



Home Office

# **Country Policy and Information Note**

## **Algeria: Background information, including actors of protection and internal relocation**

**Version 1.0**

**August 2017**

# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country information

COI in this note has been researched in accordance with principles set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#) and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

Independent Chief Inspector of Borders and Immigration,

5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

Email: [chiefinspector@icinspector.gsi.gov.uk](mailto:chiefinspector@icinspector.gsi.gov.uk)

Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <https://www.gov.uk/government/organisations/independent-chief-inspector-of-borders-and-immigration>.

# Contents

<b>Policy guidance</b> .....	<b>5</b>
1. Introduction.....	5
1.1 Basis of claim.....	5
2. Consideration of issues.....	5
2.1 Credibility.....	5
2.2 Protection.....	5
2.3 Internal relocation.....	6
3. Policy summary.....	7
<b>Country information</b> .....	<b>8</b>
4. History.....	8
5. Geography.....	9
5.1 Map.....	9
5.2 Physical geography.....	9
5.3 Demography.....	9
5.4 Languages.....	10
6. Economy.....	10
7. Political system.....	12
7.1 Constitution.....	12
7.2 Political framework.....	13
7.3 Elections.....	14
7.4 Political parties.....	15
8. Security apparatus.....	17
8.1 Overview.....	17
8.2 Effectiveness.....	19
8.3 Police abuses.....	20
9. Judiciary.....	22
9.1 Court system.....	22
9.2 Independence.....	23
10. Civil society groups.....	25
10.1 Non government groups.....	25
10.2 Government human rights commission.....	27
11. Media and the internet.....	28
11.1 Media laws and freedoms.....	28
11.2 Media overview.....	28
12. Corruption.....	29

13. Women .....	30
13.1 Discrimination.....	30
14. Children .....	32
14.1 Child abuse and protection.....	32
14.2 Education .....	33
15. Citizenship and nationality .....	34
16. Freedom of movement.....	34
17. Official documents .....	35
18. Healthcare .....	35
18.1 Physical health .....	35
18.2 Mental health.....	36
<b>Version control and contacts.....</b>	<b>38</b>

# Policy guidance

Updated: 29 August 2017

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Whether in general those at risk of persecution or serious harm from non-state actors are able to seek effective state protection and/or internally relocate within Algeria.

[Back to Contents](#)

## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

### 2.2 Protection

- 2.2.1 The national police (NP) and the National Gendarmerie (NG) share responsibility for maintaining law and order across the country. The NP operates primarily in urban areas and is responsible for conducting criminal investigations and other routine police functions. The NG operates in rural areas and is actively involved in combating terrorism and organised crime (see Security apparatus, [Overview](#)).
- 2.2.2 The state security and intelligence service, formerly the Intelligence and Security Department (often referred to as the DRS) but which was recently split into 3 directorates reporting to the president, performs functions related to internal, external and 'technical' security. In addition the armed forces, reportedly the best-equipped and battle-tested in the region, are engaged in counter-terrorism activities alongside the NP and NG (see Security apparatus, [Overview](#)).
- 2.2.3 The government maintains effective control over the security forces. The police are generally professional and responsive to calls for assistance (see Security apparatus, [Effectiveness](#)), although some human rights groups allege that torture has sometimes been used in to obtain confessions. The security forces were also reported to occasionally use vaguely worded provisions to arrest and detain persons, especially those considered to be disturbing public order or criticising the government (see Security apparatus, [Police abuses](#)). There is some evidence that the government is willing to address abuses by the security forces - there were 2 documented cases of

officials being prosecuted for torture or abusive treatment in 2016 for an incident occurring in May 2015. However although the law provides mechanisms to investigate abuses and corruption, impunity reportedly remained a problem (see Security apparatus, [Police abuses](#)).

- 2.2.4 The legal system is comprised of 3 tiers: the tribunals, provincial courts and the Supreme Court. Additionally the Court of State Security hears national security cases (see Judiciary, [Court system](#)). The constitution provides for an independent judiciary, and a number of reforms were instituted in 2016 to strengthen the criminal justice system. However the government continues to be able to influence the appointment of judges, limiting judicial independence. While the law also provides for fair trial, the government is reported not to always respect provisions protecting defendants' rights (see Judiciary, [Independence](#))
- 2.2.5 In general a person fearing non-state agents (including rogue state officials) is likely to be able to obtain effective state protection, however each case must be determined on its own facts. The onus is on the person to demonstrate that the state is not willing and able to provide effective protection.
- 2.2.6 See also the country policy and information notes, [Algeria: Fear of Islamic terrorist groups](#) and [Algeria: Sexual orientation and gender identity](#), for guidance and information about the state's ability to provide protection against extremists groups and for lesbian, gay, bisexual and trans persons.
- 2.2.7 For further general guidance on protection see the Asylum Instructions, [Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

[Back to Contents](#)

## 2.3 Internal relocation

- 2.3.1 The law allows for freedom of movement within the country although the government restricted travel to the southern regions of El-Oued and Illizi due to ongoing threats of terrorism in these areas. Most Algerians are free to travel abroad, although men of military draft age need official permission to leave the country. Married women under 18 may not travel abroad without permission from their husbands (see [Freedom of movement](#)).
- 2.3.2 Algeria is the largest country in Africa with an estimated population of over 40million. The large majority live in the north along the Mediterranean coast, including in the large, diverse cities of Algiers and Oran (see [Geography](#)). The state dominates the economy, providing healthcare and education as well as operating a social security system (see [Economy](#)).
- 2.3.3 In general where the threat is from non state agents internal relocation to another area of Algeria is likely to be reasonable but will depend on the nature and origin of the threat, the personal circumstances and profile of the person.
- 2.3.4 For further general guidance on internal relocation see the Asylum Instructions, [Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

### **3. Policy summary**

- 3.1.1 In general, the state is both willing and able to provide protection from non-state actors (including rogue state agents).
- 3.1.2 In general, internal relocation to another area of Algeria to escape a non-state actor is likely to be reasonable, though this will depend on the nature of the threat, the circumstances and profile of the person.

# Country information

Updated: 29 August 2017

## 4. History

4.1.1 The CIA Factbook provided a snap shot of Algeria's recent history:

'After more than a century of rule by France, Algerians fought through much of the 1950s to achieve independence in 1962. Algeria's primary political party, the National Liberation Front (FLN), was established in 1954 as part of the struggle for independence and has since largely dominated politics. The Government of Algeria in 1988 instituted a multi-party system in response to public unrest, but the surprising first round success of the Islamic Salvation Front (FIS) in the December 1991 balloting led the Algerian army to intervene and postpone the second round of elections to prevent what the secular elite feared would be an extremist-led government from assuming power. The army began a crackdown on the FIS that spurred FIS supporters to begin attacking government targets. Fighting escalated into an insurgency, which saw intense violence from 1992-98, resulting in over 100,000 deaths - many attributed to indiscriminate massacres of villagers by extremists. The government gained the upper hand by the late-1990s, and FIS's armed wing, the Islamic Salvation Army, disbanded in January 2000.

'Abdelaziz Bouteflika, with the backing of the military, won the presidency in 1999 in an election widely viewed as fraudulent and won subsequent elections in 2004, 2009, and 2014. The government in 2011 introduced some political reforms in response to the Arab Spring, including lifting the 19-year-old state of emergency restrictions and increasing women's quotas for elected assemblies, while also increasing subsidies to the populace. Since 2014, Algeria's reliance on hydrocarbon revenues to fund the government and finance the large subsidies for the population has fallen under stress because of declining oil prices.'<sup>1</sup>

4.1.2 Further historical background is available in:

- [Encyclopaedia Britannica](#)<sup>2</sup>
- [BBC country profile](#) - Algeria<sup>3</sup>
- [Center for Security Studies Analyses in Security Policy](#)<sup>4</sup>

[Back to Contents](#)

<sup>1</sup> Central Intelligence Agency (CIA), 'World Factbook', Algeria, updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 28 June 2017.

<sup>2</sup> Encyclopaedia Britannica, 'Algeria' (History), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 28 June 2017.

<sup>3</sup> BBC, 'Algeria country profile', 27 January 2017,. Accessed: 28 June 2017.

<sup>4</sup> Center for Security Studies, Dr Lisa Watanabe, 'Algeria: Stability against All Odds?', May 2017, <http://www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/CSSAnalyse209-EN.pdf>. Accessed: 28 June 2017.

## 5. Geography

### 5.1 Map

5.1.1 Administrative maps of Algeria are available in the CIA World Factbook<sup>5</sup> and in the Encyclopaedia Britannica<sup>6</sup>.

### 5.2 Physical geography

5.2.1 Jane's reported that:

'Algeria is the largest country in Africa and the tenth largest in the world, consequently its geography is not homogenous. Three distinct regions make up the country: a coastal strip, the Atlas Mountains and the Sahara Desert. The narrow coastal strip is fertile and contains the three major population centres of Algiers (the capital), Oran and Annaba province. The area around the Atlas Mountains can be further subdivided into three regions: the Tell Atlas (hills and valleys permitting productive farming), the High Plateaux (from 400 m to 1,300 m) and the Saharan Atlas to the south of the High Plateaux, where rainfall is sufficient for extensive grassland farming. Over 80% of the country lies within the dry Sahara Desert, where few Algerians have chosen to make their home. Maximum elevation is just over 3,000 m at Mt Tahat in the Sahara Desert.'<sup>7</sup>

[Back to Contents](#)

### 5.3 Demography

5.3.1 Algeria's population was estimated to be 40,263,711 in July 2016. The largest cities are the capital, Algiers, with an estimated population of 2.5million, and Oran, with over 850,000<sup>8</sup>.

