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COUNTRY SHEET

ALGERIA

December 2007

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Our local partner in Algeria is:

*Comitato Internazionale per lo Sviluppo dei Popoli (CISP), an Italian development NGO, active in the fight against social exclusion; implementer of different programs on the management of transit migratory flows in Algeria

ABBREVIATIONS

ADS : Social Development Agency (Agence de Développement Social)

AIS : Islamic Army for Salvation (Armée Islamiste du Salut)

ANEM : National Employment Agency (Agence Nationale pour l'Emploi)

ANGEM : National Agency for Micro-Credit (Association Nationale de Gestion du Micro-crédit)

ANP : National Popular Army (Armée Nationale Populaire)

ANSEJ : National Agency for Assisting Youth Employment (Association Nationale de Soutien à l'Emploi des Jeunes)

CNAC : National Unemployment Insurance Fund (Caisse Nationale d'Assurance Chômage)

CNAS : National Social Security Fund (Caisse Nationale d'Assurance Santé)

CNR : National Pension fund (Caisse Nationale des Retraités)

CPE : Pre-Employment Contract (Contrat Pré Emploi)

CRE : Centres for Job Seeking (Centres de Recherche d'Emploi)

CREAD : Centre national de Recherches en Economie Appliquée

DRS : Department Information and Safety (Département Renseignement et Sécurité)

DZD : Algerian Dinar

EPLF: Family Housing Promotion Company (Entreprise de Promotion du Logement Familial)

ESIL : Local Initiative Paid Job (Emploi Salarié d'initiative Locale)

EU : European Union

EUR : Euro

FIS : Islamic Front for Salvation (Front Islamiste du Salut)

FLN : National Liberation Front (Front de Libération National)

GDP : Gross Domestic Product

GIA : Islamic Armer Group (Groupe Islamique Armé)

GSPC : Salafi Group for Preaching and Combat (Groupe Salafiste pour la Prédication et le Combat)¹

IAIG : Compensation for General Interest Activity (Indemnité pour Activité d'Intérêt Général)

IDMC : Internal Displacement Monitoring Center

IOM : International Organization for Migrations

LADDH : Algerian League for Human Rights Defense (Ligue Algérienne de Défense des Droits de l'homme)

MIREM : Return Migrations to the Maghreb (Migrations de Retour au Maghreb)

NGO : Non Governmental Organization

¹ In January 2007, it changed its name to al-Qaeda in the Maghreb

ONS : Nation office of the Statistics (Office National des Statistiques)

OPGI : Real Estate Promotion and Management Bureau (Office de Promotion et de Gestion Immobilière)

PCSC : Complementary Plan for Growth Support (Plan complémentaire de soutien à la croissance)

REAB : Return and Emigration of Asylum seekers Ex Belgium (IOM Belgium programme for Return)

TUP-HIMO : Highly Workforce-Intensive Public Utility Works (Travaux d'Utilité Publique à Haute Intensité de Main d'oeuvre)

SNMG : minimal legal wage (salaire national minimum garanti)

SNTF : National company of the Rail-bound Transports (Société Nationale des Transports Ferroviaires)

UNHCR : United Nation High Commissioner for Refugees

USD : US Dollar

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1. Access to territory (from country of asylum to return area)

Association Agreement between Algeria (El Jazā'ir) and the EU²

Article 84 : Cooperation in the prevention and control of illegal immigration

1. The parties reaffirm the importance which they attach to the development of mutually beneficial cooperation in relation to the exchange of information on illegal immigration flows and agree to cooperate in order to prevent and control illegal immigration.

To this end :

- Algeria (El Jazā'ir), on the one hand, and each Member State of the Community, on the other hand, agree to readmit any of their nationals illegally present on the territory of the other party, after the necessary identification formalities have been completed ;

- Algeria (El Jazā'ir) and the Member States of the Community shall provide their nationals with the appropriate identity documents for this purpose.

2. Desirous of facilitating the movement and residence of their nationals whose status is regular, the parties agree to negotiate, at the request of either party, the conclusion of agreements on combating illegal immigration and on readmission.

1.1 Documentation

1.1.1 Travel documents needed for returnees

Persons wishing to return must be in possession of their Algerian passport (valid for 5 years) as well as their Algerian National Identity Card. In case of loss of these documents, one should apply for an exceptional laissez-passer to the Consulate. This allows the crossing of only one border, which is the border of the country where the consulate is located. In exceptional cases it allows the crossing of borders in transit, but on condition that this is formally mentioned in the document, and is left to the appreciation of the authorities concerned but Algerian consulates usually refuse to issue such a laissez-passer.³

1.1.2 Documents needed in the country of return (e.g. residence permit, obligatory ID)

In order to be allowed to enter Algerian territory, each national must provide proof of his Algerian nationality by submitting a passport (even if it has expired), or a National Identity Card (even if it has expired), or an exceptional laissez-passer issued by an Algerian consulate abroad. In that case the border control will be more strict and will result in longer waiting time at the border. If no documents regarding Algerian nationality are submitted one is held at the border for the period of time necessary to verify the submitted information with the authorities. In this case the duration of the retention is much longer and can take up one week.⁴

² Come into effect on September 1, 2005. Complete text available to the following address <http://www.algerian-embassy.be/eu/aa/accord-dz-ue%20fr.pdf> (accessed 4 December 2007)

³ Source : interview of a MAE-DGAC's member (Ministry for Foreign Affairs - Directorate-General of the Consular Matters) in a Bar of Algiers – 14 February 07.

1.1.3 How to obtain necessary documents (conditions, processing time)

The necessary documents can be obtained from the competent Algerian consulate.⁵ This consulate is authorized to issue or renew a passport, to issue or renew an identity card, to issue an exceptional laissez-passer or to handle the formalities of military service.

However these formalities (documents to issue), waiting time for the issuance thereof and tariffs are not uniform. Algerians should contact the consulate under which territorial jurisdiction they reside in order to obtain this information.

1.1.4 Price of necessary documents

cf. supra

1.2 Travel to country of origin (means, approximate prices, duration, luggage limits, contacts, etc.)

There are 3 possible modes of transport.

1.2.1 By air

There are several companies serving Algeria (El Jazā'ir) (ex Europe) :

Aigle Azur	www.aigle-azur.fr/
Air Algérie	www.airalgerie.dz/
Alitalia	www.alitalia.com/
Air France	www.airfrance.fr/
British Airways	www.britishairways.com/
Lufthansa	www.lufthansa.com/

More often than not it is cheaper to buy a return ticket instead of a single ticket. Prices vary for tickets ex Europe to Algeria (El Jazā'ir) and are between an average of 250,00 EUR (Aigle Azur) to 650,00 EUR, the majority being around 350,00 EUR.

1.2.2 By land

It is possible to combine an overland trip with a voyage at sea by ferry (cf infra).

It is also possible to drive to Algeria (El Jazā'ir) by car from Tunisia, Libya, Mauritania, Mali, Niger.

The land border between Morocco and Algeria (El Jazā'ir) is closed, it is therefore impossible to cross this border by car.

4 Source : Interview of a DGSN-PAF's member (Directorate-General of National Security - Police force of the Air and the Borders) - International airport of Algiers - 13 February 07

5 List of Algerian consulates worldwide <http://www.algeriantourism.com/pratique/consulats.php> (accessed 4 December 2007)

1.2.3 By sea

Maritime connections are provided by the Compagnie Nationale Algérienne (Algérie Ferries), and SNCM.

Departure from the ports of Alicante, Almeria, Barcelona, Marseille, Sète and arrivals in the ports of Algiers (El Jazā'ir), Oran (Wahran), Ghazaouet, Bejaïa, Skikda, Annaba.

Algeria Ferries www.algerieferries.com

Ports served are in Europe Marseille and Alicante; and in Algeria (El Jazā'ir) Algiers (El Jazā'ir), Oran (Wahran), Ghazaouet, Bejaïa, Skikda, Annaba. A simple ticket Marseille-Algiers (El Jazā'ir) for a family of 4 (2 adults and 2 children), costs about 800 euros.

SNCM <http://www.sncm.fr>

Departure from France and Spain, destination Algiers (El Jazā'ir) or Oran (Wahran). Many different prices (with or without car etc...); cabin prices from 40 to 60 EUR, but business class possible for less.

For example, a single ticket full tariff Alicante-Algiers (El Jazā'ir), for a family of 4 (including 2 children) travelling business class and having their car on the ferry would cost 966 EUR in high season and 706 EUR in low season.

1.3 Entry procedure (proceeding authority, interrogation, control, detention, bribes, etc.)

All the Algerian police stations at the air frontiers and the ocean frontiers are electronically connected to the central database, allowing for a quick control. Persons who are not the subject of a warrant or a detention order, or of a an inquiry notice, are only held up for the time needed to check the database. Persons who are the subject of an inquiry notice of a warrant or a detention order, are immediately delivered to justice or to the authority who is searching them. **In case of doubt, particularly in the case of people who assume to be granted the benefit of the charter for national reconciliation and who have not informed the consulate about this in the country were they stayed, may be interrogated** at the police station when entering the territory. Following this they are authorized to enter and have total freedom of movement.⁶

1.3.1 By air

see § 2.3

1.3.2 By land

see § 2.3

1.3.3 By sea

see § 2.3

⁶ Source : Interview of a DGSN-PAF's member (Directorate-General of National Security - Police force of the Air and the Borders) - International airport of Algiers - 13 February 07

1.4 Impacts of former acts and statuses upon entry

Charter for national reconciliation

According to the declarations of the head of government, M. Belkhadem, regarding the return to the country of certain leaders of the dissolved party, party members who were not prosecuted would be allowed to enter and leave the country and same would apply to those people who have benefited from reconciliation measures. He added that "each person under the charter for national reconciliation have the same rights, within and outside the country".⁷

The charter for national reconciliation applies to all nationals, regardless of their activities (political or other) during the black decade, on condition that they want this reconciliation. This is something that many people want to ignore. This is why some people are interrogated as mentioned in § 2.3..

However, according to Amnesty International () Algerians residing abroad or foreign nationals of Algerian origin who were resident abroad who may never have taken part in the conflict inside Algeria (El Jazā'ir) may become victims of ill-treatment by the Département du renseignement et de la sécurité (DRS). [...]

Some may have been arrested on suspicion of involvement in acts of violence or otherwise linked to suspects.⁸

According to Mohammed Sekkoum, president of the Conseil algérien pour les réfugiés en Grande-Bretagne (Algerian Refugee Council in Britain), « more than 12 000 Algerians [have] returned to Algeria (El Jazā'ir) since (president Abd El-Aziz Bouteflika) has started the legislative process of civil concord in 1999 » (*El-Khabar* 26 January 2005). (...) Those who have returned to Algeria (El Jazā'ir) after the legislative process of civil concord of 1999 « have obtained a passport and have obtained some of their rights » (*ibid.*).

Human rights organizations also stated that returnees suspected of terrorism faced "abusive treatment, including torture" (HRW/Liberty 23 June 2005; see also Al 18 Apr. 2006). According to Amnesty International, the Algerian Department of Information and Security (Département du renseignement et de la sécurité, DRS), which operates outside of civilian authority, is behind many of the "secret detentions, ... torture and other ill-treatment" related to "alleged terrorist activity" (18 Apr. 2006; *ibid.* 23 Jan. 2006).⁹

In July 2006, Amnesty International has started a campaign against torture in Algeria (El Jazā'ir) declaring that : « **Foreign governments must do more to help end torture and ill-treatment in Algeria (El Jazā'ir) as security cooperation is being strengthened. Governments should not forcibly return anyone to Algeria (El Jazā'ir) who could be at risk of torture or ill-treatment, regardless of any "diplomatic assurances" from the Algerian authorities that returnees will not be tortured or ill-treated.** »¹⁰

In January 2007 the following cases were published on the website of Algeria Watch : « Mr Dendani Rédha, deported from the United Kingdom, arrived in the airport of Algiers on Friday 19 January 2007 at 14:30 hrs on a British Airways flight. After the administrative procedure and questioning by the airport police, he was released. He was met by his lawyer. Seven days later, on Thursday 25 January, he was arrested at his home by civilians claiming to be policemen. He has been taken to an unknown destination and his family has heard no news from him since.

7 Website of the Algerian Department of Foreign Affairs- 31 October 2006 - "le bilan de l'application de la charte pour la paix et la réconciliation nationale "satisfaisant" http://193.194.78.233/ma_fr/stories.php?story=06/11/05/4938864 (accessed 4 December 2007)

8 Amnesty International - July 2006 - « Unrestrained powers: Torture by Algeria's Military Security" - <http://web.amnesty.org/library/Index/FRAMDE280042006?open&of=FRA-DZA> (accessed 4 December 2007)

9 Immigration and Refugee Board of Canada - responses to information requests (RIRs) - http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=450208 (accessed 4 December 2007)

10 Amnesty International - July 2006 - « Unrestrained powers: Torture by Algeria's Military Security" - <http://web.amnesty.org/library/Index/FRAMDE280042006?open&of=FRA-DZA> (accessed 4 December 2007)

Mr Omar Jdid, also deported from the United Kingdom arrived at the airport of Algiers on Wednesday 24 January 2007 early in the afternoon. He was arrested immediately in the airport building and taken to an unknown destination. His family and his lawyer have not heard from him since.”¹¹

1.4.1 Impacts of former refugee or subsidiary protection status

According to the Directorate-General of the Consular Matters (Algerian Department of Foreign Affairs), a person having had refugee status or subsidiary protection status, even the fact that his application for asylum has been rejected, or having obtained another nationality by naturalisation or another procedure, has no impact at all on the conditions governing the return of nationals to Algeria (El Jazā'ir).¹²

The sources consulted on the internet do not provide information on the possible impact of refugee status or subsidiary protection status in case of return to Algeria (El Jazā'ir). However the following case, reported in a press communiqué of June 2005, may be relevant for the evaluation of such a risk.

“The Board of Immigration Appeal of the United States has granted Mohamed Cherfi political refugee status overturning the refusal handed down by a U.S. Immigration Court judge on 22 October. The decision recognizes that Mohamed Cherfi faces persecution in Algeria (El Jazā'ir) for having criticized, while living in Canada, the human rights violations in Algeria (El Jazā'ir). In addition, the judgment confirms that people who take such positions are victims of reprisals, such as criminal charges of defamation. The Board of Immigration Appeal also took into account the Algerian authorities' awareness of Mr. Cherfi's activities in Canada as spokesperson for the Action Committee for non-Status Algerians.”¹³

1.4.2 Impacts of former unsuccessful asylum claim

According to «Operational Guidance Note - Algeria» from Home Office-Immigration and Nationality Directorate,¹⁴ it appears that asylum seekers found not to be in need of international protection, who are returned to Algeria (El Jazā'ir) may face hostile treatment due to Algerian Government's perception that such persons may have been involved in international terrorism.

