a]

2006 1 February: Ahmed Abou al-Baraa / Ahmed Zarabib, the spiritual leader of the GSPC killed by security forces.

16 February: BBC reports devastating floods hit the Saharan refugee camps. [60f]

2 March: The first wave of a release of 2,600 prisoners under the charter for reconciliation.

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.

[Return to contents](#)
[Go to list of sources](#)

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.

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.

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.

2007 January: Salafist Group for Preaching and Combat renames itself the al-Qaeda Organisation in the Islamic Maghreb.

February: Seven bombs go off almost simultaneously east of Algiers, killing six.

March-April: Army steps up offensive against Islamist militants to stamp out a surge in attacks.

March: Three Algerians and a Russian are killed in a roadside attack on a bus carrying workers for a Russian gas pipeline construction company.

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.

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.

July: A suicide bomber targets a military barracks near Bouira, killing at least nine people.

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-Zawahri 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 - President Bouteflika brings back twice former premier Ahmed Ouyahia as new prime minister, replacing Abdelaziz Belkhadem. [60a]

August – 125 people killed in August as al Qaeda stepped up its attacks. Al Qaeda in the Maghreb claimed responsibility for most attacks, including five car bombings, making August the bloodiest month in 2008. The total number of dead in August included 71 civilians, 35 rebels and 19 members of the security forces.

[Return to contents](#)
[Go to list of sources](#)

Annex B: Political organisations

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

Sources 1, 2, 12, 89a and 84 contain more detailed information about Algerian political parties of the past ten years.

El-Islah see MRN

Ennadha (or Nahdah)

Led by Hahbib Adami. Fundamentalist Islamist group. [1j]

Ettahadi / Challenge – see MDS

Front Democratique (FD)

Headed by former Prime Minister, Sid Ahmed Ghozali, the FD applied for registration in 1998, but received no response within the time period specified by law and has since remained unrecognised but operating without interference. [6i] Ghozali's application to be a contender for the April 2004 presidential election was unsuccessful. [60c]

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) [83b] Some ex-FIS members are in the Ennadha, MRN (el Islah), and Wafa parties. [20]

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

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. In the 1980s, the party moderated its strict espousal of socialism after traditionalists lost to reformists led by then President Chadli Bendjedid. The FLN's poor performance in the 1990 municipal elections demonstrated the extent to which the party had lost popular support over the years. The FLN's relationship with the High Council of State, which was established after the cancellation of the 1991-92 elections, was somewhat confused; although the FLN offered some support in the early years, by the mid-1990s it was campaigning for a resumption of civilian rule. It endorsed a boycott of the 1995 presidential elections by the 'Rome Group' (FLN, FFS, MDA and Ennahda).

“The FLN came third in the 1997 National Assembly elections, gaining just 62 seats, and subsequently joined the ruling coalition with the RND and the MSP. The FLN supported President Bouteflika in the 1999 presidential elections and regained its political dominance in the May 2002 parliamentary elections when it gained 199 seats. The FLN also made significant gains in the October 2002 local elections.

“The FLN was split in the run up to the 2002 presidential election when party leader Ali Benflis close 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.” [83b] Secretary-General: Abdelaziz Belkhadem. Until 1989 this was the only legal party in Algeria. [1j] “Founded in 1954, led by its Secretary-General, Mr. Abdelhamid Mehri. The group’s orientation is said to be socialist. When first founded, it was anticolonialist and pan-Arabist, secular but supporting the maintenance of Islam as the country’s religion. Following independence in 1962, the FLN was the ruling party, and was formalized by the 1976 Constitution as the sole and ruling party. However, the 1991 electoral crisis brought an end to FLN rule: a transitional government formed in June 1991 excluded senior FLN figures, and the June 1992 creation of a High Council of State (HCS) further underlined the changed position of the party when ‘associations of a political nature and mass associations were required to surrender state properties . . . including FLN party headquarters in the Zighout Youcef palace’ (Political Parties of Africa and the Middle East, 1993, 6). The FLN participated in the peace negotiations at Sant’ Egidio, and is said to believe that it is better to work with the Islamist parties in order to restrain and guide them (Le Monde Diplomatique, avril 1995). It favours the relegalization of the FIS (International Affairs, April 1995).” [89a] The FLN gained a majority in the June 2002 legislative elections. [60a] The party has been in conflict internally over the rivalry between Ali Benflis and the President. Benflis was a contender in the Presidential election of April 2004.

See also [Years 2004 – 2007 \(from April 2004 presidential elections\)](#)

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 1995 presidential elections but participated in the 1997 National Assembly elections; it won 20 seats, a poorer performance than expected. Its involvement in the resurgent Berber movement, which began in April 2002, may have gained it more support. The FFS boycotted the May 2002 elections.” [83b] “Founded: in 1963; revived and legalized in 1989; became consultative member of Socialist International in 1992. It is led by Hocine Alit Ahmed, who lived in exile in Switzerland from 1966 until 1989. Described as left-wing, and increasingly seen as democratic socialist and advocating a mixed economy. Draws support from Berber heartland in the Kabylie region. In the 1991 first-round elections it emerged as the leading non-Islamist party, but refused participation in the second round of elections to

avoid forming a coalition with either the Islamic Salvation Front (FIS) or the FLN. However, the group is said to favour the re-legalisation of the FIS, participated in the Sant' Egidio negotiations and is a signatory of the Rome Accord (International Affairs, April 1995).” [89a] The party believes in democratic socialist principles, and dialogue with the FIS. It obtains most of its support from Berbers and middle-class urban residents in Algiers and some other cities. [1a] [20] The FFS boycotted the June 2002 legislative elections but took part in the October 2002 local elections. [1a] [70] A new first secretary, Djoudi Mammeri, was appointed in April 2003. [7q] (p15232)

Front National Algérien (FNA) / Algerian National Front

“The Algerian National Front (Front Nationale Algérie: FNA) was established in November 1998 by Mousa Touati. The FNA won eight seats at the May 2002 elections.” [83b] Leader: Moussa Touati. [1j] Won eight seats in the May 2002 legislative elections. [37a]

Hamas – see MSP

Mouvement Cultural Berbère (MCB) / Berber Cultural Movement

“Founded in 1976, with the goal of achieving recognition of the Berber identity (Le Devoir, 1-2 avril 1995). Closely linked to the Front of Socialist Forces (FSS) and the Rally for Culture and Democracy (RCD), each April the MCB organizes demonstrations in the towns of Kabylie to commemorate the ‘Berber spring’, marking the bloody suppression of a student demonstration in Tizi-Ouzou. In September 1994 it successfully organized a one-day general strike in Kabylie (Office fédéral des réfugiés, octobre 1994).” [89a]

Mouvement Democratique et Social (MDS) / Democratic Social Movement, formerly Ettahadi and PAGS

“Ettahadi / Ettahadi - Le Défi. Founded: 1993, as successor to the PAGS. It is led by Cherif Hachemi, and favours the separation of church and state, the recognition of the Berber language (Tamazigh), and equality for men and women. Opposes Islamists as well as a ‘bureaucracy enriched by petroleum’ (Office fédéral des réfugiés, octobre 1994). Its membership consists largely of leftist trade union members and intellectuals (Ibid.). It opposes the relegalization of the FIS (International Affairs, April 1995). In February 1995, it issued a statement saying that it welcomed all moves towards the restoration of peace and security within a republican framework without, however, recourse to foreign intervention (Algerian TV, 5 February 1995).” [89a] Secretary-General: Al-Hashemi Cherif. Left wing. Launched in October 1999 as successor to Ettahadi, itself created as successor to the Socialist Vanguard Party (Parti de l’Avant-Garde Socialiste – PAGS), itself descended from the Communist Party (CPA) founded in the 1930s. Ettahadi boycotted the 1997 and 1999 elections. Its conversion into the MDS signified a renewed commitment to the democratic process and the mixed economy, as well as opposition to any compromise with Islamic extremism. [1a] (p163) [20]

Mouvement pour la démocratie en Algérie (MDA) / Movement for Democracy in Algeria