5.3.2 Janes observed that over 70% of the population is under 30. It also noted:

'Over 90% of the population of Algeria inhabits the region of the country situated along the Mediterranean coastline and 74% of the population is urbanised. The 2 million square kilometres of Sahara Desert is very sparsely populated, its Tuareg residents conglomerating around the few oases that dot the arid landscape. Government efforts to reverse the trend of greater urbanisation have failed - Algeria has a very small proportion of its population engaged in agricultural production.'<sup>9</sup>

5.3.3 The CIA Factbook stated that the population is 99% mixed Arab-Berber and less than 1% European. It further observed that:

---

<sup>5</sup> CIA, 'World Factbook', Algeria, updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>6</sup> Encyclopaedia Britannica, 'Algeria' (Media for Algeria), <https://www.britannica.com/place/Algeria#toc46509>. Accessed: 19 July 2017.

<sup>7</sup> Janes (IHS Market), 'Sentinel Security Risk Assessments' (Algeria – Geography), posted 3 February 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

<sup>8</sup> CIA, 'World Factbook', Algeria (Geography) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>9</sup> Janes (IHS Market), 'Sentinel Security Risk Assessments' (Algeria – Demography), posted 3 February 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

‘... although almost all Algerians are Berber in origin (not Arab), only a minority identify themselves as Berber, about 15% of the total population; these people live mostly in the mountainous region of Kabylie east of Algiers; the Berbers are also Muslim but identify with their Berber rather than Arab cultural heritage; Berbers have long agitated, sometimes violently, for autonomy; the government is unlikely to grant autonomy but has offered to begin sponsoring teaching Berber language in schools’.<sup>10</sup>

#### 5.3.4 Janes stated that:

‘The vast majority of people in Algeria are Muslim, and consequently cultural and religious differences are few. Very small numbers of Christians and Jews (1%) complement the majority Muslim population (99%).

‘Sunni Islam is the official state religion. Radical religious revivalism is a major concern for the government, and the rise in the influence of Islamist groups led to the declaration of a state of emergency in 1992 and the banning of the Islamic Salvation Front. Extremist forms of Islam are now restricted to the political fringes.’<sup>11</sup>

[Back to Contents](#)

## 5.4 Languages

### 5.4.1 The CIA Factbook reported the following languages are spoken:

- Arabic (official)
- French (lingua franca)
- Berber or Tamazight (official). Dialects include Kabyle Berber (Taqbaylit), Shawiya Berber (Tacawit), Mzab Berber, Tuareg Berber (Tamahaq)<sup>12</sup> A constitutional amendment in 2016 made Tamazight a national language<sup>13</sup>

### 5.4.2 Janes observed that: ‘Most of the population speaks Arabic and French, and a significant indigenous minority in the northeast speaks Tamazight (the Berber language). The educated professional elites in urban areas speak English.’<sup>14</sup>

[Back to Contents](#)

## 6. Economy

### 6.1.1 The Oxford Business Group noted in its report of 2016 that:

---

<sup>10</sup> CIA, ‘World Factbook’, Algeria (Geography) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>11</sup> Janes (IHS Market), ‘Sentinel Security Risk Assessments’ (Algeria – Demography), posted 3 February 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

<sup>12</sup> CIA, ‘World Factbook’, Algeria (Geography) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>13</sup> Amnesty International, Annual Report, Algeria 2016/17, February 2017, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/algeria/report-algeria/>. Accessed 11 August 2017.,

<sup>14</sup> Janes (IHS Market), ‘Sentinel Security Risk Assessments’ (Algeria – Demography), posted 3 February 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

'The largest economy in the Maghreb, Algeria is also the region's wealthiest country in terms of purchasing power parity-adjusted per capita. Hydrocarbons are the mainstay of economic activity; however, amid slowing production and exports, as well as the sharp drop in oil prices since mid-2014, the government is taking a range of measures to develop other sectors, with a particular focus on industry, agriculture and tourism.'<sup>15</sup>

#### 6.1.2 The CIA Factbook observed:

'Algeria's economy remains dominated by the state, a legacy of the country's socialist post-independence development model. In recent years the Algerian Government has halted the privatization of state-owned industries and imposed restrictions on imports and foreign involvement in its economy.

'Hydrocarbons have long been the backbone of the economy, accounting for roughly 30% of GDP, 60% of budget revenues, and nearly 95% of export earnings... Hydrocarbon exports enabled Algeria to maintain macroeconomic stability and amass large foreign currency reserves while oil prices were high. In addition, Algeria's external debt is extremely low at about 2% of GDP. However, Algeria has struggled to develop non-hydrocarbon industries because of heavy regulation and an emphasis on state-driven growth. Declining oil prices since 2014 have reduced the government's ability to use state-driven growth to distribute rents and fund generous public subsidies...

'With declining revenues caused by falling oil prices, the government has been under pressure to reduce spending. A wave of economic protests in February and March 2011 prompted Algiers to offer more than [US]\$23 billion in public grants and retroactive salary and benefit increases, moves which continue to weigh on public finances. In 2016, the government increased taxes on electricity and fuel, resulting in a modest increase in gasoline prices, and in 2017 raised by 2% the value-added tax on nearly all products, but has refrained from directly reducing subsidies, particularly for education, healthcare, and housing programs.

'Long-term economic challenges include diversifying the economy away from its reliance on hydrocarbon exports, bolstering the private sector, attracting foreign investment, and providing adequate jobs for younger Algerians'<sup>16</sup>.

#### 6.1.3 Algeria has a security system providing pension, disability and maternity support.<sup>17</sup> A detailed description and review of the system is provided in a report by Dr Ammar Jaffal, Director of the Research Laboratory for the

---

<sup>15</sup> Oxford Business Group, 'The Report: Algeria 2016' (Economy), undated, [https://www.oxfordbusinessgroup.com/algeria-2016/economy#report\\_launcher](https://www.oxfordbusinessgroup.com/algeria-2016/economy#report_launcher). Accessed: 29 June 2017.

<sup>16</sup> CIA, 'World Factbook', Algeria (Economy) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>17</sup> US Department of Social Security, Office of Retirement and Disability Policy, 'Social Security Programs Throughout the World: Africa, 2015', Algeria, undated, <https://www.ssa.gov/policy/docs/progdesc/ssptw/2014-2015/africa/algeria.html>. Accessed: 29 June 2017.

Maghreb Studies - University of Algiers 3.<sup>18</sup> In a submission by stakeholders to the UN Human Rights Council, the following was reported:

‘JS1<sup>19</sup> noted that informal labour still accounted for a major share of the labour market. In 2014, 5,972,000 workers of a total active population of 10,239,000 were covered by social security, whereas 4,267,000 were not. In 2012, approximately 3,890,000 people were employed in the informal economy, in particular in the retail, construction and manufacturing sectors. JS1 recommended that Algeria take effective measures to combat informal labour, in particular by improving oversight of the most heavily affected sectors.’<sup>20</sup>

6.1.4 Further background on the economy, including statistical data, is available at:

- [CIA World Factbook](#)
- [Encyclopaedia Britannica](#)
- [World Bank profile of Algeria](#)

[Back to Contents](#)

## 7. Political system

### 7.1 Constitution

7.1.1 The Algeria constitution was approved in 1989 and last amended in 2016<sup>21</sup>. A version of the Constitution with amendments as of 2008 is available on the Algeria Embassy in the UK’s website<sup>22</sup>.

7.1.2 Amendments in January 2016 included a number of different measures<sup>23</sup> welcomed by the UN as ‘a positive step towards far-reaching institutional, political and socioeconomic reforms.’<sup>24</sup> Amnesty International, however,

---

<sup>18</sup> Arab NGO Network for Development, ‘Social Protection in the Arab World: the Crisis of the State Exposed’, ‘The Social Protection System - Algeria’, undated, <http://www.annd.org/data/item/cd/aw2014/#english>. Accessed: 29 June 2017.

<sup>19</sup> Joint Submission 1 submitted by: Collectif des familles des disparu(e)s en Algérie (CFDA), Ligue algérienne de défense des droits de l’Homme (LADDH), Réseau des avocats pour la défense des droits de l’Homme (RADDH), Rassemblement Actions Jeunesse (RAJ), Syndicat national autonome des personnels de l’administration publique (SNAPAP) avec la coordination d’EuroMed Droits et de l’Institut du Caire pour les droits de l’Homme (CIHRS), France

<sup>20</sup> UN Human Rights Council, ‘Summary of other stakeholders’ submissions on Algeria\*’, (para 46), 20 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed: 3 July 2017.

<sup>21</sup> CIA, ‘World Factbook’, Algeria (Government) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>22</sup> Embassy of Algeria, London, ‘Constitution’, undated <http://www.algerianembassy.org.uk/index.php/constitution.html>. Accessed: 29 June 2017.

<sup>23</sup> UN Human Rights Council, ‘National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/2\* - Algeria’ (para 12), 20 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed 11 August 2017.

<sup>24</sup> UN Human Rights Council, ‘Compilation on Algeria - Report of the Office of the United Nations High Commissioner for Human Rights’ (para 9), 17 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed 11 August 2017.

provided an overview and a critique of the amendments in a report of February 2016 and described them as a 'mixed bag'<sup>25</sup>.

