



COUNTRY OF ORIGIN INFORMATION BULLETIN 01/2006

ALGERIA

REFERENDUM OF 29 SEPTEMBER 2005

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COUNTRY OF ORIGIN INFORMATION SERVICE

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1. Introduction

- 1.01 This Country of Origin Information Bulletin (COI Bulletin) has been produced by Research Development and Statistics (RDS), Home Office, from information about Algeria obtained from a wide variety of recognised sources. It does not contain any Home Office opinion or policy.
- 1.02 This COI Bulletin has been prepared for background purposes for those involved in the asylum/human rights determination process. The information it contains is not exhaustive. It concentrates on the issues most commonly raised in asylum/human rights claims made in the United Kingdom.
- 1.03 The COI Bulletin is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.
- 1.04 This COI Bulletin is intended to cover major developments that have taken place in Algeria since publication of the Algeria Country of Origin Information Report (COI Report) in October 2005 and must be read in conjunction with that. The COI Bulletin is intended to give a brief overview of the Algerian referendum of 29 September 2005, and a general update on Algeria up to 20 December 2005. The COI Bulletin only includes reports considered to be relevant to those involved in the asylum/human rights determination process.
- 1.05 This COI Bulletin and the accompanying source material are publicly disclosable. Where sources identified in the COI Bulletin are available in electronic form the relevant link has been included. The date that the relevant link was accessed in preparing the COI Bulletin is also included. Paper copies of the sources have been distributed to nominated officers in Asylum Caseworking Directorate and all Presenting Officer Units.

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2. Referendum of 29 September 2005

- 2.01 A referendum was held by the Algerian Government on 29 September 2005 to approve or reject President Bouteflika's "Charter for Peace and National Reconciliation". The CNN news world / election watch page on the referendum summarises the purpose as:

"This referendum was to approve the Draft Charter for Peace and National Reconciliation, which called for implementing measures to strengthen national cohesion in Algeria." [1a]

- 2.02 The same CNN page notes that a popular majority was needed for the referendum to pass and gives the actual wording posed to the voters:

"This referendum asked voters: 'Do you agree with the Draft Charter for Peace and National Reconciliation, which is proposed to you?' (*'Etes-vous d'accord sur le projet de Charte pour la Paix et la Réconciliation Nationale qui vous est proposé?'*)" [1a]

EVENTS BEFORE THE REFERENDUM

CHARTER FOR PEACE AND NATIONAL RECONCILIATION

- 2.03 The draft Charter was unveiled by President Bouteflika on 14 August 2005. An Agence France Presse (AFP) news article reproduced by Yahoo news, dated 14 August 2005 and entitled "Algerian president unveils new reconciliation plan, calls referendum", noted:

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

"It provides for legal proceedings to be dropped against those Islamic extremists who ended their armed activities and surrendered to authorities after January 13, 2000, when legislation on 'civil reconciliation' took effect." [4f]

- 2.04 The same report adds further detail:

"The new plan provides for proceedings to be dropped against people being sought in Algeria or abroad or who have been sentenced in their absence, if they turn themselves in to the authorities and provided they were not involved in bloodshed or rape."

" 'Persons involved in activities of support of terrorism who identify themselves to the competent authorities' will also have legal charges against them dropped, Bouteflika said, adding that the plan provides for sentences to be commuted or reduced in the cases of other individuals who have been tried and found guilty of terrorism." [4f]

NGO CONCERNS

- 2.05 An Aljazeera news report of 28 August 2005, "Victims groups question Algeria amnesty" mentions previous initiatives led by President Bouteflika, namely the Civil Harmony law of 1999, and quotes Farouk Ksentini, the head of the Algerian Commission for Promoting Human Rights, drawing out the wider implications of the 2005 charter:

"There is no doubt that amnestying members of security forces is what makes the difference between the previous civil harmony law, which was meant only for armed groups, and this coming amnesty,' said Farouk Ksentini, head of the Algerian Commission for Promoting Human Rights." [3a]

- 2.06 The Aljazeera news report of 28 August 2005 outlined the concerns of several victims' associations, quoting Ali Merabet, the leader of one group:

"National reconciliation cannot be achieved on the grounds of impunity. Responsibilities on both sides of the civil war have to be clearly determined first,' said Ali Merabet, who leads the Somoud Association of the Families of Victims Abducted by Islamist Armed Groups. ... Forgiveness can only be given by the families of the victims, Merabet says, and only if the perpetrators of the crimes publicly confess and ask the families for forgiveness." [3a]

THE REFERENDUM AND ITS CONDUCT

- 2.07 The BBC news website carried a report on 30 September 2005, "Algerians vote on amnesty plans", that reported the Interior Minister, Nourredine Yazid Zerhouni, claiming a final turnout of 79.49 per cent of the electorate. [2a] The CNN news world / election watch page on the referendum gave the electorate as 18,310,125 people out of a total population of 32,531,853 (July 2005 estimate). [1a]