“Originally created in Europe in 1985 by the exiled former NFL leader and President, Ahmed Ben Bella, it was officially recognized in 1990. It is still led by Mr. Ben Bella. Originally, the party called for pluralist elections to a constituent assembly which would draw up a Constitution separating the powers and guaranteeing political and ideological freedoms (Revolutionary and Dissident Movements, 1991, 9). Like the MAJD, the MDA opposes the High Council of State (HCS) and the increased use of military courts for trials under emergency rule (Political Parties of Africa and the Middle

East, 1993, 4). The party is mostly active in exile (Office fédéral des réfugiés, octobre 1994), it supports the relegalization of the FIS and is one of the signatories of the Rome Accord (International Affairs, April 1995).” [89a] Ceased to exist legally in 1997. [8ak]

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. Algerian governments have, therefore, viewed the MSP as an acceptable alternative to the more radical FIS. Indeed, the MSP became part of the governing coalition after it won 69 seats in the 1997 elections to the National Assembly. It also supported Abdelaziz Bouteflika in the 1999 and 2004 presidential elections. The MSP won 38 seats in the May 2002 elections and is part of the ‘presidential alliance’ (with the FLN and RND) supporting President Bouteflika.” [83b] “Movement of the Islamic Society - Mouvement de la Société Islamique - Harakat al-Mujtamaa al-Islamiya (MSI/HAMAS). Founded in 1990, and led by Shaikh Mahfouz Nahan. The group opposes the FIS on the grounds that the FIS attempts to dominate the Islamic movement in Algeria. Offers a less radical alternative to the FIS, emphasizing a reformist interpretation of Quranic values, the respect for human rights, for women’s rights in the workplace and the consolidation of the democratization process (Ibid.; Office fédéral des réfugiés, octobre 1994). The party also favours the relegalization of the FIS, participated in the Sant’ Egidio negotiations and is a signatory of the Rome Accord (International Affairs, April 1995). In February 1995 its leader indicated the party’s support for the presidential elections (Algerian Radio, 7 February 1995).” [89a] The name was changed in April 1997 in order to meet the criteria of the law banning political parties based on religious or ethnic issues. It is a moderate Islamic party and condemns violence and intolerance in the name of religion. It promotes respect for human rights, including women’s rights in the workplace. [1a] [20] The party’s leader, Mahfoud Nahan, died in June 2003. [1a] (p176) Muhammed Megahria became the interim leader, and in August 2003 Boudjerra Soltani was announced as the new leader. [1j]

Mouvement de la Renaissance (MR) / Renaissance Movement / Harakat al-Nahda al-Islamiyya

“Islamic Renaissance Movement (Mouvement de la Renaissance Islamique: MRI) or Ennahda, which translates as Renaissance, is a moderate Islamic party that has been allowed to participate in Algeria’s political processes. Although intolerant of secularism, the party has consistently denounced the use of violence and stresses the importance of political pluralism, popular political sovereignty and the rule of law. The party won 34 seats in the 1999 presidential elections. It supported the election of President Bouteflika in 1999. The party performed extremely badly in the May 2002 elections, gaining only one seat and losing much of its support to the MRN, which was established by Ennahda’s former leader Abdullah Djaballah. The party’s general secretary, Lahbib Adami, took full responsibility and offered his resignation, but the party persuaded him to continue as leader.” [83b] Moderate Islamist. Founded in 1990 by Sheikh Abdallah Djaballah. [1a] (p164) [20]

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

“The Movement for National Reform (Mouvement du Rénouveau National: MRN), also known as EI-Islah, is a legalised moderate Islamist party. Abdullah Djaballah, a leading Algerian Islamist founded the party in 1999. He was formerly the leader of Ennahda but lost control to a rival faction following that party’s electoral success in 1997. The party participated in the 2002 May elections, winning 43 seats, but announced that it would not participate in government as its policies differed too much from those of the FLN. The result confirmed that the MRN had overtaken the MSP and almost wiped out Ennahda to become Algeria’s leading Islamist party. Djaballah contested the April 2004 presidential election and officially finished third with 4.84 per cent of the vote.” [83b] Founded in 1998 and headed by Sheikh Abdallah Djaballah. [1j] Djaballah was one of the candidates in the presidential election of April 2004. [60c]

Nahdah see Ennadha

Parti du renouveau algérien (PRA) / Algerian Renewal Party

Secretary-General: Kamel Bensalem (acting). Leader: Noureddine Boukrouh. [1j]

Parti Républicain Progressif (PRP) / Progressive Republican Party

Secretary-General: Slimane Cherif. Political Parties of the World, 5th edition (2002) states: “The moderate PRP was established as a legal party in 1990 under the then leadership of Khadir Driss. In the June 1997 parliamentary elections it won three of the 380 seats with 0.7 per cent of the national vote.”

Parti du Travail (PT) / Parti des travailleurs / Workers Party

“The Workers Party (Parti des Travailleurs: PT) is a small trotskyst party led by Louisa Hanoune, who has a reputation as a plain speaker and has won much support through her civil and female rights campaigning. The party was established in 1989 based on the previously illegal Socialist Workers’ Organisation. It is against the privatisation of Algeria’s assets. The party won four seats in the June 1997 elections and 21 seats in the widely boycotted May 2002 elections. Hanoune stood for president in April 2004, the first woman in Algeria to do so, and won 1.16 per cent of the vote.” [83b] Leader: Louisa Hanoune. Left wing. [1j] [20] Louisa Hanoune was one of the candidates in the presidential election of April 2004. [60c]

Rassemblement pour la culture et la démocratie (RCD) / Rally for Culture and Democracy

“The Rally for Culture and Democracy (Rassemblement pour la Culture et Démocratie: RCD), is the second Berber party after the FFS. Unlike its larger rival, it has to rely exclusively on support in the Kabylie region. The party was formed in 1989 to represent Berber interests and supports the use of the Berber language and the separation of Islam from the state. The RCD is led by Saïd Sadi. The party won 19 seats in the 1997 elections. The RCD boycotted the May 2002 parliamentary elections and the October 2002 local elections, saying that its participation would be implying tacit support for the government. However, Saïd Sadi stood as a candidate in the 2004 presidential election and won 1.9 per cent of the vote.” [83b] “Officially recognized on 9 September 1989, it is led by Saïd Saadi, its Secretary-General. The group is said to be the more moderate of the Berber parties. It is secular, advocates the use of Berber as a national language and favours a central economy (Office fédéral des Réfugiés, octobre 1994). A participant in the Sant’ Egidio negotiations, the RCD also favours the relegalization of the FIS and signed the Rome Accord (International Affairs, April 1995).” [89a] President: Saïd Sadi. [1j] This party was set up in 1989 by former FFS members. It is largely made up of Berbers. It advocates recognition of the Berber language, Tamazight, as a national language. It is secular and anti-Islamic and supports the government in its

campaign against the Muslim fundamentalist rebels. It is against legalisation of the FIS. [20] The RCD boycotted the June 2002 legislative elections and the October 2002 local elections. [70] During 2002 it was alleged that four members of the RCD and their families had been detained and tortured and no action had been taken in connection with the case by the authorities by the end of 2003. [6b] (1c) Said Sadi was one of the candidates in the presidential election of April 2004. [60c]

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 subsequently became the largest party in the National Assembly, confirming its position as the new ruling party (until the May 2002 elections) even though the government was formed from a coalition with the FLN and the MSP. The party regained the position of prime minister under its leader, Ahmed Ouyahia, in May 2003. However, he was replaced by new FLN leader Abdelaziz Belkhadem in May 2006. The RND supported President Bouteflika in the 1999 and 2004 presidential elections and is considered to be close to the Algerian military." [83b] Set up in March 1997 by supporters of President Zeroual to contest the 5 June legislative election. In that election it won 156 seats. [1j]

Wafa wa al-Adl (Wafa) / Mouvement Fidélité 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. [1j] [20] [7f] Ibrahimi's application to be a contender for the April 2004 presidential election was unsuccessful. [60c]

[Return to contents](#)
[Go to list of sources](#)

Annex C: Prominent people: past and present

Ahmed, Hocine Ait

Socialist Forces Front leader (FFS) who returned to Algeria to participate in the 1999 presidential elections following self-exile in Europe. One of the historic leaders of the Algerian War of Independence. [1j]

al-Wadud, Abu Musab Abd

GSPC/AQIM's emir.