UNHCR has made various statements on the human rights situation in Algeria (El Jazā'ir) and asylum claims. However, a position paper published December 2004 states: “The position represents the recommendation of UNHCR as at December 2004, and supersedes all earlier advisories in this regard.” The position paper in its entirety is as follows:

“UNHCR position paper on the return of Algerian nationals found not to be in need of international protection:

“Algeria (El Jazā'ir) continues to be perceived by many observers to be making sustained efforts towards establishing peace and security on its territory. However, the national reconciliation process remains fragile and there are continuing reports of human rights abuses in the country. The Law on Civil Harmony (adopted in July 1999 and overwhelmingly endorsed in a national referendum in September 1999) did not bring an end to the political

11 Observatoire des droits humains en Algérie (ODHA) - 26 janvier 2007: Arrestation à Alger des deux algériens expulsés de Grande Bretagne - <http://www.algerian-watch.org/fr/mrv/observatoire/observatoire.htm> (accessed 4 December 2007)

12 Source : MAE-DGAC - Ministry for Foreign Affairs - Directorate-General of the Consular Matters – 14 February 07 - in a Brewery of Algiers.

13 Press Communiqué of 2 June 2005 « Mohamed Cherfi reconnu réfugié politique aux États-Unis » - http://www.mohamedcherfi.org/article.php3?id_article=73 (accessed 4 December 2007)

14 Algeria COI report - April 2006 - http://www.homeoffice.gov.uk/rds/country_reports.html (accessed 4 December 2007)

violence, and indiscriminate attacks on civilians by armed groups, as well as clashes between the latter and the government forces, continue to take place. In light of this situation, Algeria (El Jazā'ir) continues to produce a significant number of persons in need of international protection. According to UNHCR statistics, 9,977 Algerian nationals sought asylum worldwide in 2003.”

“UNHCR is concerned that asylum seekers found not to be in need of international protection, who are returned to Algeria (El Jazā'ir) may face hostile treatment due to the Algerian Government’s perception that such persons may have been involved in international terrorism. In this regard, it should be noted that both the Groupe Salafist pour la Prédication et le Combat and the Groupe Islamique Arme have been listed as proscribed organizations by the United States in the wake of the events of 11 September 2001. Further, there are public reports that European (e.g., Spanish, Italian, German, French and British) intelligence/security authorities have uncovered networks related to these groups in recent months. It is alleged that these networks operate within the context of Algerian and other North African migrant communities in Europe.”

“While UNHCR would not consider it within its purview to comment on the substance of such reports, it is noted that the above factors contribute to the suspicion with which rejected asylum seekers would be treated upon return to Algeria (El Jazā'ir), notably those persons who have had prior links to Islamic movements. Therefore, there is a strong presumption that such persons may be subject to persecutory treatment upon return. While it could be expected that such persons may have a valid claim regarding real or imputed political opinion, it has been observed that certain asylum countries use unduly stringent criteria in their refugee determination processes, both on the interpretation of the refugee definition and on their credibility tests, and therefore some such applicants may have been improperly rejected.”

“In view of the foregoing, UNHCR urges States to use appropriate care in applying the 1951 Convention criteria and in particular to consider within that determination the potential risks associated with prolonged stay abroad, particularly for those perceived to have links with Islamic groups.”

“Therefore, UNHCR continues to emphasize the need to exercise the utmost caution when considering the forced return of rejected asylum seekers to Algeria (El Jazā'ir). The Office also reminds States of their obligations to consider the complementary forms of protection afforded by other international human rights instruments, such as the 1950 European Convention on Human Rights, and the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, especially to cases within the categories mentioned above.”

“The position represents the recommendation of UNHCR as at December 2004, and supersedes all earlier advisories in this regard.”

In 2007 following a decision by Tony Blair to increase the number of returns to Algeria (El Jazā'ir), the newspaper The Independent wrote : « Tony Blair has appointed a "returns envoy" - the Foreign Office minister Lord Triesman - in a drive to clear up the backlog of failed asylum seekers and illegal immigrants who have not been deported before he has left office. Lord Triesman will be visiting countries such as Algeria (El Jazā'ir) to try to increase the number of returned asylum seekers and migrants flouting immigration rules. Britain has signed memorandums of understanding with countries including Algeria (El Jazā'ir) about the safety of returnees. **Civil liberties groups have warned that the documents will not protect returnees to countries where they face possible torture (emphasis added).**”¹⁵

15 The Independent – 16 January 2007 - “Minister to clear up deportation backlog” - <http://news.independent.co.uk/uk/politics/article2157390.ece> (accessed 4 December 2007)

1.4.3 Impacts of former illegal exit from country of origin

Illegal exit only is defined as such when persons flee Algeria (El Jazā'ir) to escape being brought to justice or a warrant or a detention order. In all other cases the issuing of a passport and the freedom to travel abroad are constitutional rights.¹⁶

Military service

The regularisation applications regarding national service are always granted and examined in accordance with the calendar of the ad-hoc commission which travels abroad each semester. Therefore there is no deadline for making a regularisation application.¹⁷

Regularisation procedure : According to the website of the Algerian embassy in Ottawa, Algerians can request to be exempted from national service for medical reasons or if they are « the sole supporter of an ascendant or of a collateral relative who is disabled or a minor », or if they are older than 27 years and have paid work. For more information on the procedure to obtain exemption from the national service obligations, see the website of the Algerian embassy <http://www.ambalgott.com> .

According to the website of the Algerian embassy in Ottawa, the regularisation of the national service is granted to draft evaders of the class of 2002 (i.e. people born in 1982), and to « citizens of previous classes who have [completed] or left their studies on 31 December 2001 ». Anyway it is important to note that according to the consular section of the same embassy, this regularisation is granted to persons born in or before 1983 (24 May 2005).

The persons concerned must register for national service with the Algerian authorities and submit the following documents : birth certificate, proof of identity, consular registration card, two photos and a copy of the diplomas (or a certificate of leaving school) (Algerian embassy). The embassy also requires a certificate of activities and an application form, available on the website of the embassy in Arabic only (*ibid.*).

The consular section of the Algerian embassy in Ottawa, in its written communiqué of 24 May 2005, has confirmed that the regularisation procedure regarding national service is the same in Algeria (El Jazā'ir) and abroad.

Consequences of non compliance with the de ne pas respecter les délais : The consular section has stated that an Algerian citizen who does not comply with the timetable for the regularisation may be considered to be absent without leave by the Algerian authorities (Algerian embassy 24 May 2005).

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

Documents delivered by the State : According to the consular section of the Algerian embassy in Ottawa, two types of documents are issued to persons who have regularised their situation : the provisional deferment card (for persons who continue their studies and who have provided proof thereof) or the exemption card (for persons who have requested regularisation) (*ibid.*).¹⁸

16 Source : DGSN-PAF: Directorate-General of National Security - Police force of the Air and the Borders- 13 February 07 - International airport of Algiers

17 Source : MDN: Ministry for National Defense - Office of Recruitment – 17 February 07, Bab-El-Wadi, Algiers.

18 Website of UNHCR – <http://www.unhcr.org/cgi-bin/texis/vtx/rsd/print.html?CATEGORY=RSDCOI&id=42df60de7> (accessed 4 December 2007) / This response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. (...) **References** Algerian Embassy in Ottawa. 24 May 2005. Communiqué in writing by the consular section S.d.a. « Régularisation de situation vis à vis du service national ». <http://www.ambalgott.com> [Consulted on 9 May 2005] S.d.b. « Service national ». <http://www.ambalgott.com> [Consulted on : 9 mai 2005]

1.4.4 Impacts of crime committed outside the country of origin (risk of double jeopardy)

The sources consulted do not provide any information regarding those issues.

1.5 Customs regulation (how the relevant regulation be obtained)

A document is being prepared at the level of the General Directorate of Customs and will be probably be published at the beginning of year 2007.

Here follow the regulations in force concerning individuals and their personal goods :

Entry requirements : Upon entering Algeria (El Jazā'ir), personal items are duty- and tax-free including new items or used items for your personal use, except all goods imported for commercial use .

Customs declaration: Upon their arrival in Algeria (El Jazā'ir), travellers must declare all imported goods and pay the duties and taxes if the value exceeds the value of the exemptions. Travellers are allowed to make an oral customs declaration of the goods in their possession.

However, if the goods are for commercial use, the customs officers may request a written declaration as is the case for the regulations regarding goods intended for direct consumption or a simplified declaration.¹⁹

Exempt from duties and taxes : personal items worth less than 20 000 DA

Customs concessions : Tobacco and alcohol products and perfume :

- Tobacco : 200 Cigarettes or 100 cigarillos or 50 cigars
- Alcohol : 2 litres of wine or 1 litre of alcoholic beverages
- Perfume : 50 gr of perfume or ¼ litre of perfume concentrate

Flat-rate tax : Personal goods and effects as defined by the customs service, declared and admitted over and above 20 000 DA may be subject to a flat-rate tax within the 50 000 DA limit. The following goods, if deemed of an unreasonable quantity are not included in the flat-rate tax regulation :

Clothing, carpets, cosmetics, jewelry

Film rolls, audio and video tapes

Food products for human and animal consumption, dried fruits, fresh or canned.

Capital and goods : Bank notes or other means of payment may be imported without limit. There is no limit anymore on the amount of currency you may bring into Algeria (El Jazā'ir) . The traveller should however declare his bank notes, modes of payment and gold, platinum and silver jewelry on a form part of which is filed by the customs service.

If you arrive from abroad carrying excess dutiable items, and if you do not have enough money to pay for the import duty, you may leave these items in Customs Bond. You have 2 months to clear Customs (4 months for goods requiring a special administrative clearance).

Tourist Cards : Vehicles, caravans, airplanes and yachts are temporarily admitted duty-free. Upon arrival one obtains a tourist card valid for three months and containing all the data of the vehicle as well as information on the stay (duration, date , expiry, registration

¹⁹ Website of the Algerian consulate in Switzerland - Information for foreigners wishing to visit Algeria <http://www.consulat-algerie.ch/infoetr.html> (accessed 4 December 2007)

number and visa) from the Customs Office .The traveller must have an insurance. The international insurance card is not accepted.²⁰

Regarding the import of goods for commercial use (industrial and agricultural products etc...), the Algerian Customs Department provides information on its website : www.douane.gov.dz where one can find all the information on the **Association agreement between the European Union and Algeria (El Jazā'ir) which entered into force on 1 September 2005**. "More than 2 300 products originating in the European Union are (...) exempted from customs duties (...). The duties reduction regulation (5 % and 15 %) also is applicable to the provisional additional duty (DAP, 12 %), till now applied by the Algerian Customs. Almost all the exempted products are industrial products considered as raw products for Algerian production, the others are agricultural raw products, or processed products, or fisheries products, benefiting from specific tariff concessions between Algeria and the EU. Algerian importers of raw products will only have to pay the value added tax (VAT), estimated at 17 %. In addition to this, within three years, the customs duties will be progressively abolished with the following timetable : seven years for 1 100 industrial products, and a gradually liberalisation over a period of ten years for 2 000 other consumer goods subjected to a tariff between 15 % to 30 %. The Association Agreement between the European Union and Algeria (El Jazā'ir) provides for the establishment of a free trade area over a transitional period lasting a maximum of twelve years starting from the date of entry into force of the Agreement. The Customs duties and charges having equivalent effect applicable on import into Algeria (El Jazā'ir) of the products originating in the EU, its principal commercial partners, shall be progressively abolished".²¹

1.6 Access to return area

1.6.1 Limitations on internal travel

The sources consulted do not provide any information regarding possible prohibitions of internal travelling.

1.6.1.1 Administrative restrictions

The sources consulted do not provide any information regarding possible administrative prohibitions.

1.6.1.2 Practical obstacles

The consulted sources do not mention any information on possible obstacles.

1.6.2 Territories impossible or dangerous to approach (landmine, natural degradation, etc.)

There is no particularly dangerous or unreachable territory, but according to the French Department of Foreign Affairs **the risk of false roadblocks organized by armed groups is**

²⁰ Website « Algerian Tourism » - Regulations regarding customs office » <http://www.algeriantourism.com/pratique/douane.php> (accessed 4 December 2007)

²¹ LE MONDE – 30 June 2005 - http://www.bilaterals.org/article.php3?id_article=2215 (accessed 4 December 2007)

always a threat on a number of roads, including very frequented roads, often at night.²² It is therefore recommended to travel only in daytime.

1.6.3 Means of internal travel (contact and practical information, price list, etc.)

The Algerian airline network is very well developed, the big cities are served daily by the national air company Air Algérie (<http://www.airalgerie.dz>). The company serves more than 25 cities in the country.²³ Air fares vary depending on the distances and the time of year, and it is therefore preferable to consult the website of Air Algérie ; one should however note that the tariffs usually are not too high (example. reservation 1 month prior to departure of a return ticket Algiers (El Jazā'ir)-Annaba : about 85 EUR; Algiers (El Jazā'ir)-Oran (Wahran) : about 80 EUR). Because of 2 daily rotations, the link Algiers-Oran takes 3 hours and 30 minutes, since the start of the current year. (source:SNTF)

The distances by land are long. The motorway network is limited. A motorway project East-West is being built. The asphalt road system (non motorway) is rather well paved, and the most dense in Africa : 100 000 km of roads. The car population exceeds 2 million vehicles. It steadily increases. Buses remain the main public means of transport, followed by trains and taxis. In the north the bus and taxi networks are well developed with regular links between the main cities.²⁴ But, « with more than 4.000 deaths in the year 2006, Algeria (El Jazā'ir) unfortunately is amongst the countries where the road kill is the highest », according to information gathered from the newspaper El Annabi.²⁵

The domestic train lines serve the biggest Algerian cities. The SNTF (Société Nationale du Transport Ferroviaire)²⁶ serves the traffic between most big and medium-sized cities at attractive prices. It would cost you 1000 DZD or 10 EUR and 5 hours to travel from Algiers (El Jazā'ir) to Oran (Wahran), 250 DZD or 2.50 EUR to travel from to Bejaïa to Algiers (El Jazā'ir) in 4 hours (distance of 310 km).²⁷

But there are security problems (delinquency) in the train stations or in the trains. There are security agents on board all the trains. "Juvenile delinquency in trains is rising ", says (...) a security agent on board the fast train Algiers (El Jazā'ir)-Oran (Wahran)²⁸. Indeed, now that there is not a priori a risk of a terrorist attack anymore, "there is another form of « terrorism », which is even more dangerous : criminality. This problem is growing and menaces trains. Young drug addicts, dazed or intoxicated infiltrate the wagons and they have only one purpose in mind : steal the passengers' possessions at gunpoint. These delinquents are interested in money, jewelry and clothes. The presence of agents of Rail-Protect does not deter them. Worse they scoff at them. (...) Because of the presence of delinquents in the train and the terror they sow, passengers flee. The SNTF and the authorities are aware of this serious problem. In order to ensure the security and tranquillity, the gendarmes assist the agents of de Rail-Protect" on a daily basis.²⁹

22 Website of the French Department of Foreign Affairs, Conseils aux Voyageurs – Algérie http://www.diplomatie.gouv.fr/fr/conseils-aux-voyageurs_909/pays_12191/algerie_12196/index.html (accessed 4 December 2007)

23 Adrar, Annaba, Batna, Bechar, Bejaia, Biskra, Bordj Badji Mokhtar (not direct from Algiers (El Jazā'ir)), Chlef, Constantine (Ksentina), Djanet, El Golea, El Oued, Ghardaia, Hassi Messaoud, Illizi, In Amenas, In Salah, Jijel, Oran (Wahran), Ouargla, Setif, Tamanrasset, Tbesa, Timimoun, Tindouf et Tlemcen.