[Back to Contents](#)

## 7.2 Political framework

### 7.2.1 Encyclopaedia Britannica observed that:

'Algeria was dominated for the first three decades following independence by the National Liberation Front (Front de Libération Nationale; FLN), until 1989 the sole legal political party. New electoral laws passed in that year made the country a multiparty state... The president, who is head of state and head of government, appoints numerous state officials, including a wide range of civilian and military leaders, provincial governors, and the prime minister. The president appoints the members of the government after consultation with the prime minister, who then presents a program to the lower house of the nation's bicameral legislature for ratification.'<sup>26</sup>

### 7.2.2 Parliament is composed of 2 chambers:

'[The lower house is t]he National People's Assembly (Majlis al-Sha'abī al-Waṭanī), deputies of which are elected for five-year terms by universal adult suffrage... [and the ] upper house, the Council of the Nation (Majlis al-Ummah), members of which serve six-year terms. One-third of council members are appointed by the president, and the remaining two-thirds are elected indirectly by a secret ballot of local and district legislatures. In addition, the constitution requires that one-half of the council's members be replaced every three years. Both houses are able to debate any draft law put before them, but only the lower house may alter draft documents. The upper house is required to vote on material presented to its members by the lower house and must achieve a three-fourths majority to pass any legislation. The legislature meets twice per year, each session lasting no less than four months. It is empowered to draft and ratify legislation on a wide variety of issues, including matters of civil and criminal law, personal status, state finance, and the exploitation of natural resources.'<sup>27</sup>

### 7.2.3 The CIA Factbook noted that:

'[The] bicameral Parliament consists of the Council of the Nation (upper house with 144 seats; one-third of members appointed by the president, two-thirds indirectly elected by simple majority vote by an electoral college composed of local council members; members serve 6-year terms with one-half of the membership renewed every 3 years) and the National People's Assembly (lower house with 462 seats including 8 seats for Algerians living

---

<sup>25</sup> Amnesty International, 'Algeria: constitution needs stronger human rights safeguards', 1 February 2016, <https://www.amnesty.org/en/documents/mde28/3366/2016/en/>. Accessed 11 August 2017.

<sup>26</sup> Encyclopaedia Britannica, 'Algeria' (Government and Society), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 28 June 2017.

<sup>27</sup> Encyclopaedia Britannica, 'Algeria' (Government and Society), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 28 June 2017.

abroad); members directly elected in multi-seat constituencies by proportional representation vote to serve 5-year terms'.<sup>28</sup>

#### 7.2.4 The Encyclopaedia Britannica also noted:

'Below the national level, the country is divided into wilāyāt (provinces), each with its own elected assembly (Assemblée Populaire de Wilaya; APW), executive council, and governor. The provinces are in turn divided into dawā'ir (administrative districts) and then into baladīyāt (communes), each one having its own assembly (Assemblée Populaire Communale) to run local affairs.'<sup>29</sup>

[Back to Contents](#)

### 7.3 Elections

#### 7.3.1 The Encyclopaedia Britannica observed that:

'Until 1989 all candidates for the National People's Assembly were chosen by the FLN. Following reforms, the scope of political participation widened with the birth of new independent political parties. In local and national elections in 1990 and 1991, the Islamist parties, especially the Islamic Salvation Front (Front Islamique du Salut; FIS), made the largest gains of any new parties, while in Kabylia local Amazigh parties gained control of local assemblies. With this democratization hundreds of new cultural, environmental, charitable, and athletic associations were formed, independent of the stringent control formerly exercised by the FLN in those areas. A coup in 1992 slowed democratization but did not totally suppress the process.'<sup>30</sup>

#### 7.3.2 The US State Department in its human rights report for 2016 observed:

'The law states that members of local, provincial, and national assemblies are elected for five-year mandates and that presidential elections occur within 30 days prior to the expiration of the presidential mandate. Presidential term limits, which were eliminated in 2008, were reintroduced in a 2016 revision of the constitution and limit the president to two terms. The Ministry of Interior maintains oversight of the election and voting processes. Legislation passed by parliament in July established an independent electoral monitoring body. The president appointed the head of the monitoring body on November 6 [2016], but as of November the other members had not been appointed.'<sup>31</sup>

#### 7.3.3 The USSD also noted that:

---

<sup>28</sup> CIA, 'World Factbook', Algeria (Government) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>29</sup> Encyclopaedia Britannica, 'Algeria' (Government and Society), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 28 June 2017.

<sup>30</sup> Encyclopaedia Britannica, 'Algeria' (Government and Society), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 28 June 2017.

<sup>31</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 3), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.kVZOu.dpuf>. Accessed: 29 June 2017.

‘Presidential elections took place in April 2014, and voters re-elected President Bouteflika for a fourth term. Although he did not personally campaign, Bouteflika won approximately 81 percent of the votes, while his main rival and former prime minister, Ali Benflis, placed second with slightly more than 12 percent...

‘Several hundred international election observers from the United Nations, Arab League, African Union, and Organization of Islamic Cooperation monitored voting. Foreign observers characterized the elections as largely peaceful but pointed to low voter turnout and a high rate of ballot invalidity.’ ‘Ali Benflis rejected the results and claimed that fraud marred the elections. He appealed to the Constitutional Council without result. A coalition of Islamic and secular opposition parties boycotted the election, describing it as a masquerade and asserting that President Bouteflika was unfit to run due to his health. Several candidates withdrew from the race, claiming that the outcome was a foregone conclusion.’<sup>32</sup>

- 7.3.4 Elections for the National People's Assembly (the lower house) took place on 4 May 2017. Voter turn-out was 28%; the results were the following:

Party	Seats won
National Liberation Front	164
National Democratic Rally	97
HMS Alliance	33
Tajamoua Emel El Djazair	19
Nadha-Adala-Bina	15

33

[Back to Contents](#)

## 7.4 Political parties

- 7.4.1 The USSD reported that: ‘The law prohibits parties based on religion, ethnicity, gender, language, or region, but there were various political parties commonly known to be Islamist, notably members of the Green Alliance. According to the Ministry of Interior, in August [2016] there were 71 registered political parties.’ The report also observed:

‘The Ministry of Interior must approve political parties before they may operate legally.

‘Restrictions on freedom of assembly and association as well as restrictions on political party activities greatly inhibited the activity of opposition groups.

‘The government maintained undue media influence and opposition political parties claimed they did not have access to public television and radio.

<sup>32</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 3), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 29 June 2017.

<sup>33</sup> Electionguide, ‘Election for al-Majlis Ech-Chaabi al-Watani (Algerian National People's Assembly)’, undated, <http://www.electionguide.org/elections/id/2463/>. Accessed: 5 July 2017.

Security forces dispersed political opposition rallies and interfered with the right to organize.

'The new electoral law adopted by parliament in July [2016] requires parties to have received 4 percent of the vote in the preceding election or to collect 250 signatures in the electoral district in order to appear on the ballot. Opposition parties from across the political spectrum criticized the new law for creating a more stringent qualification threshold for parties, as well as for establishing an electoral monitoring body whose members would be appointed by the president and parliament, which is controlled by a coalition headed by the president's party.'<sup>34</sup>

#### 7.4.2 Janes stated that:

'Political parties do not play a significant role in the governance of Algeria, which is instead determined by shifting alliances between competing interest groups[.]

'The parliamentary system is dominated by the broad-based National Liberation Front (Front de Libération Nationale: FLN) and the National Rally for Democracy (Rassemblement National Démocratique: RND). The FLN in particular has an unparalleled organisational structure that enables it to mobilise voters. The smaller opposition parties are limited by their reliance on ethnic (Berber), religious (moderate Islamist), or ideological (socialist) loyalties, making it difficult for them to broaden their appeal nationally. A variety of leftist, nationalist, and religious parties fill the rest of the seats in parliament, about 10% of which are occupied by independents. The strength of the government bloc and the weak cohesion of the opposition mean the parliament largely fails to hold the government to account. The most active opposition comes from parties campaigning for Berber rights, the two most prominent of which are the Rally for Culture and Democracy (Rassemblement pour la Culture et la Démocratie: RCD) and the Socialist Forces Front (Front des Forces Socialistes: FFS). Both align themselves with the Arouch movement (a Berber political organisation modelled on traditional village councils) and both have boycotted recent elections, protesting that they are undemocratic. The ruling elite has proven willing to use state institutions (the courts and electoral commissions) to prevent opposition candidates from contesting elections or challenging the government.

'Within the ruling elite, the main power alongside the presidency is the army. The professionalisation of the army, combined with the emergence of a more activist class of younger, middle-ranking officers, would be a positive indicator of an increasing openness to a more democratic system. Nonetheless, a key obstacle to full democratisation is the shared perception among political elites, including many opposition parties, of an Islamist threat that must be contained. This, and the desire of the elite to protect their

---

<sup>34</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 3), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 29 June 2017.

economic interests, provides a deterrent to genuine liberalisation of the system.<sup>35</sup>

7.4.3 Janes also stated that:

‘In general, political parties remain weak in the Algerian system, a trend that has been exacerbated since President Abdelaziz Bouteflika succeeded in amending the constitution to give more power to the presidency in 2008. Moderate Islamist parties are tolerated by the government, indeed many of their supporters have been co-opted by the more mainstream secular parties like the Rally for Culture and Democracy (Rassemblement pour la Culture et Démocratie: RCD) and FLN. The FIS, however, remains banned.’<sup>36</sup>

7.4.4 The CIA Factbook lists the main political parties, their leaders, and the main political pressure groups<sup>37</sup>.