Belhadj, Ali

FIS Vice-President, charged with armed conspiracy against the State and sentenced to 12 years' imprisonment in late July 1992. He was released from prison in mid-September 1994 and placed under house arrest until completion of his sentence in early July 2003. [1h]

Bella, Ahmed Ben

Founder of FLN. First President of Algeria after independence. Leader of the now banned MDA. [1h]

Benbitour, Ahmed

Former Prime Minister of the cabinet. He was appointed in December 1999 and resigned in August 2000. [1h]

Benhadjar, Cheikh Ali

Leader of the Islamic League for the call and the Combat (LIDD) – a fundamentalist Islamic militia which disbanded in January 2000. [7b] (p13835)

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'. [1h]

Boudiaf, Muhammad

President (then known as Chairman of the High Council of State) from January 1992 until he was assassinated 29 June 1992. [1h] [1a] (p164-5) One of the historic leaders of the Algerian War of Independence. [1a] (p164)

Bouteflika, Abdelaziz

President of Algeria and Minister of National Defence from 27 April 1999 to date. [1n]

Bbrahimi, Ahmed Taleb (or Ibrahimi)

See Ibrahimi below.

Chadli, Col Ben Djedid

President of Algeria from January 1979 until he resigned on 11 January 1992. [1h]

Djaballah, Sheikh Abdallah

Former leader of Ennahda/Islamic Renaissance Movement. [1a] (p164) Secretary General of the MRN / EI-Islah party. He was a candidate in the 1999 and 2004 presidential elections. [1h] [61b]

Ghozali, Sid-Ahmad

Former Minister of Foreign Affairs, appointed Prime Minister in June 1991, resigning in July 1992 [1h] Leader of FD party and former Prime Minister. [1a] (p165) His attempt to run in the April 2004 presidential election was rejected. [60c]

Hachani, Abdelkader

Senior FIS official. Led FIS election campaign in 1991. Murdered in Algiers in November 1999. [1a] (p170) [7a] (p13799)

Haddam, Anouar

Head of the self-declared FIS Parliamentary Mission Abroad. [2]

Hattab, Hassan

Leader of GSPC armed group. [1a] (p170) Allegedly replaced in 2003. [59e] [4b]

Hamrouche, Mouloud

Prime Minister from September 1989 until his resignation in July 1990 [1h]. Presidential candidate in 1999. [1a] (p163, 169)

Hanoune, Louisa

Leader of PT party [1j]. Candidate in the presidential election of April 2004. [61b]

Ibrahimi, Ahmed Taleb

Leader of Wafa party. [1j] See Annex B Political Organisations. Former Minister of Foreign Affairs who was supported by the outlawed FIS in the April 1999 presidential elections [1h] his attempt to run in the April 2004 election was rejected. [60c]

Kebir, Rabah

One of the senior FIS leaders in Europe. [1a] (p166, 167)

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

Lamari, Lt-Gen Muhammad

Chief of staff of the army, resigning in August 2004. [1h]

Lamari, Maj-Gen Smain

Head of counter-espionage and internal security. [1a] (p170)

Layada, Abdelhak

Second in command of the GIA [1h] – currently in prison.

Lounès, Matoub

Popular Berber singer and critic of the Government and the fundamentalist Islamist movement. Assassinated. [1h] Killed at a roadblock in 1997. [37b] (p16)

Madani, Abbassi

FIS leader. [1j] Arrested in July 1991, charged with armed conspiracy against the State for threatening to launch a jihad and sentenced to 12 years in prison in July 1991. He was transferred to house arrest in September 1994 and released in July 2003. [1h]

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

Medienne, Maj-Gen Tawfik

Head of military intelligence and security. [1a] (p169, 170)

Merzag, Madani

ALS leader. [1a] (p68)

Nahnah, Sheikh Mahfoud

Former leader of MPS – formerly Hamas. Came second in the Presidential elections in 1995. He died in June 2003. [1a] (p176)

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. [1h]

Sadi, Saïd

President of RCD party. [1j]

Swain, Mohamed

Human rights activist.

Zaoui, Ahmed

Former member of the FIS consultative committee and acting official spokesman for the new FIS coordination council abroad. Granted asylum in New Zealand in 2003 but is still in detention pending security investigation by the authorities. [59d]

Zéroual, Liamine

Former General and Minister of Defence from July 1993. President of a transition government in 1994 and President of Algeria from 1995 until April 1999. [1h]

Zouabri, Antar

GIA leader, killed by security forces in February 2002. [1h]

Zouita, Ali

Prominent lawyer; was held in detention from 1993 until 1997 despite being acquitted by a court of aiding an armed group.

[Return to contents](#)
[Go to list of sources](#)

Annex D: Armed groups

See also [Non-Government Armed Forces/Insurgents](#)

1. Two of the armed groups operating in Algeria, the GSPC (now known as AQIM) and the GIA, are proscribed organisations in the UK under the Terrorism Act 2000.
2. Terrorist incidents still occur, particularly in the provinces of Boumerdes, Tizi-Ouzou, and in the remote southern areas of the country. The vast majority of killings take place in mountainous and rural areas, smaller towns and the outskirts of cities in the more densely populated north of the country. Attacks on civilians are now relatively rare occurrences in the centres of larger cities, but no part of northern Algeria is safe from armed group attacks. Certain patterns of attacks may return unexpectedly. [6i] (Section 1a) [6j] (History) [26h] (p37)

The Salafist Group for Call and Combat (GSPC) / Groupe Salafiste pour la Prédication et le Combat / Da'wa wal Jihad / Al-Qaeda in the Islamic Maghreb (AQIM)

3. Jane's Sentinel has the following information:

"Group name: Groupe Salafiste pour la Prédication et le Combat (Salafist Group for Preaching and Combat; GSPC).

Level of threat: The GSPC's strength is decreasing and although its members pose a threat to the lives of security and regime personnel, it does not constitute a serious challenge to the stability of the Algerian state.

Status: The GSPC is active and periodically launches attacks against the Algerian regime, although these generally take the form of ambushes against military convoys or vehicles. The group has been on the US list of designated Foreign Terrorist Organisations (FTOs) since March 2002, on the UK list of Proscribed Terrorist Groups since February 2001, and on the Australian list of specified terrorist groups since November 2002.

Date of founding: 1998.

Group type: Militant Islamist.

Aims and objectives: To overthrow the Algerian regime and to replace it with an Islamic state under sharia law. It aims to achieve this by attacking regime targets including the military, police and security services.

Leaders: Abu Musab Abdel Wadoud; Mokhtar Belmokhtar" [83d]

Jane's Terrorism and Security Monitor states in 'Algerian Salafists adopt Al-Qaeda brand', dated 9 February 2007:

"The Salafist Group for Preaching and Combat (Groupe Salafiste pour la Prédication et le Combat: GPSC) concluded its drawn-out rebranding initiative when it announced it had changed its name to Al-Qaeda in the Islamic Maghreb in an internet statement dated 24 January. While there are fears that a powerful new branch of Al-Qaeda is emerging in North Africa, the Algerian government is dismissing the name change as a marketing strategy by a nearly defeated group.

“The 24 January statement, which was issued in the name of GSPC emir Abu Musab Abd al-Wadud, hints that propaganda was the driving force behind the new name, saying it ‘will give an impression of the unity and strength in the alliance and the sincerity of the link between the mujahideen in Algeria and their other brothers in Al-Qaeda.’

“It followed the 13 September 2006 statement in which Abu Musab Abd al-Wadud pledged loyalty to Osama bin Laden, saying the Al-Qaeda leader ‘can use us to strike whomever and wherever he wishes and he will find nothing but obedience from us and shall only receive what pleases him’. The statement stressed the importance of unifying the mujahideen under Al-Qaeda’s leadership and added that the GSPC considers itself ‘one stone in the building of the coming Islamic nation’.

“The GSPC’s rebranding mirrors the renaming of Abu Musab al-Zarqawi’s Tawhid wa al-Jihad group as Al-Qaeda in Iraq (Tanzim al-Qaidat al-Jihad fi Bilad al-Rafidain) in October 2004. The change in the Iraqi group’s name was apparently confirmed by Osama bin Laden himself. In an audio recording released in December 2004 he said: ‘I believe that the mujahid emir, dignified brother Abu Musab al-Zarqawi, and the groups affiliated with him are good, and are from the group that fights according to the orders of God.’ The GSPC’s name change has yet to be confirmed by the Al-Qaeda leadership.