24 Farida BESSA - Monographie Pays Algérie 2004 – p.13

25 El Annabi – L'Algérie au 4ème rang mondial : des routes toujours meurtrières - 18 janvier 2007 - http://actualite.el-annabi.com/article.php?id_article=3589 (accessed 4 December 2007)

26 Site officiel <http://www.sntf.dz/> (site consulted on 4 December 2007 but not active)

27 <http://wikitravel.org/fr/Alg%C3%A9rie> (accessed 4 December 2007)

28 Magharebia - 1 December 2006 - <http://www.magharebia.com/cocoon/awi/print/fr/features/awi/reportage/2006/12/01/reportage-01> (accessed 4 December 2007)

29 El Watan – 3 July 2005 - "Une nuit dans le train Alger-Sétif" - http://www.elwatan.com/spip.php?page=article&id_article=22451 (accessed 4 December 2007)

Moreover the timetables are not always complied with; this is a cheap means of transport but it has its inconveniences. (also read the article “Voyages par train en Algérie : la galère” - 4 May 2005 - <http://www.algerie-dz.com/article2613.html> - consulted on 18 January 2007)

2. Physical security (in return area)

2.1 On-going armed conflicts

The sources consulted do not provide any information on possible current armed conflicts.

2.2 Regions with high security risk (political, inter-ethnic or inter-religious tension, etc.)

On 18 February 2007, the regions at risk of terrorist attacks by the GSPC (Salafist Group for Preaching and Combat), are the wilayas of Boumerdès, Tizi-Ouzou, Bejaïa, Batna, Khenchela and the region of Aurès, as well as the region of Jijel. In these regions, one is advised not to leave the national roads, and never to travel after sunset.³⁰ Terrorist violence takes various forms, sometimes resembling banditry. This violence mainly occurs in mountainous, rural and isolated zones. An important security force is deployed in the big urban regions and the cities are safeguarded.³¹

In the morning of Wednesday April 11, 2007, two quasi simultaneous attacks occurred in Algiers. They were perpetrated using trapped-cars, driven by kamikazes. The first attack, in centre town, aimed at the palace of the government and the second took place in suburbs targeting buildings of the police force. These two attacks, asserted by group "Al-Qaeda for the Maghreb", made at least 24 died and 222 wounded. These attacks intervened five days after a confrontation between the army and an islamist group at 160 kilometers of Algiers which caused the death of nine soldiers.

An artisanal bomb exploded on June 6, 2007 at the bus station of Tizi-Ouzou (Kabylie), opposite the central police station.

July 11, 2007, another attack with a kamikaze truck was perpetrated in the south-east of the country against the barracks of Lakhdaria

A terrorist attack happened in Batna, 430 Km from Algiers, September 6, 2007, just when the Président Abdelaziz Bouteflika was arriving in this town; he went immediately near the bodies of the fourteen victims and went to the bedside of tens of wounded persons.³²

A terrorist attack, September 21, 2007, has targeted a bus transporting the Razel french group's staff which was escorted by national security; 9 persons have been wounded, 2 french people, one italian people, an algerian driver and 5 policemen.³³

30 Source : Comité National de Sécurité – CNS (National Committee of Safety): Composed of the DGSN, the National Gendarmerie and the Popular National army (ANP), it sits at the Presidency of the Republic. However, certain meetings of the Committee are, in the past, behaviours with the Ministry for the Interior. - 18 february 2007, in a restaurant of Algiers.

31 Webiste of the French Department of Foreign Affairs, Travel warning – Algeria http://www.diplomatie.gouv.fr/fr/conseils-aux-voyageurs_909/pays_12191/algerie_12196/index.html (consulted on 4 December 2007)

32 Afrik.com - Les islamistes algériens frappent à Batna - <http://www.afrik.com/article12421.html> (consulté le 07/12/2007)

33 Algeria Watch - Attentat suicide de Lakhdaria : Alger rejette une enquête française

2.3 Crime

According the French Department of Foreign Affairs, delinquency and criminality, especially armed robbery, are on the rise in most big cities.³⁴

2.3.1 Regions with an extremely high level of crime (threatening physical security)

The sources consulted do not provide specific information regarding those issues.

2.3.2 Risk of becoming a victim of human trafficking

This risk indeed existed during the years 70 and 80, when the « nouveaux riches » have exploited African migrants as domestic servants, and certain entrepreneurs in the southern wilayas have exploited workers, particularly in the construction of ducts for the distribution of water. The exploitation of domestic servants, men, women, even children was the most horrible because the employers practically possessed over them the power of life and death. Nowadays this kind of situation is in decline and in the southern regions certain clandestine migrants have been regularized in order to allow them to work in development programs of the south and the mountainous region.³⁵

According to the 2005 Report on Human Rights practices from the US Embassy in Algeria (El Jazā'ir), « Algeria (El Jazā'ir) does not have specific anti-trafficking legislation, and trafficking in persons takes place. The authorities do not see this as a problem. According to the Government, in the absence of anti-trafficking legislation, the authorities can apply various laws against clandestine immigration, prostitution and forced labour to combat trafficking in human beings. No officials seem to be involved. According to reports and a local NGO, illegal immigrants from West-Africa who transit through Algeria (El Jazā'ir) en route to Europe to find jobs were forced into prostitution (also read the following point) and domestic servitude. There are no official estimates which would give an idea of the scope of this phenomenon. There is no victim support program or information campaigns on the trafficking in human beings. Several NGOs however have campaigned against trafficking in human beings. »³⁶

2.3.3 Risk of becoming a victim of forced prostitution

In an article published in the French newspaper l'Humanité, the problem of forced prostitution in the Sub-Sahara is discussed. The author writes: « Up till now limited to the city of Tamanrasset, forced prostitution is spreading to the north of Algeria (El Jazā'ir). At night one sees on certain roads of Algiers (El Jazā'ir) young African women waiting for clients under the surveillance of local procurers. « The most beautiful girls, says Abdelkrim, who is very well informed, are put in prostitution networks servicing Europe. » Several prostitution networks but also drug networks are from time to time dismantled by the Algerian police who, according to a police officer, admits that combating terrorism is a priority, « especially since police stations have been recently targeted ». »³⁷

- http://www.algeria-watch.org/fr/article/just/alger_rejette_enquete.htm (consulté le 07/12/2007)

³⁴ Website of the French Department of Foreign Affairs, Advice to travellers – Algeria http://www.diplomatie.gouv.fr/fr/conseils-aux-voyageurs_909/pays_12191/algerie_12196/index.html (accessed 4 December 2007)

³⁵ Source : Inspection du Travail et Direction de la Main d'œuvre de la wilaya d'Alger – February 2007

³⁶ 2005 Report on Human Rights practices from the US Embassy in Algeria - <http://french.algeria.usembassy.gov/> - (accessed 4 December 2007)

2.3.4 Effectiveness of protection (capacities, proficiency, corruption, etc.)

According to analyses' emitted by members of the police force and national gendarmerie, these last exert an effective protection, with much of competence. However, if the rumours of corruption circulate, there never was corruption established and durable which could be proven, with whatever level that it is.³⁸

A law on the prevention of corruption and on combating corruption was promulgated in February 2006. However, according to the Algerian Association Against Corruption³⁹, this law only contains general recommendations and does not contain « incriminations which are essential in an effective fight against corruption : amongst these incriminations (...) there are notions of conflicts of interest, nepotism, and collusion». Other criticism of this law : the article sanctioning delays in the asset declaration of high level officials has been taken out of the final text; the right of access to information is not granted ; the annual report of the commission for the prevention and the fight against corruption is not published ; the protection of whistle-blowers of corruption is not encouraged.

2.3.4.1 Police forces

If the police forces were responsible for infringements of the human rights to strong times of terrorism, it seems that today, after various provisions taken to their intention, as the systematic and professionally adapted psychological assistance, the departures with the early retirement... etc... those are especially young police officers and gendarmes who took the changing and whose formation was ensured in the spirit of the charter of national reconciliation. From now on, it is possible to say that very reached with the human rights, and in particular any case of torture, would be only the exception confirming the rule. This analysis of situation is developed in the political parties, generally, which they form part or not of the governmental coalition, except for the PAGS (socialist avant-garde Party which is the continuation of the Algerian Communist Party), and of PT (Labour Party, of tendency trotskiste). It is also found on the level of the Ministry for the Justice and the Ministry for the Intérieur.⁴⁰

According to Amnesty International, although the level of serious human rights abuses in Algeria (El Jazā'ir) has decreased compared to the 1990s, it is precisely in the context of counter-terrorism measures that serious human rights violations continue to be reported. Over the past few years, Amnesty International has looked in detail at the issue of torture and other cruel, inhuman or degrading treatment or punishment (hereafter: ill-treatment). While there has been a decrease in reports of torture and other ill-treatment in the custody of police and gendarmerie, torture and other ill-treatment continue to be used systematically by the "Military Security", an intelligence agency which specializes in interrogating individuals who are believed to have information about terrorist activities. Although it is still widely known as "Military Security", its official name since 1990 has been the Department for Information and Security (Département du renseignement et de la sécurité, DRS).

Although fewer such violations are reported today than during the height of the violence of former years, people detained by the DRS are systematically held in secret detention and denied any contact with the outside world, often for prolonged periods, in conditions

37 Journal l'Humanité – 28 December 2006 - “Ces africains qui transitent par l'Algérie” - <http://www.humanite.presse.fr/journal/2006-12-28/2006-12-28-842942> (accessed 4 December 2007)

38 Analysis emitted by a Police chief of the DGSN, 15.02.07, in a Bar of Algiers, and confirmed the same day by a Senior officer of the Gendarmerie in a private place

39 Association algérienne de lutte contre la corruption – lettre semestrielle de l'AACC – n°6 –July 2006

40 Source: Person in charge for the party of the FLN (Front National de Libération)

which facilitate torture and may in themselves constitute ill-treatment. Such treatment violates Algerian law and breaches Algeria (El Jazā'ir)'s international human rights obligations.

The violations described in this report concern individuals from a wide range of backgrounds. Some were arrested for alleged involvement with the remaining armed groups in Algeria (El Jazā'ir); others are Algerian nationals who were resident abroad, or foreign nationals of Algerian origin, who may never have taken part in the conflict inside Algeria (El Jazā'ir). Some may have been arrested on suspicion of involvement in acts of violence; others may be related or otherwise linked to suspects. It appears that the main reason why individuals are detained by the DRS and subjected to torture or ill-treatment is that they are thought to possess information about armed groups in Algeria (El Jazā'ir), or about alleged terrorist activities abroad.⁴¹

Mr Ali-Yahia Abdenmour, a former militant of the national movement and a founding member of the LADDH (*Ligue Algérienne de Défense des Droits de l'homme* - Algerian League for Human Rights Defense), of which he was the président until 2005 « *the DRS has never been more powerful as under the second mandate of Bouteflika. Neither the latter nor the generals dare to oppose it. The DRS has six or seven ministers in the government, including the prime minister, and escapes the authority of the president, and it has placed a colonel in every department whose official job is to monitor the minister and the staff. This system paralyzes the State and removes any authority from the institutions. (...)»*.⁴²

2.3.4.2 Judiciary

The independence of the judiciary is granted by the constitution.

The judicial organisation is based on the duality of jurisdiction : Algeria (El Jazā'ir) has duality of jurisdictions, judiciary and administrative. In each jurisdiction an appeal is possible and an application to the supreme court as well.

Nevertheless, according to the U.S. Department of State, « although the constitution provides for an independent judiciary, executive branch decrees and influence, in practice limited the independence of the judiciary. However, during the year the government made historic strides towards reforming the judiciary. The government launched an investigation into judicial corruption. Forty magistrates were investigated, three of whom were detained pending the investigation's conclusion. In September [2005] Justice Minister Tayeb Belaiz publicly announced that 60 magistrates had been fired because "of reprehensible acts". In the same month, 21 magistrates appeared before the High Council of Magistrates for disciplinary sanctions, which could range from expulsion to transfers. (...)

Trial Procedures

Most trials are public and non-jury. Defendants are presumed innocent, 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 also have the right to appeal, and the testimonies of men and women have equal individual weight.

Government authorities did not always respect all legal provisions regarding defendants' rights, and they continued to deny due process. Women were denied equal rights before

41 Amnesty International - July 2006 - « Unrestrained powers – Torture by Algeria's Military Security » - <http://web.amnesty.org/library/Index/FRAMDE280042006?open&of=FRA-DZA> (accessed 4 December 2007)

42 Lahouari Addi "En Algérie, du conflit armé à la violence sociale" Le Monde Diplomatique, April 2006 http://www.algeria-watch.org/fr/article/analyse/addi_conflit_violence.htm (accessed 4 December 2007)

the law due to the court's application of the Family Code, based on Shari'a (Islamic law). However, the situation improved during the year with the liberalizing reforms to the Family Code and passages of the new Nationality Code giving women the right to transmit nationality in their own right and to marry non-Muslims. Defendants and their attorneys were sometimes denied access to government-held evidence relevant to their cases.