[Back to Contents](#)

## 8. Security apparatus

### 8.1 Overview

8.1.1 The USSD report for 2016 noted:

8.1.2 ‘The 130,000-member National Gendarmerie, which performs police functions outside of urban areas under the auspices of the Ministry of National Defense, and the approximately 210,000-member [Directorate General for National Security / Surete Nationale] DGSN or national police, organized under the Ministry of Interior, share general responsibility for maintaining law and order. A January 20 [2016] presidential decree dissolved the [Intelligence and Security Department / Direction du Renseignement et de la Sécurité] DRS, which had been subordinate to the Ministry of National Defense. It was replaced by three intelligence directorates reporting to a presidential national security counselor and performing functions related specifically to internal, external, and technical security.’<sup>38</sup>

8.1.3 The USSD’s Overseas Security Advisory Council (OSAC) Algeria 2017 report stated:

‘The Directorate General for National Security (DGSN) is the civil police and is largely responsible for larger cities and urban areas. The DGSN falls under the Ministry of Interior and is responsible for maintaining law and order, conducting criminal investigations, and other routine police functions, including traffic control.

---

<sup>35</sup> Janes (IHS Market), ‘Sentinel Security Risk Assessments’ (Algeria – Internal Affairs), posted 3 27 June 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

<sup>36</sup> Janes (IHS Market), ‘Sentinel Security Risk Assessments’ (Algeria – Internal Affairs), posted 3 27 June 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

<sup>37</sup> CIA, ‘World Factbook’, Algeria (Government) updated 19 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 29 June 2017.

<sup>38</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 1c), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.kVZOu.dpuf>. Accessed: 29 June 2017.

'The Gendarmerie Nationale falls under the Ministry of National Defense and is responsible for maintaining law and order in rural areas. They play an active role in internal security efforts in combating terrorism and organized crime.'<sup>39</sup>

8.1.4 With regard to the armed forces, Janes observed that:

'Algeria is North Africa's leading military power, sporting the best-equipped and most battle-tested military in the region. Its Armée Nationale Populaire (ANP) has its origins in the forces that successfully fought France for independence, which Algeria achieved in 1962. The ANP fought a civil war against armed Islamist insurgents during the 1990s and more recently has co-operated with neighbouring countries and France to counter jihadist terrorism in the region. Al-Qaeda in the Islamic Maghreb (AQIM) militants continue to primarily target Algerian security forces, but ongoing counter-terrorism operations mean that AQIM activity inside the country has been significantly reduced in scale, and is now largely confined to the northeastern Kabylie provinces.'<sup>40</sup>

8.1.5 The same source observed:

'... Bouteflika reasserted his control over the DRS (Département du Renseignement et de la Sécurité), Algeria's notorious state intelligence service, by replacing a number of senior officers with individuals perceived as more loyal to the president. Long seen as a potential rival power block to Bouteflika and the armed forces, the DRS also found itself relieved of control of the judicial police and the Military Security Directorate, which were placed under the direct control of the military. In August 2015 the strike force of the DRS was dissolved. The elite unit specialising in counter-terrorism and counter-insurgency operations was dispersed across Algeria's conventional armed forces and the gendarmerie. In January 2016 Bouteflika completed his plans of curtailing the influence of the DRS and dissolved the unit, creating three general security directorates in its place. The General Directorate of Internal Security, the General Directorate of External Security, and the General Directorate of Technical Intelligence are all attached to the presidency and under the control of the army.

'The [Chief of Staff] CoS [of the armed forces] may make recommendations on senior appointments to the president, but under the constitution the ultimate decision lies with the president. Thus, the president makes the final decision on appointments to all three branches of the armed forces, commanders of the military regions, and the semi-autonomous Republican Guard Brigade. The latter has an estimated strength of 1,200 and is equipped with light tanks and armoured vehicles.

'Other security forces working in a paramilitary or counter-insurgency capacity in Algeria include the 50,000-strong national police, the 16,000-

---

<sup>39</sup> USSD, Overseas Advisory Security Council, 'Algeria 2017 Crime & Safety Report' (Police Response), 25 April 2017, <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=21715>. Accessed: 29 June 2017.

<sup>40</sup> Janes (IHS Market), 'Sentinel Security Risk Assessments' (Algeria – Armed Forces), posted 9 May 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 29 June 2017.

strong National Security Force, both responsible to the Ministry of Interior, and the 60,000-strong National Gendarmerie, whose director reports to the minister of national defence.

‘Since October 2012 control of the country’s 94,000-strong Municipal Guard, which typically patrols rural areas and had been under the control of the Ministry of Interior, was given to the Ministry of Defence (MoD). Elite units of the gendarmerie, such as the Rapid Intervention Group, worked closely with special forces of the army and other security services to combat the Islamic insurgency under a co-ordinating group set up in 1992, known as the Centre for the Conduct and Co-ordination of Anti-subversive Actions.

‘There is also an informal militia of “self-defence groups” armed by the state, which is thought to number upwards of 150,000.’<sup>41</sup>

8.1.6 The Center for Security Studies policy paper of May 2017 observed:

‘Since the mid-2000s, Bouteflika has placed people loyal to him in key positions of the General Staff, notably the Chief of Staff, General Gaïd Salah, who plays a critical role in ensuring the loyalty of the army to the presidency. The President has also recently dissolved the DRS... The latter is now to report directly to the Presidency. To be sure, these measures have increased the margin of maneuver of the presidency in relation to the military. Yet, the military continues to see itself as the guarantor of stability and unity in the country and it still plays a discrete role in political decision-making.’<sup>42</sup>

8.1.7 The CIA Factbook noted in regard to military conscription: ‘17 is the legal minimum age for voluntary military service; 19-30 years of age for compulsory service; conscript service obligation is 18 months (6 months basic training, 12 months civil projects) (2012)’.<sup>43</sup>

[Back to Contents](#)

## 8.2 Effectiveness

8.2.1 The USSD observed that ‘Civilian authorities generally maintained effective control over the security forces.’<sup>44</sup> With regard to the intelligence services the USSD noted:

‘A 2013 presidential decree dissolved the Central Bureau of the Judicial Police under the [Département du Renseignement et de la Sécurité] DRS, removing its authority to detain individuals and hold them in separate detention facilities. A 2014 presidential decree, however, reinstated this

---

<sup>41</sup> Janes (IHS Market), ‘Sentinel Security Risk Assessments’ (Algeria – Armed Forces), posted 9 May 2017, [www.janes.com](http://www.janes.com) (subscription only). Accessed: 18 July 2017.

<sup>42</sup> Center for Security Studies, ‘Algeria: Stability against All Odds?’ (p3), May 2017, <http://www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/CSSAnalyse209-EN.pdf>. Accessed: 19 July 2017.

<sup>43</sup> CIA, ‘World Factbook’, Algeria (Military and Security) updated 12 July 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 19 July 2017.

<sup>44</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (Executive summary), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

authority and permitted the DRS to manage prison facilities. A January 20 [2016] presidential decree dissolved the DRS and reorganized the intelligence services. The July 2015 amendment of the penal code prohibits police officers from detaining suspects in any facilities not designated for that purpose and declared to the local prosecutor, who has the right to visit such facilities at any time.’<sup>45</sup>

8.2.2 The USSD report also noted:

‘Impunity remained a problem. The law provides mechanisms to investigate abuses and corruption, but the government did not always provide public information on disciplinary or legal action against police, military, or other security force personnel. The DGSN conducted a two-week training session for police officers specifically focusing on human rights practices in September and another two-day training session in November [2016].’<sup>46</sup>

8.2.3 The OASC Algeria report 2017, which provides advice for US officials in Algeria, observed that: ‘Police are generally professional and responsive to calls for assistance.’<sup>47</sup>

[Back to Contents](#)

### 8.3 Police abuses

8.3.1 Freedom House noted in its report covering events in 2015, without providing specific details, that: ‘International human rights activists have accused the security forces of practicing torture, and have also highlighted lengthy delays in bringing cases to trial.’<sup>48</sup>

8.3.2 The USSD report for 2016 noted:

‘The law prohibits torture, but nongovernmental organizations (NGOs) and local human rights activists alleged that government officials sometimes employed torture and abusive treatment to obtain confessions. The government denied these charges. Government agents face prison sentences of between 10 and 20 years for committing such acts, and there were two convictions during the year. There were no other reported cases of prosecution of civil or military security service officials for torture or abusive treatment. Local and international NGOs asserted that impunity was a problem.

---

<sup>45</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 1c), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 29 June 2017.

<sup>46</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 1d), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 3 July 2017.

<sup>47</sup> USSD, Overseas Advisory Security Council, ‘Algeria 2017 Crime & Safety Report’ (Police Response), 25 April 2017, <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=21715>. Accessed: 29 June 2017.

<sup>48</sup> Freedom House, ‘Freedom in the World’, Algeria (Rule of law), January 2016, <https://freedomhouse.org/report/freedom-world/2016/algeria>. Accessed: 6 July 2017.