“Regional franchise

“The GSPC has long been considered Al-Qaeda’s Algerian affiliate. Al-Qaeda encouraged its establishment in 1998 as it wanted to distance itself from the Armed Islamic Groupe (Groupe Islamique Armée: GIA), which was being blamed for massacring civilians during Algeria’s jihadist insurgency in the 1990s. Formed from a few hundred GIA cadres, the GSPC subsequently eclipsed its antecedent as Algeria’s most infamous jihadist group.

“While Al-Qaeda set itself up as the vanguard of an internationalised jihad against the US, the GSPC remained focused on overthrowing the Algerian regime, a revolution that has looked increasingly less likely in recent years. Indeed, as jihadist violence waned in Algeria, it seemed that the GSPC’s support networks in Europe were becoming increasingly internationalised and absorbed by Al-Qaeda. While Algerians have been well represented in the global jihadist movement, the role played by the GSPC leadership in facilitating this shift of personnel from a national to an international struggle remains unclear.

“The weakening of the jihadists in Algeria underpins the assertion that the rebranding of the GSPC is an act of desperation intended to give it a second lease on life. Having formally turned itself into a regional branch of Al-Qaeda, it will hope to attract more recruits and co-opt other North African jihadist organisations, such as the shadowy Moroccan Islamic Combatant Group (Groupe Islamique Combattant Marocain: GICM) and the Fighting Islamic Group in Libya (FIGL). This shift towards a pan-Islamic identity is stressed in the GSPC’s September 2006 statement, which talks of inspiring Muslims to rid themselves of ‘the disease of national sensitivity’.

“There is evidence to suggest the GSPC has enjoyed some success in attracting jihadists from other North African countries. A group of militants that

crossed into Tunisia from Algeria in December 2006 may have been linked to the GSPC, for example. The Tunisian authorities announced that 12 'Salafist terrorists' had been killed and another 15 captured after gun battles on 23 December and 3 January. Apart from one Mauritanian, they were all Tunisians.

"Press reports claimed the group was led by a former gendarme that had trained in camps in Afghanistan. The group was heavily armed and put up quite a fight in a country known for its tight security. The leader was reportedly wounded and captured, but died of his injuries in hospital.

"More significantly, the minister of the interior claimed that blueprints of embassies and documents listing names of some foreign diplomats were found after the shoot out, along with homemade explosives. While none of the embassies or diplomats were officially identified, the revelation implied a specific threat against Western interests in Tunisia.

"A link to the GSPC has not been confirmed, but the media seems to have presumed one on the basis that some members of the group came out of Algeria. Linking up with Algerian jihadists is an obvious option for aspiring jihadists in Tunisia, which lacks a domestic jihadist movement. Algeria has arrested at least two groups of Tunisians suspected of wanting to join the GSPC since April 2005.

"Meanwhile, the Moroccan authorities announced on 4 January that they had dismantled a group of 62 Moroccans linked to Al-Qaeda and the GSPC who had been involved in recruiting volunteers to fight in Iraq. In early February, a Moroccan court sentenced six Islamists to between one and 10 years for plotting attacks and attempting to get military training from the GSPC. Another Moroccan suspected of being a member of the GSPC was arrested in Spain on 5 February under an international arrest warrant filed by Morocco.

"The GSPC also seems to be more active inside Algeria. There were two truck bombings outside police stations on 30 October 2006, a wave of attacks on the security forces followed in November 2006 and the group claimed a bomb attack on two buses carrying foreign oil workers on 10 December 2006. An Algerian driver was killed and several foreigners working for the Halliburton subsidiary Brown & Root-Condor were injured.

"The last attack is notable as the first against foreign interests in Algeria in years. The GSPC also claimed responsibility by releasing one of its most sophisticated videos to date on 21 January. Over eight minutes long, it includes graphics and excerpts of speeches from Bin Laden and his deputy Ayman al-Zawahiri. It goes on to show masked militants making explosives, testing mobile phone detonators, studying Google Earth images and making a reconnaissance run in preparation for the attack, which is shown at the end.

"The fear is that North Africa's jihadists will unite under the Al-Qaeda banner and emerge as a major threat to Western interests as well as local regimes. It seems that they will carefully target either foreigners or security forces, avoiding the attacks on civilians that discredited Algeria's jihadists in the 1990s. There has also been speculation about the repercussions for European countries. Abu Musab Abd al-Wadud has made several threats against the West and France in particular. He stated in a 3 January statement: 'To hell

with you people of France, the allies of the Crusader, the occupiers of our land.'

"Marketing hype

"An Algerian minister has dismissed the GSPC threat, however. Daho Ould Kabila told Algeria's Liberte newspaper on 31 January that the group 'is in the process of being rendered incapable of causing harm in Algeria and really does not constitute a danger for either the countries of the Maghreb or France.' He added: 'Apart from some messages of verbal support, there has never been, as far as we are aware, any direct help from Al-Qaeda to the Algerians either financially, logistically or materially.'

"The newspaper also reported that the GSPC suffered an internal split when an emir in the west of the country formed the Protectors of the Salafist Call (Houmat al-Dawa al-Salafia). This name was listed as a terrorist group by the US Department of State in April 2004. According to Liberte, it is close to the GICM, which, if true, makes an alliance between Al-Qaeda in the Maghreb and its Moroccan counterpart less likely.

"Other established North African groups may also be reluctant to accept the domination of the new Al-Qaeda branch. The FIGL posted a rare internet statement on 31 January to deny rumours that it was abandoning its jihad. It did not mention Al-Qaeda in the Maghreb and it focused its anger on the Ghadaffi regime, eschewing the pan-Islamic rhetoric that the GSPC has adopted.

"While the GSPC may now be more attractive to young North Africans that want to fight with Al-Qaeda forces in Iraq, the foreign military presence is probably the main draw for the would-be jihadists. Algeria is not being occupied by foreigners, however much the GSPC argues that it is, and its people are tired of jihadist violence.

"While it remains to be seen whether the GSPC will be empowered by its new name, it is clear that it will continue to imitate Al-Qaeda and its regional branches in terms of both ideology and tactics. To date, the GSPC has not been credited with any co-ordinated multiple suicide attacks, Al-Qaeda's trademark tactic." [87a]

4. Jane's Terrorism and Security Monitor states in 'Algeria's new jihad', dated 10 May 2007:

"Al-Qaeda in the Islamic Maghreb's suicide attacks in the Algerian capital are just the start, according to the group's emir. Jane's examines the evolution of Al-Qaeda's new North African branch and its ability to threaten the region.

"Even a superficial association with Al-Qaeda and its Iraqi branch is likely to help the Algerian group attract recruits'.

"The Algerian jihadist group Al-Qaeda in the Islamic Maghreb (AQIM) is threatening more suicide bombings. Abu Musab Abd al-Wadud, the group's emir, said in a video statement: 'We have decided to adopt the style of martyrdom operations in the confrontation with our enemies from now on. The video was broadcast by Al-Jazeera on 8 May along with footage of militants

apparently preparing for the unprecedented 11 April suicide bombings in Algiers.

“AQIM is the name adopted by the Salafist Group for Preaching and Combat (Groupe Salafiste pour la Predication et la Combat: GSPC) in January after consultation with Al-Qaeda leaders, according to Abu Musab Abd al-Wadud. Indeed, Ayman al-Zawahiri announced that the GSPC had joined Al-Qaeda in his 11 September 2006 statement. This was followed by a GSPC statement in which Abu Musab Abd al-Wadud pledged to follow Osama bin Laden ‘all the way to martyrdom’.

“The GSPC adopted tactics and targeting more commonly associated with Al-Qaeda after this pledge of allegiance. There was a co-ordinated truck bombing on police stations on 30 October 2006 and a roadside bomb attack against a minibus carrying foreign workers in an affluent eastern Algiers suburb on 10 December 2006. AQIM claimed a similar attack on 3 March, this time targeting Russian contractors, one of whom was killed along with three Algerians.