There are four military tribunal courts, in Oran, Blida, Constantine, and Bechar. These courts 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. Attendance of the public at the trial is at the discretion of the tribunal. Appeals are made directly to the Supreme Court. The military tribunals tried cases during the year [2005] , but no specific information was available. »⁴³

3. Social security and reintegration

3.1 Regions with no reintegration and return opportunities (e.g. natural disasters, famine, etc.)

Certain regions, namely the South and the High Plateaus, are included in special development plans which encourage settlement.

3.2 Housing, accommodation

Current housing situation:

“In Algeria (El Jazā'ir), a study of government aid (including all subsidies granted through various public programmes) has shown that only 14% of housing aid went to the poorest quartile of urban households”. These are the findings of a study published on the French-language website of the World Bank.

“An average-income family has to save its entire annual income for around nine years to be able to afford an average-quality home in the large cities”, reveals the study. The massive rise of demand for housing in the region, due to demographic reasons, has been by and large answered not by more houses being built, but by increased prices of existing ones, according to the study.

Another consequence of the housing availability issue is the growth of an informal housing sector. There is much evidence that informal housing is on the rise in Algeria (El Jazā'ir). “Informal (illegal) housing is defined as housing stock that does not comply with current regulations. It includes illegally occupied land (squatters) and houses built outside developed zones (even if the land ownership is legal), as well as dwelling units built with disregard to construction regulations. The large number of publicly owned and controlled land generally makes land supply unresponsive towards demand, thus creating a land ownership structure which is not consistent with land prices. Non transparent and sometimes unintentional subsidies are thus handed down to middle- and high-income households instead of the poor ones”, the study revealed.

“The problem is not a lack of capital, but its dearness”, noted the authors of the study.⁴⁴

⁴³ U.S. Department of State Country Report on Human Rights Practices 2005 - Algeria - <http://www.unhcr.org/home/RSDCOI/441821a211.html> – (accessed 4 December 2007)

⁴⁴ MENA REGION Macroeconomic and sectional performance of housing policies in countries of the Middle East and North Africa: A comparative study / Algeria, Egypt, Iran, Jordan, Lebanon, Morocco, Tunisia and Yemen / April 2005

3.2.1 Property restitution and/or compensation (in former zones of conflict or disaster)

Two factors have triggered population displacement in certain regions of Algeria (El Jazā'ir); on the one hand, there were natural disasters causing buildings to be destroyed; on the other hand, years of terrorism have resulted in several particularly dangerous regions being deserted.

As a reminder, the last two natural disasters that have had a strong impact in terms of housing destruction were floods and mud flows in Algiers' Bab el Oued district in November 2001, and the May 2003 earthquake that hit Algiers (in Arabic: Al-Jazā'ir) as well as many coastal cities over an area of about 100 kilometres east of the capital. That earthquake, rated 6.6 on the Richter scale and with its epicentre in Boumerdès, 65 km east of Algiers, was one of the deadliest in Algeria (El Jazā'ir)'s history. The official report on the earthquake estimates the total number of victims at around ten thousand, among whom almost three thousand were reported dead or missing. Moreover, 7 wilayahs⁴⁵ in the country suffered widespread damage of their economic infrastructures, community facilities, and housing. Of a total of 187.000 homes damaged, 18.000 were destroyed beyond repair. The worst affected wilayahs were Algiers and Boumerdès, others affected were the wilayahs of Bouira, Blida, Tizi-Ouzou, Medea and Tipaza.

There was also an earthquake in March 2006 with an epicentre located one kilometre from the municipality of Kherrata. The worst affected area (at least 38 collapsed houses) was the village of Laâlam in the municipality of Tamrich, 60 km from the city of Bejaia.

Another phenomenon that has caused certain regions to be abandoned was terrorism, particularly rampant in the 1990s. At least a million Algerians are said to have been displaced between 1992 and 2002 because of the conflict between government forces and insurgent groups, but it is impossible to obtain any accurate figures.⁴⁶

3.2.2 Housing programmes by return areas

Following the 2003 earthquake and the widespread destruction it caused, the Algerian authorities have planned a post-earthquake reconstruction programme consisting notably of the building of 20,000 houses in Algiers and Boumerdès to accommodate the victims. 8,000 of these houses were to be opened in Boumerdès in June 2006.

As for regions particularly suffering of terrorism, "security having been re-established in former zones of conflict, the government has launched a rural rehabilitation programme in order to encourage the displaced populations to return. Several newspapers have reported citizens returning to former zones of conflict; however, according to other reports, villages remain unoccupied due to governmental red tape and the lack of any sources of income. Internally displaced people in Algeria (El Jazā'ir) have received no international aid (...). However, the European Union has created a project to assist the Algerian government's rehabilitation programme."⁴⁷ The aforementioned Rural Housing Assistance Programme was launched in 2005 (cf. infra 4.2.3.3.)

<http://siteresources.worldbank.org/INTMENA/Publications/20471792/Macroeconomic%20and%20Sectoral%20Performance%20of%20Housing%20SupplyFRE.pdf> (translator's note: the quote is my translation, as the original document in English is currently off line)

45 Wilayah: an administrative division in many Arab countries, usually translated as "province" (translator's note)

46 IDMC: Internal Displacement Monitoring Center - 4 July 2006 - « Return continues amid improved security » - [http://www.internal-displacement.org/8025708F004CE90B/\(httpCountries\)/56E89CA76EBC5B12802570A7004A24AF?OpenDocument](http://www.internal-displacement.org/8025708F004CE90B/(httpCountries)/56E89CA76EBC5B12802570A7004A24AF?OpenDocument) (accessed 4 December 2007)

47 IDMC: Internal Displacement Monitoring Center - 4 July 2006 - « Return continues amid improved security » - [http://www.internal-displacement.org/8025708F004CE90B/\(httpCountries\)/56E89CA76EBC5B12802570A7004A24AF?OpenDocument](http://www.internal-displacement.org/8025708F004CE90B/(httpCountries)/56E89CA76EBC5B12802570A7004A24AF?OpenDocument) (accessed 4 December 2007)

3.2.3 Opportunities of building a house

4.2.3.1 Conditions of obtaining land property

The sources consulted do not provide any information regarding those issues.

4.2.3.2 Relevant approximate prices (land, building material, etc.)

A check of various real estate agencies' websites (cf. references below) allows to estimate the average price of land at between DZD 25,000 and DZD 40,000 per square metre around Algiers (El Jazā'ir).

4.2.3.3 Available credits, subsidies and other forms of help

Rural Housing Assistance Programme: since 2005, it has permitted potential house builders to apply for a DZD 500,000 subsidy at the *Caisse Nationale du Logement* (CNL, National Housing Fund). You must be able to pay for part of your project to be eligible for the subsidy. The aid is delivered in three instalments as the building progresses. The first instalment is paid when 20% of the construction is completed; the last one is paid when the house is finished.⁴⁸

According to the director of Housing and Community Facilities, M. Baziz, "over DZD 800,000,000 of non-refundable rural housing aid have already been granted under the form of DZD 500,000 CNL subsidies.

The CNL has approved 16,671 applications. 1,709 remain pending and will be decided upon shortly." 5,665 houses have already had their foundations laid (at which point they can receive the first CNL instalment.) "The programme's supervisor is satisfied by the progress made. (...) and expects 800 units to be added. 2,281 home owners have received their first instalment. 382 owners have already got the second instalment and only finishing work remains to be done in their houses. However, up to date only 49 units have actually been completed."

Apparently, the programme suffers of delays caused by municipal councils not unblocking money fast enough and not always providing adequate assistance to the programme's beneficiaries. Municipal councils (*Assemblées populaires communales*, APC) are the authorities that accept applications and submit them to the CNL for verification (which takes around 15 days.) After approval by the CNL and validation by wilayah authorities, applications are "sent to the appropriate daïra⁴⁹ which in its turn will ask the applicants to produce all necessary documents, especially an ownership certificate and a building permit. Establishing the right to a property can take up to six months, (...) and there is still plenty of disputed land in the region. The APCs aren't content anymore with establishing ownership rights based on testimonies only; now they require that a surveyor's report be published in a national daily paper."⁵⁰

3.2.4 Opportunities of buying real estate

Opportunities of finding offers either through an agency or from private individuals.

⁴⁸ Article published on November 8, 2006 in *Le Jour d'Algérie* <http://www.lejourdalgerie.com/Editions/081106/Rubriques/Region.htm> (accessed 4 December 2007)

⁴⁹ Daïra: subdivision of a wilayah (translator's note)

⁵⁰ El Watan –September 2, 2006 http://www.elwatan.com/spip.php?page=article&id_article=49270 (accessed 4 December 2007)

In an article published in May 2005 in *Consomag*, potential buyers are given the following advice when dealing with local real estate agencies:

“You should be aware that although the profession is subject to commercial law, it is not regulated. In a nutshell, this means that all agencies do not have to apply the same standards and that their documents are not generally recognized. So the first tip would be, find out the reputation of the agency you are planning to address beforehand. During your first visit, make sure that all prices are clearly indicated; this suggests the agency’s commitment to transparency. If the agency in question is a member of the National Union of Real Estate Agencies (*Union Nationale des Agences Immobilières*, UNAI), all the better, because it gives you access to arbitration and an out-of-court settlement in case of a dispute.

“Bear in mind also that a real estate agency is above all a provider of services, so don’t be surprised if you are charged at each step. Ideally, everything should be made clear from the outset. The UNAI recommends writing down a contract (*mandat immobilier*) in which all details of the transaction are specified. This is meant to protect the client as well as the real estate agent as it is a legally recognized document in case of a dispute. However, even here you should read all clauses carefully. When buying a property, beware of clauses referring to deposits, as these clauses are the most common source of trouble in this kind of transactions. In the absence of legal regulation, this aspect of the transaction is indeed entirely up to the agent. For example, the UNAI considers that if a sell does not take place due to a fault by the buyer, or if the buyer hasn’t stated his conditions, he shall lose his deposit to the agent. (...)”

Many agencies make an effort to assure themselves of the authenticity of an ownership certificate at the Land Registry. Finally, if you are relying on a CNEP credit to acquire real estate, you may want to know that some agencies are approved by that institution. They will take upon themselves the task of applying for your credit. If you are buying, ask for a receipt for each payment.”⁵¹

Relevant websites:

<http://www.immobilier-dz.net/>

<http://www.algerimmo.com>

<http://www.immobilialgerie.com/>

<http://www.actuelimmobilier-dz.com/>

<http://www.lespinsimmobilier.com/>

You may also contact an *Entreprise de Promotion du Logement Familial* (EPLF, Family Housing Promotion Company) branch in any city in order to obtain a new house and/or blueprints.

There is also the possibility of proceeding through an *Office de Promotion et de Gestion Immobilière* (OPGI, Real Estate Promotion and Management Bureau), especially for people renting council houses who have the opportunity to buy their home.

Transfer of real estate properties from the State and the OPGIs

Following the provisions of article 41 of the Financial Law for 2001 and article 209 of the Financial Law for 2002, as well as the executive decree n° 03-209 of August 7, 2003, the operation of transferring real estate properties from the State and the OPGIs that have been put to use before January 1, 2004, could begin.

The real estate stock of the OPGIs is estimated at **624,942** rented housing units, **44,813** commercial premises, and **92,234** delivered dwelling units.

⁵¹ Nacer Chaou, May 2005. Published in *Consomag*: “Real estate agencies: necessary precautions” http://www.immobilier-dz.net/agences_precautions.php?PHPSESSID=0aede2a49a87e1c709f5461b68aca796 (accessed 4 December 2007)

Who can benefit by the operation?

- Any natural person of Algerian nationality, or any legal entity based on Algerian law.
- Any legal occupant in possession of a lease contract issued by a bailer.

Real estate property concerned by the transfer

All housing units and premises for professional or handicraft use owned by the State or by an OPGI and open for use before January 1, 2004. The transfer does not apply to community property, temporary housing, and protected sites.

Methods of payment and advantages for housing units

The applicant for home ownership benefits from the following advantages:

- The deduction of all rent paid since the date of occupation (the date on which the rent contract was signed).
- Payment facilities over a period of **20** years.
- A **10%** reduction if payment is in cash.
- A **7%** reduction if payment period does not exceed 3 years.
- A **5%** reduction if payment period is between 3 and 5 years.

Any person having benefited from a house transfer within the scope of this decree is not eligible for a council house or any financial aid from the State in this field.

Professional, commercial or handicraft premises

Anyone applying for ownership of this category of premises may choose between a cash payment and instalments paid over a period of **20** years; however, he is not eligible for any discount on the price of the transferred property.

How to apply for a real estate property transfer

The application must be submitted to a commission set up at every territorially competent district.

The application includes:

- A rental agreement.
- A rent update certificate issued by the OPGI.
- A birth certificate.
- A certified copy of national ID.

The application will be answered within **3** months by recorded delivery letter. When this happens, the applicant must confirm his application at the commission within the month following his reception of the selling decision. The applicant may also appeal against the daïra commission's decision at a wilayah commission during this period.

The decree remains valid until **December 2007**, however, all applications submitted before this date will be subject to its provisions.

Prices

The selling price is determined by the competent authorities in accordance with the inter ministerial order of January 27, 2004 regulating the execution of article 2 of the transfer decree.

The reference price per square meter is fixed at **DZD 18,000**, but it varies according to the following criteria:

- Zone coefficient (The property's location according to APC classification).

- Classification of the properties.
- The quality of building materials used.
- The architectural qualities of the premises.

Other criteria are also taken into account when determining the selling price of a house, especially the size of rooms and shared spaces.⁵²

3.2.4.1 Legal conditions

The sources consulted do not provide any information regarding those issues.

3.2.4.2 Possible obstacles for certain groups (e.g. single women, minorities, etc.)

The sources consulted do not provide any information regarding those issues.

3.2.4.3 Relevant approximate prices

The buying price per square meter in Algiers varies between DZD 60,000 and DZD 100,000, depending on the neighbourhood.

3.2.4.4 Available credits and subsidies

The CNEP is specialized in real estate and has signed agreements with certain agencies in order to facilitate access to its credits (in which case the concerned agency takes upon itself all the required paperwork.) The CNEP also handles credits within the ramifications of the Rent-Sell Programme (see below.)