'... The Surete Nationale (DGSN) stated that it did not receive any reports of abuse or misconduct from the public during the year. Information from the National Gendarmerie was not available.'<sup>49</sup>

8.3.3 The UN compilation on Algeria as part of the Universal Periodic Review noted that:

'Since 1 April 2012, the Human Rights Committee has adopted 24 Views concluding that Algeria was in violation of its obligations under the International Covenant on Civil and Political Rights. Twenty-one of these related to cases concerning enforced disappearances, [...] two related to cases concerning extrajudicial or arbitrary executions [...] and one related to a case concerning torture and arbitrary detention.[...] The Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted two decisions concluding that Algeria was in violation of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[...]'<sup>50</sup>

8.3.4 The submission of stakeholders as part of the UPR included the observations of Alkarama<sup>51</sup> which claimed that:

'... crimes considered to be terrorist or subversive crimes, the 48-hour period of police custody, the maximum legal length, could be extended up to five times, or for a total of 12 days. In practice, the period was routinely extended. Alkarama was of the view that the period was too long, given international standards, and could expose the person in custody to torture.

'Alkarama noted that the law did not establish that all statements proven to have been obtained under torture were inadmissible as evidence in legal proceedings[...] Alkarama recommended that the State incorporate a provision excluding evidence obtained under torture in its Code of Criminal Procedure, in accordance with the Convention against Torture.'<sup>52</sup>

8.3.5 The submission of stakeholders as part of the UPR further noted that:

'JS5<sup>53</sup> recommended that the Government investigate all instances of extra-judicial killing and excessive force committed by security forces while monitoring protests and demonstrations; and review existing human rights training for police and security forces with the assistance of civil society to

---

<sup>49</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 1c), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dclid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

<sup>50</sup> UN Human Rights Council, 'Report of the Office of the United Nations High Commissioner for Human Rights' (para 18), 17 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed on 6 July 2017.

<sup>51</sup> According its website 'Alakarama is a Geneva-based non-governmental human rights organisation established in 2004 to assist all those in the Arab world subjected to or at risk of extrajudicial execution, enforced disappearance, torture, and arbitrary detention', <https://www.alkarama.org/en/about/what-we-do>. Accessed: 6 July 2017.

<sup>52</sup> UN Human Rights Council, 'Summary of other stakeholders' submissions on Algeria' (paras 22-23), 20 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed: 6 July 2017.

<sup>53</sup> Joint Submission 5 submitted by: CIVICUS, Johannesburg, South Africa and Ibn Khaldoun Center for Research and Maghrebi Studies, Brighton, UK.

foster more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.<sup>54</sup>

### 8.3.6 The USSD report for 2016 noted:

‘Although the law prohibits arbitrary arrest and detention, authorities sometimes used vaguely worded provisions, such as “inciting an unarmed gathering” and “insulting a government body,” to arrest and detain individuals considered to be disturbing public order or criticizing the government. Amnesty International (AI) and other human rights organizations criticized the law prohibiting unauthorized gatherings and called for its amendment to require only notification as opposed to application for authorization. These observers, among others, pointed to the law as a significant source of arbitrary arrests intended to suppress activist speech. Police arrested protesters in Algiers and elsewhere in the country throughout the year for violating the law against unregistered public gatherings.’<sup>55</sup>

### 8.3.7 However, the Foreign Office noted in a letter dated 5 May 2017 that:

‘...in 2016 Algeria formed a National Council of Human Rights to, among other things, find, and investigate human rights violations. Their commission research, can make recommendations and visit detention centres. Their conclusions are advisory, but the Council demonstrates an administration willing to include civil society in the inspection of places of detention and open to recommendations to improve human rights in practice.

‘In recent meetings human rights organisations have told our embassy in Algiers they have no evidence of treatment that breaches Article 3 [of the European Convention of Human Rights]. The International Committee of the Red Cross (ICRC) is used by the Algerians to provide independent, confidential reports on places of detention and operating regimes within them.’<sup>56</sup>

[Back to Contents](#)

## 9. Judiciary

### 9.1 Court system

9.1.1 The CIA noted that the legal system is a mixture ‘of French civil law and Islamic law; judicial review of legislative acts in ad hoc Constitutional Council composed of various public officials including several Supreme Court justices’<sup>57</sup>.

---

<sup>54</sup> UN Human Rights Council, ‘Summary of other stakeholders’ submissions on Algeria’ (paras 22-23), 20 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed: 6 July 2017.

<sup>55</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 1d), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dldid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

<sup>56</sup> Foreign and Commonwealth Office, Official correspondence, 5 May 2017. Redacted copy on request. Accessed: 23 June 2017.

<sup>57</sup> CIA, ‘World Factbook’, Algeria (Government) updated 27 June 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 6 July 2017.

9.1.2 The Encyclopaedia Britannica observed that the judiciary is comprised of 3 levels:

- ‘... [T]he first level is the tribunal, to which civil and commercial litigation is submitted and which takes action in penal cases of the first instance.
- ‘...[T]he second level is the provincial court, which consists of a three-judge panel that hears all cases and that functions as a court of appeal for the tribunals and for the administrative jurisdictions of the first instance.
- ‘... [T]he third and highest level is the Supreme Court, which is the final court of appeal and of appeals against the decisions of the lower courts.’<sup>58</sup>

9.1.3 The same source also stated that:

‘In 1975 the Court of State Security, composed of magistrates and high-ranking army officers, was created to handle cases involving state security. The constitution of 1996 instituted two new high courts to complement the Supreme Court. The Council of State acts as an administrative equivalent to the Supreme Court, hearing cases not ordinarily reviewed by that body; and the Tribunal of Conflicts was instituted to regulate any jurisdictional disputes that might arise between the other two high courts.’<sup>59</sup>

[Back to Contents](#)

## 9.2 Independence

9.2.1 Freedom House noted in its report covering events in 2015 that: ‘The judiciary is susceptible to government pressure... and have also highlighted lengthy delays in bringing cases to trial.’<sup>60</sup>

9.2.2 The compilation of information provided by stakeholders to the UN Human Rights Council as part of the Universal Periodic Review process noted:

‘According to the National Advisory Commission for the Promotion and Protection of Human Rights [now renamed the National Human Rights Council – see Government human rights commission below], the constitutional reform had resulted in considerable changes to the justice system, including legal assistance for impoverished persons, pretrial detention as a measure to be taken in exceptional circumstances, the regulation of police custody, the independence of the judiciary, the protection of judges and lawyers from all forms of pressure and legal safeguards against all forms of pressure.[...]

‘Alkarama indicated that despite the reforms, the executive was still playing a leading role in the appointment of judges.[...] Alkarama recommended that

<sup>58</sup> Encyclopaedia Britannica, ‘Algeria’ (Justice), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 6 July 2017.

<sup>59</sup> Encyclopaedia Britannica, ‘Algeria’ (Justice), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc220551>. Accessed: 6 July 2017.

<sup>60</sup> Freedom House, ‘Freedom in the World’, Algeria (Rule of law), January 2016, <https://freedomhouse.org/report/freedom-world/2016/algeria>. Accessed: 6 July 2017.

Algeria ensure the independence of the Supreme Council of the Judiciary by providing for the election of the majority of its members.[...]

'[Human Rights Watch] HRW noted that perpetrators of human rights crimes during the internal armed conflict of the 1990s continued to enjoy impunity under the Charter on Peace and National Reconciliation. It added that authorities had regularly prevented families of the disappeared from holding sit-ins or demonstrations, and associations representing them continued to face obstacles to legal registration.[...] HRW recommended that the Government redouble efforts to shed light on the unresolved cases of enforced disappearances; cease intimidation of the families of the disappeared; and allow them to demonstrate freely.'<sup>61</sup>

9.2.3 The UN Office of the High Commissioner on Human Rights observed as part of the UN compilation report as part of the UPR process that:

'... Algeria had set in place a number of judicial mechanisms intended to protect the rights of citizens, on the one hand, and to ensure self-reliance in decision-making by the justice system, on the other.[...] Revised legislation adapted to reflect the country's regional and international commitments had provided grounds for the promulgation of texts that had contributed to strengthening the fundamental rights and liberties of citizens, including the Code of Criminal Procedure, amended on July 2015, and the Penal Code which came into force in January 2016.[...]'<sup>62</sup>

9.2.4 The USSD report for 2016 noted:

'While the constitution provides for the separation of powers between the executive and judicial branches of government, the executive branch's broad statutory authorities limited judicial independence. The constitution grants the president authority to appoint all prosecutors and judges. These presidential appointments are not subject to legislative oversight but are reviewed by the High Judicial Council, which consists of the president, minister of justice, chief prosecutor of the Supreme Court, 10 judges, and six individuals outside the judiciary chosen by the president. The president serves as the president of the High Judicial Council, which is also responsible for the appointment, transfer, promotion, and discipline of judges. The judiciary was not impartial and was often subject to influence and corruption.

'... The constitution provides for the right to a fair trial, but authorities did not always respect legal provisions that protect defendants' rights. The law presumes defendants are innocent and have the right to be present and to consult with an attorney provided at public expense if necessary. Most trials are public, except when the judge determines the proceedings to be a threat to public order or "morals." The July 2015 amendment of the penal code

---

<sup>61</sup> UN Human Rights Council, 'Summary of other stakeholders' submissions on Algeria\*' (paras 24-26), 27 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed: 6 July 2017.

<sup>62</sup> UN Human Rights Council, 'Report of the Office of the United Nations High Commissioner for Human Rights' (para 21), 17 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed on 6 July 2017.

guarantees defendants the right to free interpretation as necessary. Defendants have the right to be present during their trial but may be tried in absentia if they do respond to a summons ordering their appearance.