“Most of the GSPC’s previous attacks reflected the rural guerrilla operations typical of Algerian rebels since the war of independence. Indeed, the group has often appeared to be a fairly loose alliance of regional ‘brigades’ operating from mountainous hideouts, with the various regional emirs vying for supremacy.

“The 10 December roadside bombing was a significant departure as it targeted foreigners in the capital, but employed traditional GSPC roadside bomb tactics. One key difference was the presence of a cameraman who filmed the attack from a distance. The film was released weeks later. It was edited with excerpts from statements made by Al-Qaeda’s leaders and footage documenting the planning and execution phases. It was the most sophisticated example of GSPC propaganda to date.

“On 11 April, the group launched a trademark Al-Qaeda attack in the form of three near-simultaneous suicide vehicle bombings against the Government Palace in central Algiers and a police station in an eastern suburb. The explosions killed 33 people and injured more than 200. They also proved that the group was capable of indoctrinating suicide bombers and had attack cells in the capital to guide them to their targets. Algeria had seen only one previous suicide attack, which was carried out by the Groupe Islamique Armee, the GSPC’s predecessor, in Algiers in 1995.

“Failed amnesty

“The suicide bombings embarrassed the Algerian government, which has been claiming for years that the GSPC is a nearly defeated force with only a few hundred members. The authorities had previously talked up the success of an amnesty that ran from March to September 2006. About 350 militants surrendered, according to the US Department of State’s Patterns of Global Terrorism Report 2006.

“The Algerian authorities also released around 2,300 former combatants from jail and allowed exiled members of the outlawed Islamist party Front Islamique du Salut to return. Former GSPC emir Hassan Hattab tacitly approved the amnesty, even though he officially remains a wanted man.

“Despite these positive political indicators, the amnesty clearly failed to end the threat. The surrender of less committed members may have even strengthened the GSPC by stream-lining it into a hardcore of close-knit cells that are less vulnerable to infiltration by the security services. The marginalisation of less militant emirs - such as Hattab - may have also given Abu Musab Abd al-Wadud more freedom to impose his own ideology.

“While the government heralded the amnesty’s successes, the GSPC launched an increasing number of fatal attacks, aimed primarily at the security services. According to Patterns of Global Terrorism, 199 security officials and civilians were killed by suspected militants during the official amnesty period. This figure compares to 107 for the rest of year, 78 of whom were killed in October and November in an apparent demonstration of the GSPC’s defiance and renewed determination.

“Indeed, the amnesty and security operations have made little impact on the group’s strength. Figures from the Algerian security services state they killed around 260 militants and arrested an additional 450 in 2006, compared to a combined figure of 400 in 2005. While more than 1,000 militants either surrendered during the amnesty or were arrested or killed in 2006, Algerian officials continue to estimate that the GSPC still has as many as 800 fighters.

“Iraqi fallout

“Abu Musab Abd al-Wadud claimed in his 8 May statement: ‘The list of martyrdom-seekers is growing every day.’ While the length of his list remains debatable, it seems that his group’s closer association with Al-Qaeda is helping it to recruit young men who want to fight in Iraq, then divert them to domestic operations.

“The Iraq insurgency has wider support in Algerian society than the domestic jihad to topple the regime and establish an Islamic state. Like the war against the Soviet forces in Afghanistan in the 1980s, the Iraq conflict is widely seen as a legitimate ‘defensive’ jihad against a non-Muslim occupation. Thousands of Algerians volunteered to fight in Afghanistan and went on to form the backbone of the country’s Islamist rebellion when they returned.

“The Iraqi jihad seems similarly popular. More than 400 Algerians suspected of having links to Iraq have been arrested in recent months. Algerian security sources tell Jane’s that the majority of detainees were extradited from Syria following raids against a network channelling foreign fighters to Iraq. The rest were arrested in Algeria during operations against Islamists believed by to have ties to Iraq.

“In some respects it would seem counterproductive for an Algerian rebel group to encourage its members to leave for another theatre as it would deprive it of manpower for the domestic jihad. A large proportion of volunteers are likely to be killed in Iraq and many of the returnees would be of limited use as they are being monitored by the security services.

“For these reasons, the perceived relationship with Al-Qaeda is probably more important to AQIM than its actual connections to the Iraqi insurgency.

“The Algerian authorities claimed to have broken up several AQIM cells in early May that they said were recruiting both for Iraq and the domestic conflict. Some recruits had already recorded wills and a fatwa was found authorising suicide attacks in Algeria and other North African countries, according to the Algerian newspaper Liberte. The security services believe AQIM is also diverting money donated to support the Iraqi insurgency to buy arms for domestic operations.

“However, attacks like the Algiers suicide bombings risk undermining this association. While Al-Qaeda is seen by many as a legitimate resistance movement battling Western oppression of Muslims, the introduction of tactics that involve large numbers of Muslim civilian casualties is unlikely to increase the local popularity of its Algerian namesake.

“The dubious tactical utility and theological legitimacy of the Algiers bombings was also noted on pro-jihadist websites. A poll posted on www.muslim.net found that a majority of its users disagreed with the suicide attack. Forty-eight per cent responded ‘No, I disagree... this is the killing of innocents’, 43 per cent responded ‘Yes, I agree with the recent bombings in Algeria’, and nine per cent were unsure.

“Regional links

“A recent spate of jihadist activity in neighbouring Morocco and Tunisia, as well as the arrest of suspected militants alleged to have links to GSPC factions, has heightened fears that the group’s Al-Qaeda branding could help it attract support across the region and even co-opt other national groups such as the Moroccan Islamic Combatant Group (GICM) and the Libyan Islamic Fighting Group (LIFG).

“A day before the Algiers bombings, three Moroccans blew themselves up after a police raid in Casablanca. A fourth was shot dead before he could detonate his explosives. One police officer was killed and several other people were injured in the explosions. The raid targeted suspects connected to a man who blew himself up in a Casablanca internet cafe on 11 March after being caught surfing jihadist websites. One of the men killed on 10 April was named as the brother of the 11 March bomber.

“Moroccan officials have presented the militants as self-organised with no international connections. While it is unclear whether they were about to launch attacks or were wearing their bomb vests as a standard security precaution, the cell appeared amateurish in comparison to the Algerians bombers that struck the following day.

“It is currently unclear how keen the more established North African Islamist groups are to adopt a radical pan-Islamist, rather than national-Islamist, ideology and ally themselves with AQIM. While amalgamations could lead to more recruits and funds, their leaders would have to accept the hegemony of Abu Musab Abd al-Wadud. In a rare internet statement posted on 31 January, the LIFG made no mention of Al-Qaeda and eschewed its pan-Islamist rhetoric to focus its anger on the Ghadaffi regime.

“Lacking a notable domestic group of their own, Tunisian militants are more likely to be attracted to AQIM. It already seems that Tunisians who want military training or to travel to Iraq see the Algerian group as their best hope. A group of young Tunisian men trying to reach Iraq were arrested in Algeria in 2006 and extradited. During their trial in Tunisia, the prosecution said they were in Algeria to receive training from the GSPC to prepare them for Iraq and launching attacks in their home country, the Arabic daily Al-Hayat reported on 12 April.

“The newspaper suggested that the case might be connected to a man arrested in Algeria who ‘as said to have contacts with the GSPC’. He apparently headed a Syria-based network channelling foreign recruits to Iraq and was allegedly ordered by Al-Qaeda in Iraq to return to Algeria in 2005 to help a group of Tunisians travel to GSPC strongholds for weapons and explosives training.

“Another group of Tunisians were involved in unprecedented shootouts near Tunis in December and January. While their connections with the GSPC/AQIM have not been detailed, some of them crossed into Tunisia from Algeria, according to Moroccan officials. They are alleged to have been planning attacks on foreign embassies in the capital.

“European threat

“While GICM and LIFG leaders may be reluctant to give up their groups’ individual identities, they may have little choice if their supporters in Europe decide to align with AQIM. The well-established North African networks in Europe that support the groups in their home countries - largely through criminal activity - already form an interconnected Islamist community.

“This interconnectivity is increasing, according to a Spanish intelligence report made public in November 2006. It said the GSPC was looking to unite the various North African cells in Europe and noted an increase in money flowing between the groups in a number of European countries.