<http://www.cnepbanque.dz/index.html>

Rent-Sell Programme (2001): This programme grants access to home ownership where a bailee has the option to buy the property after a period of renting it. He must be able to pay 25% of the property's price and prove income sufficient to meet the terms of the contract. He cannot be a current or former owner, he cannot have received any previous aid from the State and cannot earn less than 5 times the legal minimum wage. Consult the National Agency for Housing Improvement and Development (**Agence Nationale de l'Amélioration et du Développement du Logement**) website at <http://www.aadl.com.dz/Generale.htm>

52 Website of the Ministry of Housing and Urbanism: <http://www.mhu.gov.dz/mhu/dossiers/cession.htm> (accessed 4 December 2007)

*Participative Council Housing Programme (2005)*⁵³: This programme gives access to a CNL subsidy ranging from DZD 300,000 to DZD 500,000 for the acquisition of a house (20,000 houses of this type are available in Algiers/El Jazā'ir)

3.2.5 Opportunities of renting a house or apartment

You can find offers either through an agency or from private individuals.

Relevant websites:

<http://www.immobilier-dz.net/>

<http://www.algerimmo.com>

<http://www.immobilialgerie.com/>

Be warned that prices are very high and that several months of advance payment are often asked.

Commercial rent: the rent period is usually 23 months. This is a commonplace practice among landlords who want to escape the provisions of Business Law that stated that after 24 months of rent, any landlord wishing to cancel his contract with the bailee had to compensate him by a sum proportional to the value of the bailee's business. Although this law has recently been modified to the landlords' advantage (the notion of business value is not taken into consideration anymore), it appears that the 23-month contract practice persists. More often than not, landlords will also ask the bailee to pay the entire 23 months of rent at the moment the contract is signed.

3.2.5.1 Potential obstacles for certain groups (e.g. single women, minorities, etc.)

In general, single peoples have a harder time finding a place to live due to landlords' mistrust.

53 This formula allows one to acquire a house by paying DZD 1,900,000 in three instalments over a maximum period of 18 months with a state subsidy depending on income (between DZD 300,000 and 500,000 via the CNL).

Are eligible people whose total income (the spouse's income included) is less than DZD 50,000 per month and who have never taken advantage of a State subsidy.

An LSP application must be submitted to an OPGI office (or to a private property developer) competent for the applicant's place of residence. The application will then be transferred to daïra services for processing.

- Certified copy of the applicant's and his spouse's national ID. *It can be certified at any town or city council.*

- Birth certificate number 12 of both the applicant and the spouse. *This can only be obtained at the town or city council of the place of birth.*

- Personal data sheet (for unmarried people) or family data sheet (for marriages). *Can be obtained at the town or city council of the place of residence.*

- Work certificate or Trade Register certificate (of applicant and spouse).

- Residence or lodging certificate of the applicant.

- Complete mortgage certificate of the applicant and his spouse. *To be obtained at the wilayah Land Registry. A birth certificate must be produced and a DZD 130 duty paid.*

- Proof of income:

- *Pay slips for the last six months or remuneration sheet or tax return form (certificates issued by fiscal services) of the applicant and his spouse.*

- *In the case of a spouse with no income*

- *Non-activity certificate (issued by the town council)*

- *Certificate of non-affiliation at the CNAS and CASNOS or certificate of non-taxation*

When the application is complete, submit it to a property developer after having chosen a programme and pay an advance of between DZD 250,000 and DZD 500,000 (depending on the developer), the remaining amount will be paid in instalments over the period of the house's construction. This means that at the moment you receive the completed house, the entire amount must be paid. Houses generally cost between DZD 1,200,000 and DZD 1,900,000. The State subsidy varies according to income (from DZD 400,000 to 500,000) and is non refundable, which means that the subsidy will be subtracted from the price of the house and only the difference will remain to be paid.

3.2.5.2 Relevant approximate prices

In Algiers, the average price of rent is slightly under DZD 400/m². Renting a two-bedroom flat can cost from DZD 20,000 to DZD 25,000 a month; a three-bedroom flat, from DZD 27,000 to DZD 35,000; four bedrooms will command a price from DZD 35,000 to DZD 40,000. In posh neighbourhoods, prices may reach DZD 100,000 per month; also, furnished homes are much more expensive.

3.2.5.3 Available subsidies

There exist council houses for rent (*logements sociaux locatifs*, LSL). 120,000 are planned to be built according to the latest plans (2005).

3.2.6 Other middle-term accommodation possibilities (shelters, NGOs, church, etc.)

The sources consulted do not provide any information regarding those issues.

3.2.7 Temporary shelters available until being able to ensure long-term accommodation

The sources consulted do not provide any information regarding those issues.

3.3 Livelihood - basic “survival”

The website of the Ministry of Employment and National Solidarity:

<http://www.msolidarite.gov.dz/>

includes notably:

[Annuaire des Agences micro-entreprises](#) (ANSEJ, Micro-Business Agencies Directory)

[Annuaire des Agences Régionales de l'Emploi ANEM](#) (Regional Employment Agencies Directory)

[Annuaire des Agences de la Caisse National Assurances contre le Chômage](#) (CNAC, National Unemployment Insurance Fund Agencies Directory)

[Annuaire des antennes de l'Agence De Développement Social \(ADS\)](#) (Directory of local branches of the Social Development Agency)

3.3.1 Employment

3.3.1.1 Unemployment (formal and informal, in specific sectors and social groups)

In 2001, the professionally active population of Algeria (El Jazā'ir) was estimated at 9,950,000 people, of which 1,331,000 are seeking employment. This puts the unemployment level for 2006 at 13.34%. “These figures have been confirmed by the International Labour Organization (ILO) and the National Statistics Bureau (ONS, *Office national des Statistiques*).

“A survey on employment, conducted in 2005 and published by the ONS, has revealed that 49.1% of the working population has no social security affiliation, which confirms once again that jobs in Algeria (El Jazā'ir) are notoriously precarious and that the informal sector plays an important part in the economy. Generally speaking, the active population has been estimated at 9.5 million (29.2% of the overall population and 41% of working-aged people.) The employed population has been estimated at just over 8 million.”

Working women are still far from being regarded as socially acceptable although the Constitution and the Labour and Employment Law exclude any form of discrimination, so very few women are currently in the labour market. Algeria (El Jazā'ir) has in fact an extremely low percentage of working women, one of the lowest if not the lowest in the world. Only 12% of women worked in 2000. Some progress in this field has been observed nevertheless.⁵⁴

Jobs in the informal sector have been sharply on the rise. It is estimated that around 1,200,000 people are concerned, that is nearly 17% of the active population.

Finally, a development of temporary and part time jobs has been observed.⁵⁵

3.3.1.2 Labour market programmes (and access to them)

The National Employment Agency (ANEM, *Agence Nationale de l'Emploi*) is the public intermediary between employers and job seekers. It replaced the former ONAMO in 1990. The ANEM has a network of 176 regional and local agencies present in every part of the country.

In 2004, the ANEM received approximately 500,000 job applications and 70,000 job offers submitted by public and private employers. Most of these jobs are temporary, in line with the international tendency.

However, one phenomenon persists. Although the law obliges all public and private businesses to recruit their personnel via the ANEM, 60% of job offers are submitted exclusively by the public sector. It must be stressed that the ANEM still plays a de facto negligible role as a job intermediary, but it is bound to develop.

The ANEM's role is thus to direct job seekers toward all existing help measures, be it in finding a job or opening a business (see below.)

The CNAC has opened Centres for Job Seeking (CRE, *Centres de Recherche d'Emploi*). “The CRE is a mutual assistance group programme in which 12 to 15 participants meet daily for 3 weeks under the supervision of a competent counsellor who supplies info, materials and all necessary support.

The method's goals are:

- Learning through action,
- Positive attitude and active participation,
- Constant support and encouragement of the group by the counsellor and by each other,
- Acquiring a working knowledge of labour market realities.”

54 International symposium on « Labour market and gender in North Africa: peculiarities, shared aspects and synergies with Europe ». Rabat, April 2003 <http://www.ulb.ac.be/soco/colloquerabat/papiers.htm> (accessed 4 December 2007)

55 The unemployed represented 27% of the active population in 2001. Among the unemployed, 62% lived in urban areas and 32% in rural areas. Classifying this population by age reveals the following:

- over 46% are under 25,
- almost 37% are between 25 and 34,
- over 10% are between 35 and 44,
- less than 7% are between 45 and 59.

It appears to be chiefly a problem of entering the labour market for the first time as roughly 71% of job seekers are under 30 and/or are seeking their first job.

Since 2001, CRE centres have also offered the possibility of competence assessments.

Various specific job access programmes have been implemented⁵⁶ :

×**IAIG Indemnité pour Activité d'Intérêt Général (Compensation for General Interest Activity)** : created in 1994, managed by the ADS since 1998

This measure aims to integrate underprivileged, able-bodied people of working age via work at public utility building sites in urban and suburban zones. The monthly pay is DZD 3,000.

×**ESIL Emploi Salarié d'initiative Locale (Local Initiative Paid Job)**: created in 1990, managed by the ADS since 2002

This measure aims to improve qualifications of young unemployed people via standby jobs which help them gain experience, improve their employability and ultimately help them find a job.

×**TUP-HIMO Travaux d'Utilité Publique à Haute Intensité de Main d'oeuvre (Highly Workforce-Intensive Public Utility Works)**; created and managed from the outset by the ADS in 1997

This measure essentially aims to create massive amounts of standby jobs in order to realize public utility projects chiefly concerning the maintenance of socioeconomic infrastructure (roads, forests, urban real estate heritage) by jobbers. The net salary is DZD 10,000 and all workers have Social Security.⁵⁷

×**C.P.E. Contrat Pré Emploi (Pre-Employment Contract)** managed by the ANEM

This measure is addressed to young first-time job seekers among graduates from colleges and higher technical schools. It gives access to public and private sector jobs. To be eligible for this programme, you have to be an Algerian national aged between 19 and 35 and a first-time job seeker. You have to sign up at the ANEM. The condition for men of being exempt from military service was dropped in 2004. The pre-employment contract is valid for 12 months and can be renewed only once in the case of a civil servant job. The

56 Figures for 2004 : ESIL (145,000 jobs), pre-employment contracts (CPE-56,056), Compensation for General Interest Activity (IAIG 183 451) and Highly Workforce-Intensive Public Utility Works (TUP-HIMO : 104,600).

57 The TUP-HIMO programme explained: *Communication on the Algerian experience of Highly Workforce-Intensive Public Utility Works*, September 1998 www.worldbank.org/mdf/mdf2/papers/econdev/thaminy.pdf (viewed on November 20, 2006)

The TUP-HIMO Programme has three basic aims:

- a) Creating temporary jobs rapidly and on a massive scale;
- b) Executing Public Utility Works that have a proven economic and social impact, such as the maintenance and preserving of public infrastructures in underprivileged zones;
- c) Promoting entrepreneurial spirit and self-employment by encouraging the creation of small businesses.

CRITERIA ESTABLISHED FOR SELECTING PROJECTS ELIGIBLE FOR THE TUP-HIMO PROGRAMME ARE:

1. A public usefulness of the works
2. A minimal percentage of equipment and materials expenses in the overall cost
3. A high intensity of workforce, representing at least 60% of the project's global cost
4. A high internal profitability
5. A possibility of dividing the work into small batches
6. A possibility of hiring unqualified workers
7. A possibility to capitalize on the experience in the sector
8. A positive impact on the environment.

TARGET POPULATION OF THE TUP-HIMO PROGRAMME

Building sites must recruit unemployed people who do not benefit (or who have been excluded from) the Compensation for General Interest Activities Programme. This state compensation is given to people without income in exchange for their participation in activities of general interest organized by municipalities within the Social Safety Net framework.

Furthermore, markets must be entrusted to jobbers, preferably living where their projects are executed. Indeed, it is precisely in view of making markets more accessible to jobbers that the methods of handing over markets have been decentralized and simplified to the extreme, thanks to the management scheme that has been implemented.

executive decree 4-102 of April 1, 2004 fixes the CPE salary paid by the State during the first year at DZD 8,000 per month for college graduates and DZD 6,000 for skilled technicians. If the contract for a job in the civil service is renewed for another year, the salary remains unchanged in both cases. In the economic sector, a six-month renewal will fetch a college graduate DZD 6,000 and a skilled technician DZD 4,500. This lower salary in the economic sector is offset by the employer and has to amount to at least 80% of the standard salary for a similar job in the company concerned. If the pre-employment contract ends and the employer does not wish to hire the employee on a permanent basis, he must issue a work certificate indicating the entire period of employment. Note that the Pre-Employment Contract is a three-sided agreement involving the selected candidate, the employer and the person responsible for employment in the wilayah. The young employee must respect all clauses of the contract binding him with his future employer while the employer is expected to respect the applicant's education profile, report any prolonged absence to the wilayah authorities, and apply the same compensation rules as for all his other employees with a similar job.

3.3.1.3 Labour conditions (minimum/average salary, working hours, security, etc.)

The *salaire national minimum garanti* (SNMG, minimal legal wage) will be raised on January 1, 2007 to DZD 12,000 per month (approx. EUR 120.)

Average wages in the civil service are about DZD 20,000 and up to DZD 80,000 in the private sector (an engineer makes about DZD 50.000 a month.)

For information, monthly net salaries practiced within organisations are about DZD 60,000 for a senior manager, DZD 30,000 for a project supervisor and DZD 25,000 for an assistant.

Offices are open from Saturday to Wednesday from 8am to noon and from 1pm to 5pm. On Thursdays, they are open from 8am to noon (private businesses only.)

Thursday and Friday are the weekend in Algeria (El Jazā'ir).

During the Ramadan, opening hours are modified: from 9am to 3pm Saturday to Wednesday.

Paid holidays are equal to 2.5 days per full month of work, with a maximum of 30 calendar days per year. The reference period for calculating holidays is from July 1 to June 30.

Holidays may be taken at any time during the year, but are usually taken in the summer, from June to September. A holiday may be taken in its entirety or be cut up with authorization from the employer.

3.3.1.4 Accessibility of short-term / occasional jobs

See C.P.E. above

3.3.1.5 Lack (high demand) in specific professions

The opening of huge construction sites like the east-west motorway and the launching of resettlement programmes (in the High Plateaus and in the South) should help to reduce unemployment. The motorway will create 501,292 jobs and the resettlement 139,217 jobs.

Generally speaking, job opportunities are good in the building sector.