‘Defendants may confront or question witnesses against them or present witnesses and evidence on their behalf. There were a few reports that courts occasionally denied defendants and their attorneys’ access to government-held evidence. Defendants have the right not to be compelled to testify or confess guilt, and they have the right to appeal. The testimony of men and women has equal weight under the law.’<sup>63</sup>

[Back to Contents](#)

## 10. Civil society groups

### 10.1 Non government groups

10.1.1 The International Center for Not-for-Profit Law provided an overview of civil society in Algeria:

Organizational Forms	Associations
Registration Body	The President of the People's Communal Assembly (for communal associations); the governor of the province in which the association is headquartered (for Wilaya, or provincial, associations); and the Ministry of the Interior for national or inter-Wilaya associations.
Approximate Number	1,027 National Associations; 92,627 Local Associations
Barriers to Entry	Mandatory registration, restrictions on founders, and excessive government discretion.
Barriers to Activities	No "organic or structural relations" with political parties. The law provides a limited number of areas in which associations can engage, including "professional, social, scientific, religious, educational, cultural, sports, environmental, charitable and humanitarian domains." The government can suspend an association if it believes the association's activities interfere with the "internal affairs" or threaten the "national sovereignty" of the

<sup>63</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (1e), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

	country.
Barriers to Speech and/or Advocacy	Associations must obtain prior approval from the government before receiving funds from foreign donors, and are required to have a pre-existing "cooperation agreement"
Barriers to International Contact	Prior approval is required before an association can enter into a "cooperation agreement" with any international association or foreign entity. The government has broad discretion to withdraw authorization for a foreign association to operate in Algeria."
Barriers to Resources	Associations are prohibited from receiving funds from foreign funders outside of "official cooperation relationships," a term that is undefined. The 2012 Law on Associations does not list "economic activities" as a potential resource for an association.
Barriers to Assembly	Three days advance notification requirement, vague provisions that allow the government to ban assemblies, lack of Constitutional protections for "everyone" to enjoy the right, and excessive criminal penalties and content restrictions.

64

#### 10.1.2 The same source stated that:

‘Civil society in Algeria operates in a politically complex environment, influenced by attempts at manipulation by different political forces. For over two decades, associations were governed by the highly restrictive Law on Associations (Law 90-31 of 1990) [...], which was adopted shortly before a military coup and a prolonged period of violence and terrorism in Algeria. Following the pro-reform uprisings in other Arab countries in early 2011, President Bouteflika pledged that he would enact major political and legislative reforms to address popular discontent, including a number of new laws to enhance individual rights and freedoms.

‘However, the new Law on Associations (Law 12-06 of 2012)... adopted in 2012, created additional restrictions on the freedom of association, and

<sup>64</sup> International Center for Not-for-Profit Law, ‘Civic Freedom Monitor: Algeria’ (At a glance), 7 January 2017, <http://www.icnl.org/research/monitor/algeria.html>. Accessed: 6 July 2017.

generally fails to protect the right in line with Algeria's international obligations.'<sup>65</sup>

#### 10.1.3 The USSD report for 2016 noted:

'A variety of domestic human rights groups operated with varying degrees of government restriction and cooperation. The law requires all civil associations to apply for operating permission, and at year's end several major civil associations remained unrecognized but tolerated.

'[Amnesty International] AI maintained an office and actively reported on human rights issues, but it did not receive official authorization to operate from the Ministry of Interior.

'Although the government did not renew the accreditation of [Algerian League for the Defense of Human Rights] LADDH, the organization had members countrywide, received independent funding, and was the most active independent human rights group. The smaller Algerian League for Human Rights, a separate but licensed organization based in Constantine, had members throughout the country monitoring individual cases.'<sup>66</sup>

[Back to Contents](#)

## 10.2 Government human rights commission

10.2.1 Amnesty noted that 'Constitutional amendments adopted in February [2016] included the creation of a National Human Rights Council to replace the National Consultative Commission for Promotion and Protection of Human Rights [CNCPPDH].'<sup>67</sup>

#### 10.2.2 The USSD noted:

'...The CNCPPDH [see above re name as of February 2016] change plays a consultative and advisory role to the government. It issues an annual report on the status of human rights in the country. Published in July, the 2015 report highlighted government advances in social and legal rights with increased protections for women and children, the introduction of mediation in nonfelony criminal cases, and limits on the use of pretrial detention. The commission identified its principal concerns as public corruption, shortfalls in the recent law on violence against women, heavy bureaucracy, and impediments limiting citizens' access to justice.'<sup>68</sup>

[Back to Contents](#)

---

<sup>65</sup> International Center for Not-for-Profit Law, 'Civic Freedom Monitor: Algeria' (Introduction), 7 January 2017, <http://www.icnl.org/research/monitor/algeria.html>. Accessed: 6 July 2017.

<sup>66</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 5), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

<sup>67</sup> Amnesty International, 'Annual Report – Algeria 2016/17', February 2017, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/algeria/report-algeria/>. Accessed 11 August 2017.

<sup>68</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 5), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

## 11. Media and the internet

### 11.1 Media laws and freedoms

#### 11.1.1 The USSD report for 2016 noted

'The constitution provides for freedom of speech and press, and independent media outlets criticized government officials and policies, but the government restricted these rights. The government's techniques included harassment of some critics; arbitrary enforcement of vaguely worded laws; informal pressure on publishers, editors, advertisers, and journalists; and control of a significant proportion of the country's advertising money and printing capabilities. Some media figures alleged the government used its control over most printing houses and large amounts of public sector advertising preferentially, and that the lack of clear regulations over these practices permitted it to exert undue influence on press outlets.'<sup>69</sup>

#### 11.1.2 Reporters without Borders ranked Algeria 134<sup>th</sup> out of 180 countries<sup>70</sup> in its World Press Freedom Index and found that 'Media freedom has seen a sharp decline in Algeria. Many subjects, including corruption, the assets of the country's leaders, and the president's health, are still off limits and the economic throttling of independent media outlets continues. Four bloggers and media professionals were jailed on criminal charges in 2016, and the death of Mohamed Tamalt on December 11th [2016] shocked public opinion and raised questions about prison conditions.'<sup>71</sup>

### 11.2 Media overview

#### 11.2.1 The BBC media profile for Algeria observed noted that: 'The government exercises broad control over the media. Until 2014, a state monopoly forced private satellite TVs to operate from outside Algeria.'<sup>72</sup>

#### 11.2.2 The Encyclopaedia Britannica stated:

'Despite pressure from the government and threats and intimidation by Islamic militants, Algeria has one of the most vigorous presses in the Arab world. Daily newspapers are published in both Arabic and French in Algiers, Oran, and Constantine. Several weeklies and a host of magazines are also published in the country. The number and range of newspapers increased during the 1990s, despite frequent violent attacks directed against journalists by Islamic extremists. Radiodiffusion Télévision Algérienne operates as a broadcasting institution under the Ministry of Information and Culture. Its three radio channels offer programming in Arabic, Kabyle, and, on its international channel, a mixture of French, English, and Spanish. The television network—with two channels—transmits to most of the country.

---

<sup>69</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 2a), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 6 July 2017.

<sup>70</sup> For the full list see: <https://rsf.org/en/ranking>

<sup>71</sup> Reporters without Borders, Algeria, undated, <https://rsf.org/en/algeria>. Accessed: 6 July 2017.

<sup>72</sup> BBC, 'Algeria Profile', 2 May 2017, <http://www.bbc.co.uk/news/world-africa-14118855>. Accessed: 6 July 2017.

The number of satellite dishes has increased, and many Algerians are now able to receive European stations.<sup>73</sup>

11.2.3 The BBC profile lists print publications, as well as TV and radio stations.<sup>74</sup>

11.2.4 For further information on the treatment of journalists / media workers, see:

- USSD [human rights report for 2016](#), section 2a, March 2017
- Amnesty International, [Algeria 2016/2017](#), February 2017
- Freedom House, [Freedom of the Press 2017](#)
- Reporters without Borders, [Algeria](#)

[Back to Contents](#)

## 12. Corruption

12.1.1 Transparency International ranked Algeria 108<sup>th</sup> out of 176 countries in its Corruption Perceptions Index 2016<sup>75</sup>.

12.1.2 Freedom House observed in its report covering events in 2015:

‘Rampant corruption plagues Algeria’s business and public sectors, especially the energy sector. Despite anticorruption laws, a lack of government transparency, low levels of judicial independence, and bloated bureaucracies contribute to corruption. Few corruption investigations ever lead to indictments much less convictions, though there were a number of exceptions in 2015.’<sup>76</sup>

12.1.3 The USSD reported in 2016 that:

‘The law provides for criminal penalties of two to 10 years in prison for official corruption, but the government generally did not implement the law effectively.

‘... The criminal code stipulates that charges related to theft, embezzlement, or loss of public and private funds may be initiated against senior, public sector “economic managers” only by the board of directors of the institution. Critics of the law asserted that by permitting only senior officials of state businesses to initiate investigations, the law protects high-level government corruption and promotes impunity.

‘The Ministry of Justice declared that as of October, 987 government employees or employees of state-run businesses had been charged with corruption-related offenses. The government brought several major corruption cases to trial, resulting in dozens of convictions. Media reporting

---

<sup>73</sup> Encyclopaedia Britannica, ‘Algeria’ (Media and publishing), April 2017, <https://www.britannica.com/place/Algeria/Cultural-life#toc46529>. Accessed: 6 July 2017.