“There is understandable concern that AQIM will attempt to turn some of these supporters into attack cells capable of perpetrating something similar to the Madrid train bombings. Abu Musab Abd al-Wadud has threatened the West - especially France - on numerous occasions. After the criticism of the Algiers bombings, AQIM would do well to restrict itself to foreign targets. An attack in Europe would enable it to limit Muslim civilians and prove its global jihadist credentials.

“The combination of the enhanced legitimacy of the association with Al-Qaeda, the Iraqi recruits, and the GSPC’s well-developed infrastructure and training apparatus seems set to turn AQIM into a significant international threat. The merger of North African groups under its banner is likely to occur gradually, with Al-Qaeda ideology taking precedence over local score settling and nationalist agendas. In the short term, Western interests and the energy sector are likely to be key targets in North Africa, with the additional spectre of a spectacular attack being carried out in Europe.” [87b]

5. Breakaway group from the GIA [1h] founded in 1988 [1j] It appears to have eclipsed the GIA since 1998 and is now the largest and most active and

- effective armed group operating in Algeria. [6a] (Appx B) Its adherents appear to have largely co-opted the support networks of the GIA, active particularly throughout Europe, Africa and the Middle East. [6a] (Appx B) Cells reportedly exist in Italy, Germany, Belgium, and Spain, as well as in Algeria, with Tunisian and Moroccan members, as well as Algerians. [1a] (p179)
6. The main emir of the GSPC was Hassan Hattab. [87b] In October 2003 Hattab was replaced by Nabil Sahraoui. [1h] (Recent History) In September 2004 Sahraoui was replaced as leader by Abdelmalek Droukdal (also known as Abu Musab Abd al-Wadud). [1h] (Recent History) In June 2004, Sahraoui was reportedly killed by the Algerian military in Kabylia during a gun battle. [1h] (Recent History) [6p] (Chapter 6) A splinter group called the Free Salafi Group (GSL) led by Abou Mouthala was reported in February 2004 to have formed in response to the attempts at negotiation between the security services and the GSPC. [9a]
 7. "Particularly active in the east of Algiers and in Kabylia; [the GSPC] has reportedly split into several factions in recent years; responds to preaching by Ali Belhadj, the second most prominent member of the proscribed FIS; reportedly renamed the 'al-Qa'ida Organization in the Islamic Maghreb' in Jan. 2007". [1j] "It was reported in late January 2007 that the GSPC had restyled itself as the 'al-Qa'ida Organization in the Islamic Maghreb'. The announcement followed reports in 2006 that the GSPC had 'joined' the al-Qa'ida (Base) organization of the Saudi-born Islamist Osama bin Laden". [1h] The GSPC appears to operate mainly in the central, eastern and southern parts of the country, [26h] (p37) namely the region between Boumerdes province and part of Kabylia, [106] [86] (p1) in the mountainous regions to the east of the capital, Algiers. The government estimates that some 800 GSPC fighters still remain at large, roughly divided between the mountainous and heavily forested Kabylia region (to the east of Algiers) and the deep south of the country. [84b] (p10) [84c] (p15) A Le Monde article indicates that these armed groups are located in the mountainous regions of Kabylia (Tizi Ouzou, Bouira, Boumerdès), of the east (Skikda, Jijel and Khenchela), of the west (Sidi Bel Abbès) and in the Grand Sud. It is reported to have groups in Jijel, Tizi Ouzou, Some of its emirs are of Kabyle (Berber) origin. [6i] (Section 5) [8c] The GSPC also operates in some cities, such as Boghni [8z]
 8. According to some reports the organisation has been weakened by rifts in recent months, and the defection of splinter groups, also by operations against them by the Algerian army. [9a] [59e] Hattab directly controlled the activities in the centre-east, known as 'the second region' including Tizi Ouzou and the Kabylia region and some coastal areas to the east of the capital. [4a]
 9. The 'Salafi Group' is a part of the GSPC, led by Amari Saifi, also known as Abderazzak 'El Para'. [59i] He is reportedly a former GIA emir and second in command of the GSPC. [59e] [59i] [4a] He leads the activities of the group in the eastern province (or what is known as the 'fifth region'), in the area of Batna, the capital of the Aures. This group was trying to infiltrate Algiers in 2002. [4a]
 10. According to an article on El Watan's website, the GSPC, or Al-Qaida in the Islamic Maghreb, is in a comparatively weakened state and is primarily composed of katibat [squads or brigades] 'Al Farouk de Bouira', with Abderrezak Sersoub (alias Abdeldjabar) at its head assisted by Ahmed Djebri, 'Al Ansar' which Abdelfatah directs, and 'Al Arqam' under the direction of Djamel Niche. [9b]

11. The GSPC concentrates its operations mainly on regime targets including the military, police and security services [83d] It is often behind the ambushes and killing of soldiers and municipal guards in roads and mountainous areas. [7h] (p14268) It is said to carry out fewer operations than the GIA but they are more deadly. [8z] It finances its operations by racketeering, cross border smuggling in western Algeria, real estate investments, money laundering activities and Algerian support networks, particularly those outside Algeria. [8z] The group also collaborated with smugglers and Islamists in the south who supplied insurgents with weapons and communications equipment for attacks in the north. [6a] (p2)
12. Although the strength of the GSPC is unknown, [26h] (p36,37) it is estimated by various sources as about three hundred and fifty [1a] (p180) [18a] (p7) Former GSPC emir, Hassan Hattab tacitly approved the amnesty [87b] and more than 350 terrorists surrendered to authorities in order to benefit from it. [6p]
13. The authorities have also sought to convince members who are hiding in the mountains to abandon their arms and give themselves up, in exchange for a promise of good treatment. According to some reports many members of the group came down from the mountains after they read the fatwas which describe those who carry out operations on behalf of the armed groups as 'defectors'. [4a] However a public statement by the GSPC rejected the call by the FIS leader, Abassi Madani, for a truce with the authorities. [4b]

Return to contents
Go to list of sources

Armed Islamic Group (GIA) / Armed Group / Groupes Islamiques Armés

14. Jane's Sentinel has the following information:

“TOTAL STRENGTH

Approximately 800 (2006 estimate, Algerian Interior Ministry)

...

Group name: Armed Islamic Group (Groupe Islamique Armée: GIA).

Level of threat: An estimated 150,000 people have died in political unrest in Algeria since 1992 and the GIA has been one of the most violent and indiscriminate organisations in the conflict. Internecine bloodletting in the late 1990s, the capture or death of three group leaders in late 2004, and depletion of the movement's assets and weaponry has downgraded its potency to the extent that Algerian authorities have announced its termination. Although its numbers and support have been drastically reduced, it may still pose a low-level threat to civilian and political/security targets southwest of Algiers. In March 2006, the Algerian interior minister announced that the GIA, along with the GSPC, were trying to rebuild their rural and urban networks in the Wilaya of Chlef. These claims have not been substantiated and there is little evidence to suggest that the GIA has been able to rebuild anything. Probably the true threat of the group now lies in the dispersal of its radical cadres into the GSPC both within alternative groups in Algeria and through the diaspora in Europe, although this threat remains limited.

Status: Active.

Date of founding: 1993 (GIA claims 1989).

Group type: Militant (Sunni) Islamist.

Aims and objectives: To overthrow the secular government of Algeria and establish an Islamist state. The group also wanted to eliminate all Western interests from the country. Although a number of the group's members were veterans from Afghanistan, the GIA has concentrated on a mainly domestic set of objectives. It views all Algerian civilians as legitimate targets, because if they are not members of the GIA then they support the government.