3.3.1.6 Practical and contact information (employment agencies, newspapers, etc.)

Specialized websites:

<http://www.emploitic.com> Algerian employment website

<http://www.sira-algerie.com> the website of the International Recruitment Fair in Algeria (El Jazā'ir) (organized each year in June in Algiers; you can post your résumé on line)

<http://www.algeriesite.com> Algerian employment website

<http://www.algerieemploi.com> Algerian employment website

<http://www.ibhat.net> Algerian employment website

<http://www.Dz-recrute.com> Algerian employment website

Papers that publish job advertisements:

<http://www.lematin-dz.com>

<http://www.liberte-algerie.com>

<http://www.elmoudjahid.com>

<http://www.elwatan.com>

<http://www.lesoirdalgerie.com>

3.3.2 Contact information relevant to the issue of recognition of degrees obtained elsewhere

Legal recognition of foreign diplomas is done by the Ministry of Higher Education and Research (MERSRS - *Ministère de l'enseignement supérieur et de la recherche scientifique*):

The application must be submitted to the *Direction de la formation supérieure graduée / sous-direction des agréments, du contrôle, et des équivalences*. The application must contain the following documents:

- § A personal data sheet
- § A copy of the foreign diploma or degree concerned
- § A copy of other diplomas: baccalaureate or equivalent
- § One stamped enveloped addressed to the applicant

§ The legal recognition form⁵⁸

Telephone number : + 213 (0)21 91 97 19 / + 213 (0) 21 91 23 23

Bureau des équivalences Poste 442

<http://www.mesrs.edu.dz>

3.3.3 Education and retraining programmes (access to them, costs)

The sources consulted do not provide any information regarding those issues.

⁵⁸ Information received from the MERSRS in January 2007

3.3.3.1 By the government

The CNAC organizes an education and retraining programme. “The CNAC does not want to limit itself to the role of a general welfare manager. Beyond compensating its recipients, it wants to improve their “employability chances” in order to let them join the labour market speedily.

- By improving their professional qualifications.
- By developing well-aimed and fruitful training programmes practically and pedagogically adapted to their professional background.
- By creating education and retraining management devices in order to create and master an efficient and precise selection and guidance system.” (taken from the CNAC website : <http://www.cnac.dz/>).

3.3.3.2 By private firms

<http://www.formation-dz.com/> Search engine for training opportunities in Algeria (El Jazā'ir)

<http://www.anefa-dz.com> / *Association Nationale des Organismes de Formation Agréés* (National Association of Approved Training Institutions)

This association, created in 1996, federates private training schools active in the field of professional training. Since 2005, the ANEFA has helped young people with no real professional qualifications as well as qualified workers wanting to open their own business to seek employment and assist them with opening their business. This ANEFA programme is called A.V.E.C.

<http://www.cnepd.edu.dz> / *Centre National de l'Enseignement Professionnel à distance* (CNEPD)

3.3.3.3 By international organisations or NGOs

The CIARA (*Collectif d'Initiation à des Activités de Recherche Appliquée*, or Collectivity for Applied Research Activity Initiation): The CIARA is a non-profit organization whose aim is to encourage young graduates to invest their efforts in their country. The CIARA organizes technical training and job-seeking workshops. It welcomes graduate engineers and offers them a 6-month supplementary training including communication and management skills, IT and electronics. Its priority is to facilitate contact between young graduates and industries.⁵⁹

3.3.4 Starting a new business

90% of the private sector is made of tiny businesses employing 35% of the sector's workforce. Thirty-two percent of these businesses are active in manufacturing (of textiles and leather essentially.) The others are divided between general contractors and services. This structure clearly demonstrates that private investment is directed toward activities by nature little exposed to foreign competition (non-exchangeable goods) and with very short recovery delays. The number of small private businesses except handicrafts was 225,449 in 2004 according to Social Security data; they employed 592,758 workers.⁶⁰

⁵⁹ Discussion with the Father Joseph Rivat, director of the CIARA, carried out on October 30, 2006, in the buildings of the CIARA.

⁶⁰ *Perspectives économiques en Afrique*, © BAfD/OCDE 2006

The website of the Algerian Chamber of Commerce and Industry offers plenty of information as well as a checklist for opening a business:

- The project
- Market analysis
- Financing and subsidy research
- Legal status and taxes
- Paperwork⁶¹

3.3.4.1 Legal conditions (registration, corporate forms, minimum capital, etc.)

Trading companies may take one of the **following forms**:

- Partnership (*Société de Personnes*)

General Partnership: *Société en Nom Collectif* (SNC);

Limited Partnership: *Société en Commandite Simple* (SCS);

Undisclosed Partnership: *Société en Participation* (SEP);

- Joint-stock company (*Société de capitaux*)

Limited Liability Company: *Société à Responsabilité Limitée* (SARL);

Incorporated Sole Proprietorship: *Entreprise Unipersonnelle à Responsabilité Limitée* (EURL);

Limited Partnership: *Société en Commandite Simple* (SCS);

Joint-Stock Company: *Société Par Actions* (SPA);

Limited Partnership With Shares: *Société en Commandite Par Actions* (SCA);

The **minimal capital** for a EURL or SARL is DZD 100,000.

Creating a trading company under Algerian law requires the following documents to be produced:

–In order to draft the statutes

- A certified copy of each partner's or legal entity shareholder's Trade Register certificate;
- A certified copy of each partner's or legal entity shareholder's statutes;
- The minutes of the constituent General Assembly of the company to be created;
- A certified copy of a proxy printed on paper with the shareholding companies' header in the name of natural persons appointed to sign it;
- Criminal records of legal representatives;
- The owner's property deed and ID to be submitted by the owner in order to establish a contract of lease drawn up by a notary;
- A confirmation of non-duplicated company name delivered by the National Trade Register Centre.

–In order to open a bank account and free the capital

- Company statutes;
- contract of lease for the company's headquarters;
- Specimen of the legal representative's signature;

61 http://www.caci.com.dz/REGLEMEN/CRE_ENT.HTM (accessed 4 December 2007)

- The legal representative's ID.

-In order to register the company at the Trade Register. A recent legislation reform has considerably simplified the registration formalities. Currently, only the following documents are required:

- birth certificate,
- Payment receipt for registration fee and taxes,
- criminal record
- approval for regulated activities,
- Trade Register form

-Recording : The creation and modification of a trading company must be recorded by an *acte authentique* (a formal authentication document) and published in the Official Bulletin of Legal Announcements (*Bulletin Officiel des Annonces Légales*) and at the National Trade Register Center.

In terms of **taxation**:

- *if you are a natural person*, you are subject to:

- Professional activity tax (*taxe sur l'activité professionnelle*, TAP), if the profits stemming from your activity are considered as industrial and trade income, or as non-trade profit.
- Land value tax for all your built or unbuilt properties except those exempt by law;
- Value Added Tax (VAT) for all concluded selling operations.

- *if you are a legal entity*, you are subject to:

- Company profit tax (*impôt sur les bénéfices des sociétés*, IBS) on all profits made through your activities;
- Professional activity tax (*taxe sur l'activité professionnelle*, TAP);
- Land value tax;
- Value Added Tax ⁶²

3.3.4.2 Credits and subsidies and access to them (interest rates, creditors, etc.)

Micro-business scheme (ANSEJ)

For people aged under 35. This scheme aims to help creating and developing production and service activities by young entrepreneurs whose projects are followed and assisted by the **ANSEJ (Association Nationale de Soutien à l'Emploi des Jeunes, National Agency for Assisting Youth Employment)** This approach also combines personal involvement by the candidates, zero-interest loans granted by the State and regular commercial bank loans, albeit with highly subsidized interest, depending on criteria such as profitability.

ANSEJ's mission is to help young people (aged 19 to 35) to (re-)enter professional life by creating their own business. This is achieved through low-interest loans, fiscal and para fiscal advantages, tax breaks and assistance before and during the project (advice and guidance concerning banks and administrations, etc.)

The ANSEJ only helps with projects under EUR 100,000. The entrepreneur has to contribute personally to the investment depending on the level of investment (from 5% - which cannot exceed EUR 20,000 - to 10% of the investment). The entrepreneur must pay contributions to an insurance fund for young entrepreneur loan risks.

⁶² "Investing in Algeria", a guide by the Ministry Delegate for Participation and Investment Promotion (MDPPI). Available at: 193.194.78.233/pdf/economie/guide_invest.pdf (accessed 4 December 2007)

The length of the credit varies according to the nature of the projects and may be from 5 to 7 years.

The repayment instalments are half-yearly or yearly, depending on the nature of the activity and on the length of the credit. The total amount of the launch rolling capital is determined by the nature of the activity and is integrated in the investment structure. It is maintained and handled by bank financing. The launch rolling capital must cover a period of 3 months.

The ANSEJ finances all kinds of activities (services, handicrafts, etc., but also liberal professions) except basic trade activities (buying and selling products without transforming them). The real problem is the lack of entrepreneurial spirit among Algerians.

The age limit is 35 years but may be raised to 40 if the entrepreneur commits him- or herself to employ at least 3 persons (him- or herself included). Algerian citizenship is required. The ANSEJ decides whether to approve a project within one month. In principle, banks must unblock the funds within 3 months at the latest (to study the business plan and application), but in practice they can refuse. In that case, the ANSEJ will supervise the repayment process instead of the banks.⁶³

Limitations of the system:

- In practice, this system only addresses young people who already have some qualifications. It seems to finance mostly competent people in developing activities in practically virgin sectors (10,000 projects financed for a total of over EUR 90,000,000...)
- The paperwork involved in the application is rather hefty.
- Moreover, reports abound of red tape and sluggishness within core bank services: a bank can take a year and a half to respond to a credit request, and credits are hard to obtain.
- Payments are made exclusively through pro forma invoices directly at the supplier's, which hinders the project's development.
- However, some people suggest that this is the only measure that has actually worked, mainly thanks to all the precautions taken.

Micro-credit scheme (ANGEM): The ANGEM (*Association Nationale de Gestion du Micro-crédit*, National Agency for Micro-Credit) addresses a poor and underprivileged public.

The conditions are:

- to be at least 18 years old.
- to have qualifications consistent with the planned project.
- to be able to produce proof of residence.
- to be able to supply 10% of the project's value.
- to pay a one-time adherence fee to the warranty fund priced at 1% of the project's value.
- to pay an annual risk premium to the warranty fund priced at 1% of the project's value.
- to commit oneself to repay the loan and interest to the bank as per agreement with the latter (between 12 and 60 months).

The loan finances projects worth between DZD 30,000 and DZD 400,000 and can be granted either by the ANGEM (90% of zero interest loan and a 10% personal contribution, or mixed financing) or 25% by the ANGEM and the rest by a bank, or triangular financing. In the latter case, banks still apply preferential rates because the ANGEM pays the difference

⁶³ Meeting with the ANSEJ with Mr. Tayeb HIDJEB (Secretary-general) and Mr. Rachid BOUZAR (Directing of the development and the innovation) on October 29, 2006

between the preferential and commercial rate.⁶⁴ The advantages can be even more interesting when activities are carried out in one of the **priority zones: the South and the High Plateaus**. Micro-credit beneficiaries have to adhere to the Warranty Fund as described above.

This system covers the entire country with 47 coordinating branches (one per wilayah and 2 for Algiers, plus one counsellor per daïra. 505 dawair⁶⁵, or 92%, are currently covered). Counselling and advice for the entrepreneur are free of charge. Decisions are decentralized at wilayah level in order to shorten delays. Financing is still centrally controlled nowadays but should be decentralized as well as of December 2006. Currently, when a financing application is complete, the ANGEM announces its decision within 20 days (a selection committee meets every 15 days). The money is thus unblocked within a month on average, but this delay should be shortened when the system becomes computerized. As far as partner banks are concerned, three agreements have been signed with BNA, BADR and BDL.

As for paperwork, if the applicant has no official residence, a lodging certificate is necessary. Recipients who have to or who wish so can validate their know-how by a traineeship done in a handicraft centre (2 to 3 weeks, paid by the ANGEM). The ANGEM can also finance informal activities up to a certain amount. In mixed loans, money is transferred directly to the recipient; if not, it is granted by the bank in the form of a check for the supplier.

The ANGEM considers itself as a supplement to other State-organized financing schemes such as the ANSEJ, CNAC, ANDI, etc. Its aim is to support minor jobs or projects (that do not require heavy infrastructure), especially for housewives (think sewing jobs, for instance).⁶⁶

Activity Creation Scheme: closely linked to the Unemployment Insurance, this scheme has been gradually implemented since January 2004. It is **meant for unemployed people aged 35 to 50** who wish to open a business themselves or in groups and having professional qualifications and know-how consistent with their planned activity.

Are eligible:

- Unemployed entrepreneurs aged 35 to 50.
- Recipients of the National Unemployment Fund.

Conditions:

- Age between 35 and 50,
- Legal residence in Algeria (El Jazā'ir),
- No paid job held at the time the application is submitted,
- Having been registered as job seeker at the ANEM for at least six months,
- Or being a CNAC aid recipient,
- Possessing professional qualifications and/or know-how consistent with the planned activity,
- Participating in the financing of one's project,
- Not having exercised any individual professional activity for at least 12 months,
- Never having received any aid for activity creation.

The applicant has to present himself at the:

⁶⁴ An interest rate of 2% is paid by the recipient, the difference between that and the commercial rate is paid by the public treasury

⁶⁵ Dawair = plural of daïra (translator's note)

⁶⁶ Interview with the ANGEM with Mr. AOUAIDJIA (Director of studies and Information systems) and Mr. DJEBNOUNE (Directing of the development of the Programs) on October 29, 2006

- *Agence Nationale de l'Emploi (ANEM),*
- *Caisse Nationale d'Assurance Chômage (CNAC).*

Business creation assistance scheme

The CNAC has created the *Centre d'Aide au Travail Indépendant* (Center for Independent Work Assistance, CATI), a place where potential entrepreneurs may ask for help concerning paperwork and procedures. A team of advisors shall:

- Inform the potential entrepreneur about the various steps to take when creating a business.
- Guide the potential entrepreneur as to enable him to make educated decisions when confronted by basic options relative to his project.
- Train the potential entrepreneur to teach him basic knowledge necessary for his project.
- Assist the potential entrepreneur to avoid distractions that could interrupt his creative process.

3.3.5 Social security

In Algeria (El Jazā'ir), welfare financing is assured by contributions deduced from salaries and supported by workers and by businesses. The global rate is determined by law but the distribution of the contributions between different branches is determined by decree which allows greater flexibility when balancing the funds between each branch.