<sup>74</sup> BBC, ‘Algeria Profile’, 2 May 2017, <http://www.bbc.co.uk/news/world-africa-14118855>. Accessed: 6 July 2017.

<sup>75</sup> Transparency International, ‘Algeria’, <https://www.transparency.org/country/DZA>. Accessed: 6 July 2017.

<sup>76</sup> Freedom House, ‘Freedom in the World’, Algeria (Functioning government), January 2016, <https://freedomhouse.org/report/freedom-world/2016/algeria>. Accessed: 6 July 2017.

and public opinion viewed the absence of charges against the most senior of government officials as an indication of impunity for government officials.

'... Corruption throughout the government stemmed largely from the bloated nature of the bureaucracy and a lack of transparent oversight. The CNCPPDH stated in its 2014 annual report that public corruption remained a problem and hindered development. The National Association for the Fight Against Corruption noted the existence of an effective anticorruption law but stated that the government lacked the "political will" to apply the law.

'Financial Disclosure: The law stipulates that all elected government officials and those appointed by presidential decree must declare their assets the month they commence their jobs, if there is substantial change in their wealth while they are in office, and at the end of their term. Few government officials made their personal wealth public, and there was no enforcement of the law.

'Public Access to Information: Lack of government transparency remained a serious problem. Most ministries had websites, but not all ministries regularly maintained them with updated information. Analysts, academics, and other interested parties often had difficulty obtaining even routine and nominally public economic data from government ministries.'<sup>77</sup>

[Back to Contents](#)

## 13. Women

### 13.1 Discrimination

#### 13.1.1 The USSD report for 2016 noted:

'Although the constitution provides for gender equality, many aspects of the law and traditional social practices discriminated against women. In addition, religious extremists advocated practices that led to restrictions on women's behavior, including freedom of movement. In some rural regions, women faced extreme social pressure to veil as a precondition for freedom of movement and employment... The law contains traditional elements of Islamic law. It prohibits Muslim women from marrying non-Muslims, although authorities did not always enforce this provision. Muslim men may marry non-Muslim women. A woman may marry a foreigner and transmit citizenship and nationality to both her children and spouse.'<sup>78</sup>

#### 13.1.2 Human Rights Watch noted in its report covering 2016 that:

'Algeria's Constitution enshrines the principle of non-discrimination based on sex and requires the state to take positive action to ensure equality of rights and duties of all citizens, men and women. In February 2016, parliament introduced an article proclaiming that the "state works to attain parity between women and men in the job market," and "encourages the promotion

---

<sup>77</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 4), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265490#sthash.xYPkVZOu.dpuf>. Accessed: 6 July 2017.

<sup>78</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 6), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 12 July 2017.

of women to positions of responsibility in public institutions and in businesses.”

‘On December 10, 2015, parliament adopted amendments to the penal code specifically criminalizing some forms of domestic violence. Assault against one’s spouse or former spouse can be punished by up to 20 years in prison, depending on the victim’s injuries, and the perpetrator can face a life sentence for attacks resulting in death. The amendments also criminalize sexual harassment in public places.

‘Despite adoption of the law, Algeria has yet to adopt the more comprehensive legal measures, such as protection orders to protect women from violence and concrete duties on law enforcement to respond to domestic violence, needed to prevent domestic violence, assist survivors, and prosecute offenders. The law, moreover, makes women vulnerable to threats from the offender or relatives, by including a provision that a pardon by the victim puts an end to prosecution.

‘Algeria’s Family Code continues to discriminate against women despite some amendments in 2005 that improved women’s access to divorce and child custody. An adult woman still requires a male guardian to conclude her marriage contract, a requirement not imposed on men. A man can divorce unilaterally, while a woman must apply to the courts. If a woman wishes to divorce without her husband’s consent and without justification, she needs to pay back her dowry, or an equivalent amount of money, to her husband in return for the divorce. This is particularly problematic as the code does not recognize marital property, provisions that values women’s non-monetary contributions to the marriage at the time of termination.’<sup>79</sup>

13.1.3 For more information on state and societal treatment of women and the specific protection available to them see:

- Organisation for Economic Co-operation and Development, [Social Institutions and Gender Index, Algeria](#), 2014
- Immigration and Refugee Board of Canada, [Algeria: Situation of single or divorced women living alone, particularly in Algiers; whether they can find work and housing; support services available to them \(2012-2015\)](#), August 2015
- USSD [human rights report for 2016](#), section 6, March 2017
- Human Rights Watch, [“Your Destiny is to Stay with Him” - State Response to Domestic Violence in Algeria](#), April 2017
- UN Human Rights Council, [documents submitted as part of the Universal Periodic Review of Algeria](#) in May 2017
- [Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria](#), 20 April 2017

---

<sup>79</sup> Human Rights Watch, ‘World Report 2017’, Algeria (Women’s rights), January 2017, <https://www.hrw.org/world-report/2017/country-chapters/algeria>. Accessed: 6 July 2017.

## 14. Children

### 14.1 Child abuse and protection

#### 14.1.1 The USSD report for 2016 observed:

'Child abuse is illegal but was a serious problem to which the government devoted increasing resources and attention. In June the government appointed a national ombudsperson responsible for monitoring and publishing an annual report on the rights of children. The government supported the country's Network for the Defense of Children's Rights (NADA). Experts assumed that many cases went unreported because of family reticence. The head of NADA reported that the NGO's free helpline received more than 23,000 calls requesting assistance as of August. The DGSN reported 1,663 cases of child sexual abuse in 2014, and the National Gendarmerie reported 380 cases.

'Kidnapping for any reason is a crime. Laws prohibiting parental abduction do not penalize mothers and fathers differently. In 2014 legislation increased the punishment for convicted kidnappers to include the death penalty. The DGSN commissioner for the National Office of Child Protection reported the kidnapping of 28 children for the period of January through August, compared with 84 in 2015.'<sup>80</sup>

#### 14.1.2 The same report noted:

'The legal minimum age of marriage is 19 for both men and women, but minors may marry with parental consent, regardless of gender. The law forbids legal guardians from forcing minors under their care to marry against the minor's will. The Ministry of Religious Affairs required that couples present a government-issued marriage certificate before permitting imams to conduct religious marriage ceremonies.

'Sexual Exploitation of Children: The law prohibits solicitation for prostitution and stipulates prison sentences of between 10 and 20 years when the offense is committed against a minor under age 18. By law the age for consensual sex is 16. The law stipulates a prison sentence of between 10 and 20 years for rape when the victim is a minor. The law does not call for prosecuting a man accused of raping a female minor if he legally marries the victim, and there were no available reports of this practice during the year. The law prohibits pornography and establishes prison sentences from two months to two years as well as fines up to DZD 2,000 (\$18).

'A 2015 law created a national council to address children's issues, improved social services and protection for children, gave judges authority to remove children from an abusive home, and allowed sexually abused children to provide testimony on video rather than in court.'<sup>81</sup>

---

<sup>80</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 6), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 12 July 2017.

<sup>81</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 6), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 12 July 2017.

14.1.3 Further information about child rights is available in:

- [UNICEF Executive Board Algeria country programme document](#), August 2015
- [Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria](#), 20 April 2017
- [Report of the Special Rapporteur on the right to education, Kishore Singh](#) (Addendum), 29 June 2015.
- UN Human Rights Council, [documents submitted as part of the Universal Periodic Review of Algeria](#) in May 2017

[Back to Contents](#)

## 14.2 Education

14.2.1 The USSD report for 2016 noted:

‘Education was free, compulsory, and universal through the secondary level to age 16. UNICEF reported that the attendance of girls was higher in secondary school due to instances of boys leaving school after the primary level. The United Nations estimated primary school enrollment at more than 97 percent. The government estimated that during the 2014-15 school year, children under the age of six were enrolled in school at a rate of 98.49 percent, with those between the ages of six and 16 enrolled at a rate of 95 percent.’<sup>82</sup>

14.2.2 The UN compilation as part of the UPR review of Algeria observed:

‘After a visit in early 2015, the Special Rapporteur on education considered that the realization of the right to education had been remarkable in many respects. School enrolment rates were excellent, education was provided free of charge at all levels and gender parity at all levels had been largely achieved. Furthermore, the infrastructure for providing education was well in place and considerable budgetary resources were allocated to education: it was second only to national defence among national budgetary priorities, accounting for 16 per cent of the national budget in 2014.[...] However, Algeria did not have a legal framework for national spending in the field of education. The Special Rapporteur recommended that the Government prepare such a legal framework in order to set a minimum percentage of the national budget to be allocated to education. That framework should also include a budget for education quality.[...]

‘The Special Rapporteur noted, however, that Algeria faced a number of challenges, particularly the quality of education. He considered that the general standard of education needed to be raised as a matter of urgency.[...] Additionally, there were high rates of school dropout, grade repetition and classroom overcrowding. Enrolment rates were sometimes lower in certain regions, in rural areas and among the poorest households.

---

<sup>82</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 6), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 12 July 2017.

Ensuring equal opportunities in access to education for children with disabilities was still a challenge. There was also a perceptible decline in the teaching of Tamazight.[...]<sup>83</sup>

- 14.2.3 Further detail about the education system is available in the '[Report of the Special Rapporteur on the right to education, Kishore Singh](#)' (Addendum), 29 June 2015.