Leaders: The GIA's philosophy and tactics were largely drawn up by Cherif Gousmi, a pro-Iranian activist and veteran of the Afghan war. He was killed in September 1994 by the security forces. The movement became associated with the most depraved practices and indiscriminate killings under the leadership of Djamel Zeitouni and his successor Antar Zouabri in the mid 1990s." (Jane's Sentinel Country Risk Assessments) [83d]

15. Jane's Sentinel states:

"Small/splinter extremist groups such as the Armed Islamic Group (GIA) network had come to dominate armed opposition since 1996, however, and they were not neutralised through the amnesty process, but only with increasingly daring counter-terrorist action co-ordinated by the Algerian security services, and especially the Intervention and Surveillance Unit (dubbed the 'black ninjas'). The GIA network of independent cells made effective counter measures difficult to sustain, but most of the leaders of GIA cells, the infamous 'emirs of the GIA,' were killed in clashes with the police or security services in the late 1990s." [83c]

16. "... a radical FIS breakaway faction, the Armed Islamic Group (Groupe Islamique Armée - GIA), warned that any accommodation with the government would lead to more violence." (Jane's Sentinel Country Risk Assessments) [83b]

17. "In October 1997, in what appeared to be a major breakthrough, the FIS's armed wing the Islamic Salvation Army (AIS), declared a ceasefire in an effort to show that it was actually the GIA that was perpetrating the massacres that were costing the party significant popular support. Despite various upheavals, the ceasefire held and there was even talk in Algiers of co-opting some FIS units into the security forces for the ongoing campaign against the GIA. The military, however, remained determined not to allow the FIS to make any political capital out of the truce." (Jane's Sentinel Country Risk Assessments) [83b]

18. "Present leadership unknown and former leaders have been killed: Cherif Gousmi (alias Abou Abdallah Ahmad) on 26 September 1994; Abdelkader Hattab (alias Mouloud) in July 1994, and Murad Si Ahmad (alias Djafar Al-Afghani) in February 1994. The group is reportedly the most radical of the Islamist groups. In November 1993 it issued an ultimatum to all foreigners to leave Algeria. Also said to be responsible for the assassination of women who do not wear the veil (hijab), and for the December 1994 hijacking of an Air France plane during which they killed three passengers (Time, 5 January 1995). Moreover, it has allegedly threatened to eliminate the other Islamist groups in its goal to be the sole standard-bearer of the Jihad (Holy War) (Libération, 22 mars 1995). Operates mainly in urban centres, especially in Algiers and in the east (Ibid.). According to government reports said to have been published by the official Algerian Press Service in the newspapers l'Authentique and Liberté, more than 2,800 GIA guerrillas were killed in a massive two-week military operation conducted at the end of March 1995, with the government claiming a 'spectacular success' over the 'decapitated' GIA movement (Christian Science

Monitor, 3 April 1995). The group is allegedly composed of individual cells operating independently and in isolation from one another. In Algiers, members of each unit 'maintain a simple network of spotters, each within eyesight of another . . . [exchanging] . . . information with hand signals, standing in doorways or on street corners . . . [or] . . . peering through car windows in search of government officials, political opponents or foreigners' (Time, 20 March 1995). [89a]

19. This group emerged in 1993 and claimed to be involved in a Jihad or holy war. [1a] (p165) Its stated aim was to overthrow the current regime and set up a fundamentalist Islamic state. [1a] (p165) [6a] (Appx B) Held to be dissolved in January 2005, after months of arrests beginning with the capture of Boudiafi Noureddine in November 2004. [81a]
20. Many GIA members were former guerilla fighters in Afghanistan. [1a] (p165) [8z] Many of these have been killed in combat or are still fighting with the GIA, and some are in Europe. They are considered to be the harshest faction. [8z]
21. The GIA is no longer a nation-wide force. [6a] (p2) [8z] In 1996 there were splits in the GIA that led to a number of smaller groups being formed. [8z] It is composed of semi-autonomous groups each controlled by local emirs, a loose assembly of groups which are sometimes described as GIA factions and sometimes given separate titles. [1a] (p180) [26h] (p37) Another report estimated that the groups each contained six to seven fighters whose actions were uncoordinated. [1a] (p180)
22. The former main emir, Antar Zouabri, was killed by security forces in February 2002. [1h] His replacement was Rachid Abou Tourab (real name Rachid Oukali), apparently captured in November 2003 (despite reports of his death during a raid by security forces in July 2002). However, in early January 2005, the Ministry confirmed that, despite reports to the contrary, Tourab had been killed by members of his own group in July 2004. [1h] [7m] (p14936)
23. The current strength of the GIA is estimated by various sources as ranging between sixty, [18a] (p7) fewer than a hundred, [6a] (Appx B) and a few hundred. Nevertheless they are still not a negligible force, bearing in mind that they are not afraid of the consequences of their actions. The major weakness of this group is that its members have lost the trust of the local population, following the horrible massacres that are attributed to them. [4a]
24. The GIA views all Algerian civilians as legitimate targets, because if they are not members of the GIA then they support the government. [83d] The group's strategy is based on terrorising the population and stealing their provisions. [4a]
25. The GIA is perhaps best known for its penchant for mass killings, beheadings, and throat-slittings. The GIA has massacred entire villages, hacking their victims to death or slitting their throats with swords, daggers, axes, and knives, while others have been cut to pieces with chain saws. Those who attempted to flee the GIA raiding parties were doused with petroleum and then set on fire. One of the GIA's best known tactics is to behead captives taken during its raids into Algerian cities. The group recruited a butcher's apprentice who went by the kuniyat (assumed name) of Momo le Nain (Mohammed the Midget). During one of le Nain's best-known massacres, he is reputed to have single-handedly decapitated 86 Algerians, including more than a dozen children, as part of a GIA raid into the Algiers suburb of Ben Talha in 1996. [11a] (Section

3.2) Some attacks on communities are said to be because they had not provided support to the armed groups, and to steal food and goods. Others are false roadblocks set up by the GIA posing as soldiers for the purpose of extortion, robbery and murder. [8z]

26. The group members stay in an area for a few days only. If one of them comes down from the mountains and does not come back within one day, the group immediately leaves its hide-out and moves to another area. This is in case the person in question might have been arrested or might have decided to inform the police about his comrades and their hide-out. [4a]
27. The GIA is reportedly active in large sections of the northern part of the country [26h] (p37) notably in the central and western parts of the country, and in the Algiers region [8z] especially Mitidja, [1a] (p180) [8z] [18a] (p7) Medea, [8z] and Blida. [4a] They are scattered in various regions inside the chain of mountains in western Algeria such as the wilayas of Ain Delfa, Chlef and Medea. [7h] (p14268) [8z] [4a] They compete for influence with other splinter groups that are mainly active in the centre-east and eastern provinces. [4a]
28. The GIA was also said to be very aggressive in the areas of Tipaza and Bouira where many cases of racketeering and extorting money from villagers were ascribed to them. [28a] (p15) The GIA does not now have a presence in Kabylia [8z] (although a large part of its membership was of Kabyle (Berber) origin. [28a] (p3)

See also [Ethnic Groups](#)

There are also GIA residue pockets further west in Relizane, Mascara, Tiaret and Saida. [7h] (p14268)

29. The GIA rejected the amnesty law. [1a] (p177) However, some GIA members surrendered to the Algerian authorities within the framework of the measures provided by the law on restoring civil accord. [7d] (p14119)

[Return to contents](#)
[Go to list of sources](#)

Katibat El Ahoual / El Ahwal / Houmat ed-Da'wa Salafiya / Defenders of the Salafi Propagation / Protecteurs de la predication salafiste (Guardians of Salafist Preaching - PPS)

30. This is reported to be a dissident splinter group of the GIA and one of the most dangerous and well organised armed groups. [1a] (p180) [4a] It is said to include members who fought alongside the mujahidin in Afghanistan, including the leader, Slim Al Afghani, [4a] and to have links to Al Qaida. [1a] (p180) [18a] (p7) It is said to operate west of Algiers. [18a] (p7) Specific sites reported include around Chlef, [1a] (p180) Tiaret, Tissemsilt and Relizane. [1a] (p180) [7b] (p13835)
31. The size of the group is said to be seventy members [18a] (p7) or three hundred and fifty members. [1a] (p180)

Groupe Salafiste pour le Djihad

32. Abdelkader Souane, a former FIS militant, [1a] (p180) is the reported leader of this group. [1a] (p180) [18a] (p7) They are said to have a political strategy, including

restoring the FIS to legality, and to be close to Mourad Dhina, head of the FIS executive. [1a] (p180)

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

33. They are said to number sixty men [18a] (p7) or possibly one hundred, and to target members of the self-defence groups and their families. [1a] (p180)