RESULTS

- 2.08 The same CNN report gave the referendum results as 14,054,164 valid 'Yes' votes (97.36 per cent of all valid votes cast) and 381,127 valid 'No' votes (2.64 per cent). [1a]

REACTION TO THE REFERENDUM AND FURTHER EVENTS

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

"Independent estimations of the number of voting people show for the main cities results about 20- 30% less than the official results. The newspaper *Le Soir d'Algérie*, for example, estimates a participation in the city of Sétif of 50%, in spite of the 90.27% declared by official sources. In w. Annaba independent sources estimate a participation of the 9.86% [sic], in spite of the 89.94% declared by official sources. Abroad, where foreign media observed the participation to the vote, the rate number is less than 36%." [11a]

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

“The protection of members of the armed forces from prosecution for wartime abuses will leave the military indebted to the president, while a provision of the charter banning Islamist parties sidelines one of the most important potential sources of organized opposition.” [10a]

- 2.11 On 7 November 2005, the UPI newswire report “Algeria ups security in post-terror phase”, the following comments of police chief Ali Tounissi are relayed:

“Police chief Ali Tounissi said in comments Monday [7 November 2005] that President Abdel Aziz Boutefliqa [Abdelaziz Bouteflika] personally instructed the government to increase the current 100,000-strong police force to at least 200,000 in the next three years ‘in order to confront the aftermath of the phase of terrorism’ which lasted for more than a decade.”

“... He noted police ranks will be purged soon to weed out officials committing violations on duty. Also a plan is under way to improve work conditions of the police forces, including salary raises, housing allowances and other fringe benefits and compensations.” [6a]

- 2.12 The Economist Intelligence Unit, in a “Key developments” article of 19 December 2005, adds:

“Civilian rule is likely to be consolidated over the next two years as the president, Abdelaziz Bouteflika, continues to strengthen his position. This represents some political progress following years of military interference, but Mr Bouteflika’s autocratic tendencies are likely to stymie full democratic development. ... Having approved a general amnesty for Islamist militants (although question-marks remain over its democratic credentials), the government will be keen to draw a line under the civil war and demonstrate the benefits of civilian rule.

3. General update, 1 September – 20 December 2005

TERRORISM IN ALGERIA

- 3.01 Terrorist incidents and security forces’ clashes with armed groups have continued in the latter part of 2005. Reports of terrorists killed include: from an AFP report of 19 October 2005, seven terrorists (held to be GSPC) and four soldiers in one incident, and 17 people generally in all incidents in that week [4a]; from an AFP report of 30 October 2005, eight terrorists – group membership unidentified – around 30 October 2005 (adding that at least 64 people had been killed in the ongoing violence in October 2005) [4d]; from *Liberté*, one terrorist – group membership unidentified – on 8 December 2005 [7b] and two terrorists in Ammal on 12 December 2005 [7c]. Terrorists were reported by *Liberté*, on 10 December 2005, to have raided houses in Aib-Ammar [7a] and, in a separate incident, in *El Watan*, insurgents raided the village of Ghassira on 11/12 December 2005. [8c]

POLITICAL EVENTS

- 3.02 An editorial in *El Watan* on 16 December 2005 deplored the lack of news available to the Algerian media about the president's health as he was hospitalized in France. [8b]
- 3.03 In a news report of 24 November 2005, AFP reported that two provinces in the Kabylie region held polls for 131 local councils and 90 members of provincial parliaments. [4b] The majority of the population are of the Berber minority, and the report talks about the dissolution in July 2005 of the previous assemblies and councils with the co-operation of the Berber community leaders (the a'archs), stating, "President Abdelaziz Bouteflika's government struck a deal with influential traditional Berber tribal leaders, the a'archs, to dissolve the assemblies because local people regarded them as unjustly put in place." [4b] The AFP reported the next day, on 25 November 2005, that, "Algeria's main opposition parties have kept their lead and support in elections in the two northeastern Kabylie provinces where most of the country's Berber minority live, official results showed Friday [25 November 2005]." [4c] The same report adds detail as to why the previous assemblies were held to be unrepresentative: "When the last poll for assemblies of the mainly poor, highland provinces were held at the end of 2002 the outcome was strongly contested. In some areas the opposition called for a boycott and turnout was less than one percent." [4c]

THE FIS (FIS - FRONT ISLAMIQUE DU SALUT)