Health insurance coverage is by and large universal; however, other risks are much less covered.

Indeed, workers, salaried and non-salaried, pensioners and students, apprentices, the disabled and jobless, the mujahideen (ex combatants), welfare recipients and families of the insured (as long as the insured person can produce proof concerning marriage and children) are all covered by health insurance.

However, there is a serious problem concerning people “active” in the informal sector, whose numbers are estimated at 1.5 million. Those people have no Social Security coverage whatsoever.

Strangely enough, it seems that only salaried workers are covered by invalidity, accident at work, death, retirement and early retirement insurance, as long as they comply with conditions of affiliation, of work time and possibly age at the moment the risk presents itself. As far as accidents at work and occupational disease are concerned, it is sufficient merely to prove the professional character of the accident or illness.⁶⁷

In the current Algerian social security system, a standardization of schemes and advantages has been implemented. Algerian social security includes:

- Insurance covering illness, motherhood, invalidity and death,
- Retirement pensions,
- Accidents at work and occupational diseases,
- Family benefits,
- Unemployment insurance protecting salaried workers against an involuntary loss of job due to economic reasons. This insurance is managed by the CNAC,

⁶⁷ From *La protection sociale dans les Pays du Sud et de l'Est de la Méditerranée Etat des lieux et perspectives* / Forum Syndical Euromed, 2003

- Early retirement.

Organisation

Two national funds, the CNAS (*Caisse Nationale d'Assurances Sociales des travailleurs salariés, National Welfare Fund for Salaried Workers*) and the CNR (*Caisse Nationale de Retraite, National Retirement Fund*) are under the governance of the Minister responsible for social security.

In every wilayah, the CNAS and the CNR have their own “Wilayah Agency” that works as their local outlet.

Financing

In Algeria (El Jazā'ir), all people of all nationalities who exercise a salaried or similar activity or are on a traineeships are obligatorily covered by Social Security.

Contribution rates as of January 1, 2005

Branch	Employer	Worker	Total
Welfare	12,5 %	1,5 %	14 %
Accidents at work	1,25 %	-	1,25 %
Retirement	9,5 %	6,5 %	16 %
Unemployment insurance	1,25 %	0,5 %	1,75 %
Early retirement	0,5 %	0,5 %	1 % (1)
Total	25 %	9 %	34 %

(1) The employer's benefit scheme contribute to the financing of early retirement at a rate of 0.5%

Contributions are paid based on the employee's *salaire de poste*⁶⁸ which corresponds to the ceiling salary per activity type taken into account when calculating the contributions (the exact term being *salaire soumis à cotisations* (salary subject to contributions) as defined by law 90-11 relative to employment relations.⁶⁹

3.3.5.1 Unemployment benefits and access to them

All the following data is extracted from the CNAC website: <http://www.cnac.dz/>

The law on unemployment insurance came into force on July 1, 1994.

Conditions

To be able to benefit from unemployment benefits, the salaried worker must:

- have lost his employment involuntarily for economic reasons,

⁶⁸ Translator's note: *Salaire de poste* is a specifically Algerian term which has no equivalent in English

⁶⁹ Most information in this section comes from the website of the Center of European and International Liaisons for Social Security (CLEISS): http://www.cleiss.fr/docs/regimes/regime_algerie.html (translator's note: no English version as of 25 Feb 2006)

- have been an affiliated member of social security for a cumulative period of at least 3 years,
- have paid contributions during the six months preceding his dismissal,
- have been registered as a job seeker for at least two months.

Period of benefit reception

The period during which the unemployed person receives his or her benefits is determined as follows: two months of benefits per year of contributions; the benefit reception period cannot be shorter than 12 months or longer than 36 months.

Amount

The reference salary which is used to calculate benefits is determined as follows: the sum of the “average monthly salary of the twelve months immediately preceding the dismissal” and the minimum legal wage is divided by two.

The total period of benefit reception is divided in four equal parts. During the first period, the recipient receives 100% of the reference salary. During the second period, he receives 80% of the reference salary, then 60% during the third period and finally 50%.

The monthly welfare check can however represent neither less than 75% of the minimal legal wage nor more than three times the minimal wage.

3.3.5.2 Sickness benefits and access to them

In order to be able to take advantage of payment in kind from health insurance as well as cash benefits during the first six months, the recipient must have worked for at least 15 days or 100 hours during the calendar quarter preceding the date of medical treatment or 60 days/400 hours during the 12 months preceding the medical treatment.

In order to be eligible for daily cash payments beyond the first six months, the recipient must have worked for at least 60 days or 400 hours during the 12 months preceding his sick leave or for at least 180 days or 1200 hours during the three years preceding his sick leave.

Payment in kind

Payment in kind is offered to the insured and his family (a non-working spouse; children up to 18 years old or 21 if still studying, 25 if on apprenticeship, or of whatever age if incapable to exercise any paid activity due to a medical condition; parents of the insured or of his/her spouse if their income does not exceed the minimum legal pension).

The insured pays all the fees and asks for a refund at the fund he is affiliated with via a document (*feuille de soins*) filled in by his doctor, unless he addresses himself to a practitioner, a pharmacist or a clinic having passed an agreement allowing it to receive third-party payments.

Medical expenses are refunded if the social security organism has issued an official undertaking to reimburse medical expenses. For expenses involving major prostheses, one must first obtain an opinion issued by the insurer based on a price estimate. In the case of hospitalization in a public health facility, expenses involving the stay and treatments received will be paid according to the agreement between the social security organism and medical facility concerned.

Daily benefits

From the first to the fifteenth day of sick leave, the amount of daily benefits is equal to 50% of the salary taken as reference for contributions, after subtracting the

aforementioned contributions and taxes. Beginning on the sixteenth day of sick leave, in the event of a long illness or hospitalization, the amount of daily benefits is equal to 100% of the reference salary.

The daily benefits are due for every working and weekend day of sick leave and it cannot exceed, depending on the case, 1/60th or 1/30th of the reference salary.

Preservation of rights

In the case where the insured person's tax liability has ceased, he preserves his right to payment in kind during:

- 3 months if the worker can prove having worked for 30 days or 200 hours during the year preceding the cessation of activities;
- 6 months if the worker can prove having worked for 60 days or 400 hours during the year preceding the cessation of activities;
- 12 months if the worker can prove having worked for 120 days or 800 hours during the year preceding the cessation of activities.

Accidents at work and occupational diseases

This category includes accident that occurred during work and commuting as well as occupational diseases of which there is an official list.

The right to payment in kind and in cash is guaranteed whatever the previous length of work has been.

1) Medical treatment

The refund is 100% of the legal tariffs provided for in social security regulations.

2) Temporary disability

A daily benefit granted on the day following the accident is equal to a daily salary and cannot exceed 1/30th of the worker's monthly wage. The benefit for the day of the accident is to be paid by the employer.

The daily benefit cannot be lower than eight times the net legal hourly wage.

3) Permanent disability

The amount of compensation is calculated by multiplying the average *salaire de poste* the victim received during the twelve month preceding the accident by a disability factor determined by an officially appointed doctor (*médecin-conseil*). The salary considered cannot amount to less than two thousand three hundred times the minimal legal wage.

If the disability factor is higher than 10%, a disability benefit is granted. The benefit may be raised by 45% if the victim has become dependent on other people. This raise can in no case be lower than DZD 13,230 per year.

4) Surviving family

Pension

The pension granted to surviving family members of an accident-at-work victim are the same as in the case of death insurance.

Death benefit

A death benefit may be granted to the family of the deceased. Its amount is equivalent to twelve times the amount of the last monthly wage taken as a base for calculating social

security contributions but not lower than the minimal legal wage. In the case of a pensioner, the death benefit is equal to twelve months' worth of the deceased's pension. The death benefit may not be combined with a death benefit paid within the scope of social security.

3.3.5.3 Family allowances and access to them

Family allowances

Family allowances still retain their original character of a "salary supplement", hence their financing by businesses and benefits limited to salaried or similar-status workers.

In spite of being subsidized by the national budget, family allowances have never been extended to other categories of citizens and have certainly not become widespread.

Family allowances are thus paid to workers supporting families, as long as they have been paying their contributions based on a salary equal to at least half of the minimal legal wage.

The right to receive family allowances is however preserved if a worker had to cease his activities due to illness, disability, an accident at work, compensated unemployment or retirement, etc.

Everyone with at least one child is eligible for family benefits if the child is under 17, or under 21 if the child is still studying or training or is unable to work due to a handicap or long-term illness.

There is no upper limit of children covered by family allowances.

Since October 1, 1995, the amount of family allowance granted depends on the recipient's income and on the number of children:

For a recipient with an income equal to or lower than DZD 15,000 per month, the family benefits will be as follows:

- From the first to the fifth child included: DZD 600 per month and per child
- From the sixth child upwards: DZD 300 per month

For recipients earning more than the salary mentioned above, family benefits will amount to DZD per month and per child no matter how many children he has.⁷⁰

School allowance

This annual benefit is paid once in its entirety for each child attending school and aged 6 to 21. Its amount depends on family income:

If the recipient's monthly income is equal to or lower than DZD 15,000, the school allowance is:

- DZD 800 per child for the first five children
- DZD 400 per child from the sixth child upwards.

If the recipient's monthly income exceeds DZD 15,000, the school allowance is DZD 400 per child.

There are nurseries and kindergartens which can be founded and managed by:

⁷⁰ *La protection sociale dans les Pays du Sud et de l'Est de la Méditerranée Etat des lieux et perspectives*, F. Paz y Solidaridad Serafin Aliaga, Forum Syndical Euromed, 2003 <http://www.pazysolidaridad.ccoo.es/web/recurso.asp?id=33&idrecurso=124> (accessed 4 December 2007)

- local communities,
- social security funds,
- employers,
- private citizens.

A family's financial participation varies according to the status of the nursery or kindergarten but is roughly equal to one third of legal minimal wage. But as a rule, discounts are granted to poor or single parent families.

Finally, within the ramifications of the State's welfare law and family policies:

- recipients of a fixed solidarity allowance receive a DZD 120 benefit per person supported for a maximum of 3 persons;
- scholarships for secondary and higher education can also be granted;
- income tax is adapted to each family's situation.

Moreover, in almost all public-sector businesses and organisms, a one-time salary compensation is granted when the worker's spouse does not exercise any activity. The exact amount of this compensation varies as it is negotiated between workers and management and determined in a collective agreement.⁷¹

3.3.5.4 Other benefits in the social welfare system

Allocation Forfaitaire de Solidarité (A.F.S., Fixed Solidarity Allowance) is DZD 1,000 per month and per household. Moreover, all household members are entitled to free medical treatment and can have their medicine refunded.

Single mother allowance: DZD 10,000 per month

Motherhood

Payments in kind

Expenses relative to pregnancy, childbirth and child care are 100% refunded according to officially determined tariffs. Hospitalization expenses for the mother and child are also 100% refunded for up to eight days in hospital. Eligibility conditions are the same as for illness benefits.

Payments in cash

A salaried woman forced to interrupt work because of motherhood is eligible for a daily benefit equal to 100% of her daily salary minus social security contributions and taxes.

Provided that the recipient ceases all paid work while receiving motherhood benefits, she is eligible for a daily benefit during 14 consecutive weeks (beginning six weeks before the expected date of delivery and 8 weeks after childbirth).

Disability pension

1) Definition

⁷¹ *La protection sociale dans les Pays du Sud et de l'Est de la Méditerranée Etat des lieux et perspectives* / F. Paz y Solidaridad Serafin Aliaga / Forum Syndical Euromed – 2003 - <http://www.pazysolidaridad.ccoo.es/web/recurso.asp?id=33&idrecurso=124> - (accessed 4 December 2007)

An insured person is considered disabled when he or she suffers of a condition reducing his or her working or earning capacity by at least 50%. In order to determine the amount of the disability pension, disabled people are classified into three categories:

1st category: disabled people still able to exercise an activity,

2nd category: disabled people absolutely unable to exercise any kind of activity,

3rd category: disabled people absolutely unable to exercise any kind of activity and who have to rely on other people's help.

a) Eligibility

In order to receive disability compensation, the applicant does not necessarily have to have reached the age of old-age pension settlement, but he has to have been registered for at least a year on the date his disability was officially recorded. Furthermore, he has to comply as of that date with activity conditions necessary to receive money benefits for more than six months.

b) Amount

The annual amount of the pension is a percentage (which varies depending on the applicant's disability category) of the last *salaire de poste* earned or, if more advantageous for the applicant, of the average salary of his most well-paid three-year period.

The percentage applied to the above salary is 60% for the first category, 80% for the second and 80% for the third. In the third category, the percentage is raised by a percentage of 45% that must amount to at least DZD 13,230 per year (raise for third party).

The annual disability pension cannot be lower than 2300 times the legal minimal hourly wage.

At the age of 60 for men and 55 for women, the disability pension is transformed into an old-age pension. It must be the same or higher than the invalidity pension.

2) Reversion

The spouse, the children and parents supported by a deceased recipient of a disability pension are entitled to a disability pension for surviving family members.

Old-age insurance

1) Personal pension

a) Age

The right to a retirement pension is granted:

- At 60 years of age for men who have paid insurance for at least 15 years including at least seven and a half years of effective work during which social security contributions were paid;
- At 55 years of age for women minus one year for each child born and raised for at least nine years and for not more than three children;
- There is no age requirement for a totally and irreversibly disabled worker who cannot obtain a disability pension;
- 50 years of age for anyone who has paid insurance for at least twenty years. Women may ask for retirement at 45 if insured during 15 years;
- There is no age requirement for anyone who has been insured for 32 whole years.

b) Amount

The amount of pension received is 2.5% times years of insurance times average salary from which social security contributions have been paid during the last five years of work or, if more advantageous to the retiree, the highest five-year-period average salary in his or her career.

The maximum amount of pension for a full career spanning 32 years cannot exceed 15 times the value of the legal minimum wage, i.e. DZD 150,000 per month.

A full pension cannot be lower than 75% of the minimum legal wage (DZD 90,000 per year).

In order to adjust for rising living costs, pensions and retirement benefits have been raised on May 1, 2004 by 6% for pensions and benefits granted before January 1, 1992 and by 4% for pensions and benefits granted between January 1, 1992 and December 31, 2002.

c) Raise on account of supported spouse

Any pension can be raised by DZD 1,000 per month (if pension was settled after January 1, 2000) or by DZD 1,731 (if settled before that date) if the recipient supports a spouse whose own income is lower than the minimal legal retirement pension. Only one raise of this kind can be granted, even if the recipient has more than one wife.

d) Retirement benefits

If at the age of 60 a worker has not worked for the minimum of 15 years to be eligible for a pension, but has completed at least five years of insurance, he may apply for retirement benefits.