Other Groups

34. Small numbers of new recruits were reported to be coming forward on a regular basis since 2002. They included former repentants and false repentants, who switched to setting up new networks that were responsible for attacks specifically against police officers in the spring and summer of 2002, according to some observers and comments by the Algerian Minister of Home Affairs in July 2002. [1a] (p180)
35. The Djamaat al-Ahrar / Independents Group was claimed to be responsible for a number of attacks in and around Algiers in mid-2002, including killings of policemen. [74a]
36. "The armed wing of the Islamic Salvation Front (FIS), the Army of Islamic Salvation (AIS), was initially the primary vehicle for opposition to the military-controlled government which cancelled elections and seized power in January 1992, but more extreme splinter groups emerged later in the 1990s. The security situation improved in 1997 when the AIS declared an unconditional, unilateral ceasefire; more insurgents surrendered during an amnesty in 1999." [83c] "In October 1997, in what appeared to be a major breakthrough, the FIS's armed wing the Islamic Salvation Army (AIS), declared a ceasefire in an effort to show that it was actually the GIA that was perpetrating the massacres that were costing the party significant popular support. Despite various upheavals, the ceasefire held and there was even talk in Algiers of co-opting some FIS units into the security forces for the ongoing campaign against the GIA. The military, however, remained determined not to allow the FIS to make any political capital out of the truce." [83b] "Madani Mezrag, the AIS leader, announced the 'definitive abandonment of the armed struggle'. He was followed by Abassi Madani, historic leader of the FIS, who broke two years of silence under house arrest to assure Bouteflika of his 'total and unreserved support for the position taken by Mezrag, to stop the fighting'. The AIS formally joined the campaign by the security forces against diehard Islamists still holding out in various parts of the country." [83b] "The law of Concorde Civile offered any militant not involved in murder, rape or bombings amnesty if they gave themselves up before 16 January 2000. While several thousand guerrillas, mostly former AIS fighters, had surrendered by the deadline, the more extreme groups vowed to continue the fight." [83b] "Founded in 1994 and currently led by Sheikh Madani Mirzag (alias Abou Al-Haithem), who was nominated in March 1995 as the interim national leader. As the military arm of the FIS, it was formed in 1994 along the lines of the Armed Islamic Movement (Mouvement Islamique Armée - MIA), allegedly as a counterweight to the GIA (Middle East Report, January-February 1995). However, the GIA and AIS are said to have enjoyed good relations and cooperate with one another, with the AIS also having 'burned down schools and committed its share of assassinations' (ibid.). The March 1995 decision to nominate Sheikh Mirzag as interim national leader was reportedly made after consultations with the FIS leadership, with the aim of preventing the use of its name by clandestine groups

or publications not under its direct control. (Libération, 16 mars 1995; Office fédéral des réfugiés, octobre 1994). At present, the AIS is said to be more open than the GIA to negotiations with the Algerian government aimed at ending the three-year-long civil strife (Reuters, 27 April 1995). Publication: 'Al-Fafh Al-Moubine' (Office fédéral des réfugiés, octobre 1994)." [89a] Islamic Salvation Army (AIS) / Armée Islamique du Salut was created in mid-1994 [1a] (p166) and is often called the armed wing of the FIS. [1h]

37. Following a ceasefire in October 1997, [1a] (p168) the AIS declared an end to their guerrilla struggle against the Government in June 1999. [1h] In early January 2000, following discussions between representatives of the Government, the army and the AIS, an agreement was reached whereby the AIS pledged to disband in return for the restoration of full civil and political rights to its former members. It was estimated that some 1,500–3,000 rebels were to be granted a full pardon under the agreement, some of whom were to be temporarily enlisted in an auxiliary unit to assist the security forces in apprehending members of the GIA and the GSPC. [1h] [7b] (p13834)
38. Islamic League for Call and Jihad / Ligue Islamique de la dawaa et du Djihad (LIDD) was led by Ali Benhadjar, a former FIS leader. [7b] (p13835) Part of the LIDD joined the cease-fire announced by the AIS in October 1997 and also followed the AIS in disbanding in January 2000. [7b] (p13835)
39. Islamic Front for the Armed Jihad / Front Islamique de Djihad armé (FIDA/FIJA) emerged by the end of 1992 and defected to the GIA in mid 1994. [14] (p115,125) It was active in the 1990s, but has since been neutralised. It was responsible for the killing of prominent figures or representatives such as white collar professionals, officers, academics, intellectuals, trade unionists and journalists. [74a]

[Return to contents](#)
[Go to list of sources](#)

Annex E: Government Cabinet list – July 2008

THE GOVERNMENT

Prime minister: Ahmed Ouyahia

Minister of state: Bouguerra Soltani

Minister delegate at the Ministry of Defence: Abdelmalek Gueneiza

KEY MINISTERS

Agriculture: Rachid Benaissa

Communications: Abderrachid Boukerzaza

Defence: Abdelaziz Bouteflika

Energy & mining: Chakib Khelil

Environment, territorial planning & tourism: Cherif Rahmani

Finance: Karim Djoudi

Foreign affairs (minister of state): Mourad Medelci

Health & population: Said Barkat

Housing: Nouredine Moussa

Industry & investment promotion: Abdelhamid Temmar

Interior & local government (minister of state): Nouredine Yezid Zerhouni

Justice: Tayeb Belaiz

Labour & social security: Tayeb Louh

National education: Boubekour Benbouzid

National solidarity: Djamal Ould Abbas

Parliamentary affairs: Mahmoud Khoudri

Posts & telecommunications: Hamid Bessallah

Public works: Amar Ghoul

Small & medium-sized enterprises: Mustapha Benbada

Trade & commerce: El Hachemi Djaaboub

Transport: Amar Tou

Water: Abdelmalek Sellal

CENTRAL BANK GOVERNOR

Mohammed Laksassi [12c]

[Return to contents](#)
[Go to list of sources](#)

Annex F: 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
ANdVT	Association Nationale des Victimes du Terrorisme
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	Conseil (National Consultative Committee for the Promotion and Protection of Human Rights)
CPJ	Committee to Protect Journalists
EU	European Union
EBRD	European Bank for Reconstruction and Development
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
FIDA/FIJA	Front Islamique du Jihad Armé – Islamic Front for Holy War
FFS	Front des Forces Socialistes – Socialist Forces Front
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)
GDP	Gross Domestic Product
GIA	Group Islamic Armé/Armed Islamic Group (armed group)
GSL	Free Salafi Group (breakaway group from GSPC)
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
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
LADDH	Ligue Algérienne de Défense des Droits de l'homme – Algerian League for the Defence of Human Rights (ALDHR)
LADH	Ligue Algérienne des Droits de l'Homme
LIDD	Islamic League for Call and Combat (armed group)
MCB	Mouvement Culturel Berbère (Berber Cultural Movement)
MDA	Mouvement pour la Démocratie en Algerie – Algerian Movement for Democracy (political party)
MDS	Mouvement Démocratique et Social/Social Democratic Movement (formerly Ettahadi) (political party)
MIA	Armed Islamic Movement (Former armed group)
MPS	Movement of a Peaceful Society (formerly Hamas) (political party)
MSF	Médecins sans Frontières
NA	Northern Alliance

NATO	North Atlantic Treaty Organisation
NCC	National Consultative Council
NGO	Non-Governmental Organisation
NPA	National People's Assembly
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
ONDH	Observatoire national des droits de l'homme – National Observatory for Human Rights
ONVITAD	Organisation nationale des familles des victims du terrorisme et des ayants droit
ONVT	Organisation nationale des victimes du terrorisme
OSCE	Organisation for Security and Cooperation in Europe
PRA	Parti de Renouveau Algérien – Algerian Renewal Party (political party)
RCD	Rassemblement pour la Culture et la Démocratie – Rally for Democracy and Culture (Berber political party)
RND	Rassemblement national démocratique – National Democratic Rally (political party)
RSF	Reporteurs sans Frontières
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UGTA	Union Générale des Travailleurs Algériens – General Union of Algerian Workers
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNEA	Union Nationale des Etudiants Algériens – National Union of Algerian Students
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFA	Union Nationale des Femmes Algérien – National Union of Algerian Women
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

[Return to contents](#)
[Go to list of sources](#)

Annex G: References to source material

The Home Office is not responsible for the content of external websites.

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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[Return to Contents](#)