ALSO KNOWN AS AL-JIBHAT AL-*INQATH*; ISLAMIC SALVATION FRONT

- 3.04 The Algerian paper *El-Khabar* published a report "Prominent Algerian Islamist to return home 29 October" on its website on 22 October 2005, noting that an exiled prominent FIS leader, Anwar Haddam, was invited to return to Algeria by the government, and that he was actively considering the proposal. The report indicated that a number of FIS leaders living abroad were awaiting further developments from the results of the referendum. [5a]
- 3.05 *El-Khabar* followed with an article the next day, 23 October 2005, that suggested that Abassi Madani [leader of the FIS] had been angered by the suggestion that there was an armed wing of the FIS called the Islamic Salvation Army, and stated:
- "Madani's stance on the reconciliation reveals, once again, the great chasm which divides the leaders and members of the banned party, where Mezrag and many AIS repentants promoted Bouteflika's initiative, Kabir called from Germany for a positive vote in the 29 September 2005 referendum and Anwar Haddam announced his intention to return to Algeria two days ago [22 October 2005] in a show of support for the (reconciliation) effort of which he initially had reservations. On the other hand, the leaders inside the country, such as Ali Belhadj, Abdelkader Boukhamham and Ali Djedi, were extremely cautious about the project because it lays the responsibility for the conflict at the FIS's door." [5b]
- 3.06 The AFP report of 31 October 2005, entitled "Algerian Islamist calls on president to free FIS number two", relates that Abassi Madani, the leader of the FIS, called for the release of the second in command of the banned FIS, stating: "In a message from Doha, where he has been living for two years, Abassi Madani called on Bouteflika to declare a comprehensive amnesty and

‘free prisoners, chiefly the honourable Sheikh Ali Belhadj, lift the state of emergency and ensure a just solution to the issue of those who went missing.’” [4e] Madani had been released previously from prison in July 2003. [4e]

NGOs

3.07 *El Watan* reported on 8 December 2005:

“The visit in Algeria by the delegation of the NGO Lawyers Without Borders, scheduled months ago, has been cancelled, we learned from a reliable source. According to the source, the Algerian authorities had refused to issue the entry visa to members of this association, known in the whole world for its support and legal aid for vulnerable people. The visit to Algeria of this Belgium-based NGO was planned within the framework of the Euro-Mediterranean human rights network in order to find possible contacts in Algeria and set up a branch that would in the future defend in courts those who are less fortunate free of charge.” [8a](full article)

Annex A: List of source material

[1] CNN.com News

- a. World election watch, Algeria, referendum – 29 September 2005

[2] BBC News website (news.bbc.co.uk)

- a. 30 September 2005, Algerians vote on amnesty plans (accessed 20 December 2005)

[3] Aljazeera.net (english.aljazeera.net)

- a. 28 August 2005, Victims groups question Algeria amnesty (accessed 21 December 2005)

[4] Agence France Presse (via LEXIS-NEXIS)

- a. 19 October 2005, Clashes involving Algeria's Muslim fundamentalists kill 17 (accessed 20 December 2005)
- b. 24 November 2005, Algeria's Berber provinces vote for local officials (accessed 20 December 2005)
- c. 25 November 2005, Algeria's opposition keeps Kabylie provinces in local polls (accessed 20 December 2005)
- d. 30 October 2005, Eight Islamist militants killed in Algeria (accessed 20 December 2005)
- e. 31 October 2005, Algerian Islamist calls on president to free FIS number two (accessed 20 December 2005)
- f. 14 August 2005, Algerian president unveils new reconciliation plan, calls referendum (via Yahoo! News) (accessed 15 August 2005) (Corresponds to source [11a] in COIS October 2005 Algeria COI report)

[5] El-Khabar website (direct or via BBC Monitoring Service reports on LEXIS-NEXIS)

- a. 22 October 2005, Prominent Algerian Islamist to return home 29 October [2005] (accessed 20 December 2005)
- b. 23 October 2005, Islamist leader denies his banned party had military wing (accessed 20 December 2005)

[6] UPI News (via LEXIS-NEXIS)

- a. 7 November 2005, Algeria ups security in post-terror phase (accessed 20 December 2005)

[7] Liberté (Algiers) website (direct or via BBC Monitoring Service reports on LEXIS-NEXIS)

- a. 10 December 2005, Algerian terrorist group raids several houses in eastern region (accessed 20 December 2005)
- b. 10 December 2005, Algerian army kills 'terrorist' in Kabylie region (accessed 20 December 2005)
- c. 14 December 2005, Algerian security forces kill two terrorists near Algiers (accessed 20 December 2005)

[8] El-Watan website (direct or via BBC Monitoring Service reports on LEXIS-NEXIS)

- a. 8 December 2005, Algerian authorities refuse entry visa to lawyers NGO delegation (accessed 20 December 2005)
- b. 16 December 2005, Algerian paper deplores news blackout on president's health (accessed 20 December 2005)
- c. 14 December 2005, Algerian army launches 'large-scale' search operation (accessed 20 December 2005)

- d. 18 December 2005, Algerian security forces kill gunman in east, arrest another in west (accessed 20 December 2005)

[9] Economist Intelligence Unit (via LEXIS-NEXIS)

- a. 19 December 2005, Algeria: key developments (accessed 20 December 2005)

[10] Political Risk Services – PRS Group (via LEXIS-NEXIS)

- a. 1 November 2005, Algeria – and the winner is Bouteflika (accessed 20 December 2005)

[11] UK Algeria Watch newsletter (www.amnesty-volunteer.org/uk/algeria/Newsletter.php)

- a. September / October 2005 newsletter, “‘Charter for peace and reconciliation’ approved by referendum”