Early retirement

An early retirement pension is reserved for employees who lose their job involuntarily for economic reasons like layoffs or the employer ceasing activities.

Amount

The calculation formula is the same as for personal pension settled at legal age, but the result obtained is reduced by 1% per year of anticipation. However, this sum cannot be lower than 75% of a yearly SNMG.

A person entitled to an early retirement pension may have it raised by DZD 1,250 per month if he is supporting a spouse.

Increase for third party

Disabled people having obtained their old-age pension settlement without the age condition shall be able to obtain a 45% raise of their pension (but not less than DZD 13,230 per year) for a third party.

2) Surviving family

The spouse, supported children (aged up to 18, or 21 for students and trainees) and supported parents are entitled to a reversion pension.

The widow is entitled to this pension whatever her age may be.

The amount of this pension is a percentage of the pension the *de cujus* received or would have received. The reversion pension is calculated for a minimum period of 15 years, whatever the insured person's age or time spent working.

Total amount of the pension:

- for the widow and if no other recipients exist, 75% of the pension of the “*de cujus*”, or around DZD 5,625 per month.

- For the spouse plus one other recipient: 50% for the spouse plus 30% for the other recipient (child or parent), i.e. DZD 3,750 for the widow and DZD 2,250 for the other recipient.
- If more than one recipient: 50% for the spouse (DZD 3,750) and 40% (DZD 3,000) equally divided between the other recipients.
- If there is only one child recipient: 45%. The cumulative amount of the recipients' pensions is 90%, limited to 45% if the recipient is a child and 30% when he or she is a parent.

3.3.5.5 Special benefits for returnees

Does not apply

3.4. Health

There has been a noted general improvement in the state of health of the Algerian population; this is highlighted by the National Human Development Report (produced in cooperation with the UNDP 2006⁷²), which provides the following explanations for this change: progress in healthcare for mothers and children; progress in the fight against transmittable diseases through health action programmes implemented and paid for by the government; the significant reduction in water transmitted diseases (typhoid fever, dysentery), combined with the disappearance of cholera; a better estimation of the level of non-transmittable diseases among the population; enhanced training by health, medical and paramedical staff; extended healthcare offered to meet new needs and the diversification in society; better knowledge among the population of how health services are used; advances in access to healthcare across different geographic areas; greater capacity for patient care in public health services; progress in covering the costs of healthcare; implementation of instruments for a national pharmaceutical policy.

“The key indicators on healthcare funding in Algeria show:

- health spending of USD 186 per person, placing Algeria in the top 10 African countries in terms of per capita health spending
- a health budget equivalent to 5% of the total budget
- government spending accounting for 80% of health costs, ¼ of which is funded by social security (...)

For a long time, the health situation in Algeria was dominated by transmittable diseases. For about 20 years, there has been a change in health problems, with increased numbers of non-transmittable diseases, notably chronic diseases (cardiovascular diseases, asthma, hypertension, diabetes, cancers, etc). This epidemiological transition is therefore today characterised by the persistence of transmittable diseases (tuberculosis, water transmitted diseases, zoonotic diseases...) which are typical of developing countries, as well as the emergence of “civilisation diseases” which are on a constant increase.

72 National Human Development Report 2006 - <http://www.dz.undp.org/publications/RNDH%202006.pdf> (accessed 4 December 2007)

The health system is built on the public sector and private sector. The Ministry of Health, Population and Hospital Reform (MSPRH) manages the hospital care and healthcare provided to

The public hospital infrastructure is made up of hospitals, Specialised Hospital Establishments (EHS), and University-Hospital Centres (CHU), with a total of 54 000 beds. The facilities for consultations, care and prevention include general clinics, health centres and treatment rooms, medico-social centres, testing units and school healthcare units, university preventive health units, blood transfusion centres and pharmacy dispensaries. The cover today in terms of hospital beds is approximately 1.88 per 1000 inhabitants.

Since the health sector was opened up to private organisations in 1988 (Decree 88-204), many private clinics, consultation practices and radiological centres have been set up throughout Algeria. There are 221 private clinics in operation today.”⁷³

3.4.1. General health situation in the regions (epidemics, etc...)

According to the Ministry of Health, in less than 50 years of independence the social policy in Algeria, including during the socialism period, resulted in the building of an entire network of facilities, which saw health and health services come within reach of the people, even in desert regions where some of these people were still nomads. The monitoring of health developments has been and continues to be in place, enabling permanent control and follow-up on problems that may arise⁷⁴.

Tuberculosis is still monitored, and avian influenza has been the subject of monitoring and highly specialised mechanisms at the level of both the Ministry of Health and the Ministry of Agriculture - Veterinary Services Section.⁷⁵

In the case of AIDS⁷⁶, according to the estimates of the WHO and UNAIDS, the HIV infection prevalence among adults in Algeria is 0.1% (13 000 cases). The first reported case of AIDS in Algeria was diagnosed in December 1985; since then, the total number of cases has increased steadily, with 700 cases of AIDS and 1908 HIV positive people reported as at 31 December 2005.”⁷⁷ According to Sida (AIDS) Info Service, 39% of men and women infected with HIV receive antiretroviral therapy under national programmes.⁷⁸

3.4.2. Drinking water⁷⁹ and hygiene in the regions (inappropriate heating systems)

The issue of drinking water, in general linked to the issue of hygiene, is what determines the health of the people. While hygiene is predominantly a question of education, drinking water presents another type of problem and on a different scale. Algeria remains a country

73 GIP SPSI Health and Social Protection – Algeria: Health system and social cover – 2006 -

www.gipspsi.org/GIP_FR/content/download/2927/25162/version/1/file/Algérie.pdf (consulted 4 December 2007)

74 The main notifiable diseases include: le trachomea: 1,358 cases – hydatid cyst: 692 cases - measles: 12,688 cases - brucellosis: 2,783 cases - viral hepatitis: 2,080 cases - tetanus: 2 cases – whooping cough : 17 cases - dysentery: 1,932 cases - typhoid: 1,110 cases - cutaneous leishmaniasis: 13,749 cases – and meningitis: 6,241 cases. (Statistics of the INSP – National Institute of Public Health – 2003).

75 Source: Ministry of Health – Planning and Standards Section – Interviews 14.08.07

76 For more information, see the website of Sida Info Service “*Entretien avec le professeur Laouar Maamar, président d’Aniss, association algérienne de lutte contre le sida*” (Interview with Professor Laouar, President of Aniss, an Algerian association fighting AIDS), <http://www.sida-info-service.org/direct/news.php4?id=372> (consulted 4 December 2007)

77 Information found on the website AIDS Algeria <http://www.aidsalgerie.org/> (consulted 4 December 2007)

78 UNAIDS, *Rapport sur l’épidémie mondiale de SIDA*, 2006 - <http://www.sida-info-service.org/international/algerie/algerie.php4> (consulted 4 December 2007)

79 For more information on the regions and towns benefiting from access to drinking water, see <http://www.semide.dz/fr/news/default.asp> (consulted 4 December 2007)

where water is a scarce resource (this is not reflected in the costs of drinking water which remain low).

Algérienne des Eaux (ADE) is the body responsible for managing and distributing water in Algeria. While the majority of wilayas (districts) are officially supplied with drinking water, the cuts are frequent and the supply generally remains insufficient.

In the absence of drinking water, and depending on the buying power, water for hygiene purposes is chlorinated, while water purchased for drinking is mineral water. Alternatively, only the water for drinking is chlorinated. Every year, prior to and during summer, television is used for awareness-raising and information campaigns about water transmittable diseases. However it should be noted that the number of WTDs remains high.

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However, an improved drinking water supply is planned for 2008. An article in the Tribune dated 26 August 2007 explains that “last February the Algerian water and drainage company (SEAA), (...) completed its first year managing public health networks for drainage and drinking water for the capital, (...) and implemented a series of measures (...). This enabled it to better respect the regularity and distribution and, overall, to increase the daily supply, or H24, from 65% in May 2006 to 80% in May 2007. It believes it can achieve 100% during 2008. In other regions of the country, the supply will also be improved with the launching of large projects. (...) A 10% portion of drinking water supply will be supplied by desalination in the long run representing daily production of more than 2.260 million m³, equivalent to 2.3 billion litres/day. For daily consumption of 100 litres/inhabitant, the number of people to benefit from this is thus estimated at 23 million.”⁸¹

3.4.3. Healthcare system (psychological support included)

From a sick person's point of view, the health system in Algeria is a pyramidal system which requires the person to consult a general practitioner in a State establishment or private practice prior to any referral to a private specialist doctor in a practice or clinic, or an EHS (Specialised Hospital Establishment) or a CHU (University Hospital Centre). In reality, any referral to a specialised doctor or establishment must be given by a general practitioner who may simply be the family doctor. As regards mental health, the same system applies, except that instead of a general practitioner, a psychologist from a local establishment, whether a social body, school or university, refers the patient to a psychologist or psychiatrist in a practice or private clinic, or in an EHS. Psychological support is part of this health system.⁸²

3.4.3.1. Healthcare facilities in the regions (hospitals, equipment, etc...)

The healthcare facilities are spread across Health Sectors covering hospital establishments, general clinics, health centres and treatment rooms, which are local and regional establishments, public maternity establishments, which are also local and regional, and Specialised Hospital Establishments (EHS), as well as University Hospital Centres (CHU), which are regional or national. This concerns the State sector, however the private sector should also be included as it has an increasing presence.⁸³

80 Source: C.I.S.P. (Comitato Internazionale per lo Sviluppo dei Popoli), Italian development NGO with an office in Algiers, information provided 13 August 2007.

81 Hasna Yacoub – “Vers amélioration de l'alimentation en eau potable dès 2008” (Towards an improved drinking water supply by 2008) - La Tribune – 26 August 2007 – <http://www.latribune-online.com/2608/n04.htm> (consulted 4 December 2007)

82 Source: Ministry of Health – Planning and Standards Section – Interviews 14.08.07

83 Source: Ministry of Health – Planning and Standards Section – Interviews 14.08.07

3.4.3.2. Criteria for access to health services

During the socialist government period, i.e. until 1992, medicine was free and the infrastructure was such that people were able to have appointments at any level without problems, except for delays in getting appointments with specialists. Today, with the development in the private sector and the end of free care in the State sector, it is certainly easier to access care, however it is costly.

It is still easier to access care when someone has a personal contact or the necessary knowledge. (The latter statement is based on personal observations).⁸⁴

3.4.3.3. Costs of healthcare (treatment, medication, bribes for doctors...)

Healthcare costs in State hospitals are fixed between the health services and the National Social Security Fund (CNAS). For a sick person covered by social security, the costs of consultations, hospitalisation and treatment (excluding non-hospital medicines) are paid directly by the CNAS. For those not covered by social security, the hospitals invoice for the days hospitalised, and all the surgery costs, and others, which the sick or injured person has to pay for. However, the hospital costs are less than in private clinics, yet occasionally some specialists or surgeons working in hospitals require the patient to pay an additional amount, in cash, and outside of the hospital invoicing amount.

In a private clinic, the day is invoiced at between 4 000 and 8 000 DZD, depending on the specialist area, while a normal baby delivery, without any complication, comes to about 35 000 DZD. In a hospital, the same delivery comes to about 12 000 DZD. In a private clinic, a reduction of calculus from the gallbladder, using a celioscopy, costs 50 000 DZD, while in a hospital the same intervention costs only 18 000 DZD.

As regards medication, the list established by the Ministry of Health guarantees the availability of all specialist medication. However, some very specific medication is very expensive, namely medication related to cancer treatment. As for standard medication, it is so low in price that many Algerian expatriates have the medication, which is prescribed by their doctor in France or elsewhere in Europe, purchased in Algeria.⁸⁵

3.4.3.4. Discrimination in the health system (ethnic, religious, social, etc...)

According to the Ministry of Health, there is no discrimination in the health system. If such cases occur, they are isolated, as is the case with racism or stigmatisation.⁸⁶

3.4.3.5. Non-State health services (international, NGO, churches)

Non-State health services are those in the private sector. Apart from medical practices, there are numerous private and often luxurious clinics, where people must be prepared to pay, often large sums, for the stays and medical interventions. However, there are no international, NGO or church health services offering free medicine to those in need, with perhaps the exception of a few isolated cases or even some special cases as with AIDS.⁸⁷

Association SoliMed Algérie - this organisation works mainly, but not exclusively, in the health field through the organisation of Medical Caravans which look to provide specialist

⁸⁴ Source: C.I.S.P. (Comitato Internazionale per lo Sviluppo dei Popoli), Italian development NGO with an office in Algiers, information provided 13 August 2007.

⁸⁵ Source: Pharmacie CHOUAKRI Saïd, Rue Debbih Cherif, Algiers - 13 August 2007

⁸⁶ Source: Ministry of Health – Planning and Standards Section – 14.08.07

⁸⁷ Source: C.I.S.P. (Comitato Internazionale per lo Sviluppo dei Popoli), Italian development NGO with an office in Algiers, information provided 13 August 2007

care to disadvantaged Algerians. The Medical Caravans mobilise doctors and logisticians all of whom work on a voluntary basis.⁸⁸

Maghreb Health website (includes the list of Algerian associations working in the health field) <http://www.santetropicale.com/santemag/algerie/index.htm>.

3.4.3.6. Illnesses not subject to effective treatment in Algeria

According to the Ministry of Health, there are no illnesses that cannot be treated effectively in Algeria. The Ministry nonetheless recognises the weakness of palliative care or support in health establishments, but expects this to improve in the very near future.⁸⁹

3.4.3.7. Obtaining standard medication

Standard medication is available, and depending on its classification, is provided on medical prescription or otherwise. Certain medication referred to as “hospital” medication, is not held by the Central Pharmacy of Hospitals, but can be obtained from this body in certain special cases, but only on prescription.⁹⁰

For prices, see § 3.4.3.3

⁸⁸ <http://www.solimed.net/> (access 4 December 2007)

⁸⁹ Source: Ministry of Health – Planning and Standards Section – Interviews 14.08.07

⁹⁰ Source: Pharmacie CHOUAKRI Saïd, Rue Debbih Cherif, Algiers - 13 August 2007