[Back to Contents](#)

## 15. Citizenship and nationality

- 15.1.1 Requirements for nationality are set out in Law No. 1970-86, 15 December 1970, which was subsequently amended by 'Ordonnance n° 05-01 du 18 Moharram 1426 correspondant au 27 février 2005 modifiant et complétant l'ordonnance n° 70-86 du 15 décembre 1970 portant code de la nationalité algérienne'<sup>84</sup>. Both laws, plus the Code de la nationalité Algérienne, are available on refworld in French<sup>85</sup>.
- 15.1.2 The USSD report for 2016 noted: 'The mother or father may transmit citizenship and nationality. By law children born to a Muslim father are Muslim, regardless of the mother's religion. The law did not differentiate between girls and boys in registration of birth.'<sup>86</sup>

[Back to Contents](#)

## 16. Freedom of movement

- 16.1.1 Freedom House in its report covering events in 2015 noted:  
'While most citizens are free to travel domestically and abroad, the authorities closely monitor and limit access to visas for non-Algerians. Men of military draft age [between 18 to 30, draft for 18 months<sup>87</sup>], are not allowed to leave the country without official consent. The land border between Algeria and Morocco has been closed for years, separating families that live in the border areas and forcing many to resort to illegal smuggling networks for routine travel.'<sup>88</sup>
- 16.1.2 The US State Department observed:

---

<sup>83</sup> UN Human Rights Council, 'Report of the Office of the United Nations High Commissioner for Human Rights' (paras 44-45), 17 February 2017, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/DZIndex.aspx>. Accessed on 12 July 2017

<sup>84</sup> Open Society Foundations, 'Citizenship Law in Africa - A Comparative Study' (p96), October 2010, [https://www.opensocietyfoundations.org/sites/default/files/citizenship-africa\\_20101118.pdf](https://www.opensocietyfoundations.org/sites/default/files/citizenship-africa_20101118.pdf). Accessed: 12 July 2017.

<sup>85</sup> UNHCR refworld, Algeria, Nationality laws, undated, <http://www.refworld.org/country,...DZA,50ffbce525c...0.html>. Accessed: 12 July 2017.

<sup>86</sup> USSD, 'Country Reports on Human Rights Practices for 2016', Algeria (section 6), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 12 July 2017.

<sup>87</sup> CIA, 'World Factbook', Algeria (Military and Security) updated 12 July 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ag.html>. Accessed: 19 July 2017.

<sup>88</sup> Freedom House, 'Freedom in the World', Algeria (Functioning government), January 2016, <https://freedomhouse.org/report/freedom-world/2016/algeria>. Accessed: 18 July 2017.

‘The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government restricted the exercise of this right...

‘In-country Movement: The government maintained restrictions for security reasons on travel into the southern locales of El-Oued and Illizi, near hydrocarbon industry installations and the Libyan border, respectively. Citing the threat of terrorism, the government also prevented overland tourist travel between the southern cities of Tamanrasset, Djanet, and Illizi. Newspapers reported that the government restricted foreign tourists from traveling through trails in Tassili and Hoggar, as well as certain areas in and around Tamanrasset, due to security concerns. Civil society organizations reported that the authorities prevented sub-Saharan migrants in the areas around Tamanrasset from traveling north toward coastal population centers.

‘Foreign Travel: The law does not permit those under age 18 to travel abroad without a guardian’s permission. Married women under 18 may not travel abroad without permission from their husbands, but married women over 18 may do so. The government did not permit young men eligible for the draft, who had not completed their military service, to leave the country without special authorization, although the government granted such authorization to students and persons with special family circumstances. The Ministry of Interior affirmed that in 2014 the government ended its requirement for background checks on passport applicants.’<sup>89</sup>

[Back to Contents](#)

## 17. Official documents

- 17.1.1 The USSD ‘Algeria Reciprocity Schedule’ provides background information to the various types of official documentation and where these are obtained<sup>90</sup>.
- 17.1.2 No information could be found as of August 2017 on the availability of forged or fraudulently obtained official documents<sup>91</sup>.

[Back to Contents](#)

## 18. Healthcare

### 18.1 Physical health

- 18.1.1 The ‘Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria’ stated:

‘The Ministry of Health, Population and Hospital Reform manages the hospitals and the public health sector. There are five health regions across the country, with five regional health councils, five regional health

---

<sup>89</sup> USSD, ‘Country Reports on Human Rights Practices for 2016’, Algeria (section 2d), 3 March 2017, [www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#section2afreedom). Accessed: 18 July 2017.

<sup>90</sup> USSD, ‘Algeria Reciprocity Schedule’, undated, <https://travel.state.gov/content/visas/en/fees/reciprocity-by-country/AG.html>. Accessed: 18 July 2017.

<sup>91</sup> No recent source on the documents cited in this note provides detail on occurrence of forged or fraudulent documents.

observatories and 48 health and population directorates (one in each wilaya). The country is divided into 185 health districts.[...]

'The health-care system has posted impressive results in making care available and accessible, with strengthened infrastructure, equipment and workforce. The population has financial coverage for most of the basic health services, which has contributed to a significant improvement in health indicators over the past decades.

'Public investment in the national health system is among the highest in the region. In 2014, per capita health expenditure amounted to US\$ 932; total health expenditure was 7.2 per cent of gross domestic product compared to 5.6 per cent in Egypt, 5.9 per cent in Morocco and 7.0 per cent in Tunisia. General public expenditure on health in 2014 was 9.9 per cent of total public expenditure. Out-of-pocket expenditure represented about 26.5 per cent of total expenditure on health in 2014.'<sup>92</sup>

#### 18.1.2 The same source stated:

'In 2007, Algeria launched the reform of its health system with the aim of improving the quality of services, ensuring efficiency of health-care establishments and the national health system in general, and minimizing disparities and inequalities among regions.

'The health-care system was reorganized to bring health-care structures closer to the people: 195 public hospitals, 271 community health centres and 26 new mother-and-child hospitals were established. Specialized hospitals (établissements hospitaliers spécialisés) have independent status and funding and are dedicated to providing care to the target population.'<sup>93</sup>

#### 18.1.3 More detailed information about the healthcare system is available in [Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria](#), 20 April 2017.

[Back to Contents](#)

## 18.2 Mental health

### 18.2.1 The UN Special Rapporteur on physical and mental health noted:

'Mental health conditions account for 6 per cent of the causes of disabilities in Algeria. For the population as a whole, the incidence of mental health conditions has been estimated at 0.5 per cent for both sexes... An epidemiological study carried out by the Ministry of Health in 2004 showed that chronic mental disorders were diagnosed in 0.7 per cent to 1.9 per cent

---

<sup>92</sup> UN Human Rights Council, 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria' (paras 19-21), 20 April 2017, <http://www.ohchr.org/EN/Issues/Health/Pages/CountryVisits.aspx>. Accessed: 3 July 2017.

<sup>93</sup> UN Human Rights Council, 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria' (paras 23-24), 20 April 2017, <http://www.ohchr.org/EN/Issues/Health/Pages/CountryVisits.aspx>. Accessed: 3 July 2017.

of subjects in different age groups. Those below 40 years of age and women were particularly affected.<sup>41</sup>

'In 2011, public expenditure on mental health accounted for 7.3 per cent of the total health budget, of which expenditure on inpatient hospitalization represented 81.44 per cent of the total mental health budget. Algeria has an urgent need for qualified human resources in the mental health sector. For a number of years now, different programmes have been set up to strengthen the training of mental health professionals (psychiatrists, nurses, psychologists) and increase the number of mental-health positions.'<sup>94</sup>

#### 18.2.2 The same source stated:

'The updated Mental Health Policy 2016-2020 covers prevention, treatment and rehabilitation with an intersectoral and a life course approach, in line with WHO Mental Health Action Plan (2013-2020) [...] Previous mental health policies reportedly faced challenges in their implementation[...]

'The mental health sector in Algeria is excessively reliant on psychiatric hospitals and inpatient care. Instead of building new psychiatric hospitals, each general hospital should have an inpatient psychiatric unit to make mental health care more accessible to all and avoid stigmatization. Although the availability of mental health services in primary-care centres has increased in recent years, with 129 centres providing such services, additional steps should be taken to reinforce outpatient services within general hospitals and reduce dependency on hospital care. There should be a shift in mental health services and public investments in the community, with initiatives grounded in human rights and modern principles of mental health policy and based on quality services and the empowerment of users.'<sup>95</sup>

#### 18.2.3 For an overview of the mental healthcare see:

- World Health Organisation's [Mental health Atlas country profile 2014](#)
- BJPsych International (a journal of the Royal College of Psychiatrists), 'Country profile - [Psychiatric services in Algeria](#)', February 2017, by Zoubir Benmebarek

[Back to Contents](#)

---

<sup>94</sup> UN Human Rights Council, 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria' (paras 115-116), 20 April 2017, <http://www.ohchr.org/EN/Issues/Health/Pages/CountryVisits.aspx>. Accessed: 3 July 2017.

<sup>95</sup> UN Human Rights Council, 'Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on his visit to Algeria' (paras 115-116), 20 April 2017, <http://www.ohchr.org/EN/Issues/Health/Pages/CountryVisits.aspx>. Accessed: 3 July 2017.

# Version control and contacts

## Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then [email the Country Policy and Information Team](#).

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability, you can [email the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **29 August 2017**

## Changes from last version of this note

New CPIN.

[Back to Contents](#)