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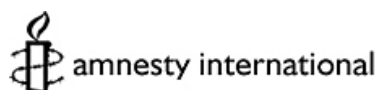
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Amnesty International Annual Report 2011 - Algeria

Head of state: **Abdelaziz Bouteflika**
 Head of government: **Ahmed Ouyahiya**
 Death penalty: **abolitionist in practice**
 Population: **35.4 million**
 Life expectancy: **72.9 years**
 Under-5 mortality (m/f): **35/31 per 1,000**
 Adult literacy: **72.6 per cent**

Human rights defenders and others were banned from holding some meetings and demonstrations. People suspected of security-related offences were arrested and detained incommunicado. Women victims of gender-based violence were not provided with redress. Foreign nationals were arrested and expelled without recourse to appeal. Christians were prosecuted for practising their faith without permission, and others faced trial for offending Islamic tenets. No executions were carried out, but over 130 people were sentenced to death. The authorities failed to take any steps to combat impunity for enforced disappearances and other serious past human rights abuses.

Background

The government maintained the state of emergency in force since 1992.

At least 45 civilians and some 100 members of the military and security forces were killed in continuing political violence, mainly in bomb attacks by armed groups, particularly Al-Qa'ida Organization in the Islamic Maghreb. Over 200 alleged members of Islamist armed groups were reported to have been killed by security forces in skirmishes or search operations, often in unclear circumstances, prompting fears that some may have been extrajudicially executed.

Strikes, riots and demonstrations by people demanding jobs, housing and better salaries punctuated the year. Some protesters were arrested and prosecuted.

The government said it had invited seven UN Special Rapporteurs to visit Algeria but it did not extend invitations to the Special Rapporteur on torture or the UN Working Group on Enforced or Involuntary Disappearances, despite their long-pending requests to carry out investigative visits.

Freedom of expression, association and assembly

The authorities banned some meetings and demonstrations by human rights defenders, journalists and families of victims of enforced disappearance.

- In March, the authorities stopped the Algerian League for the Defense of Human Rights from using its intended venue to hold its annual conference, forcing the organization to change venue at short notice.
- The authorities banned a protest by journalists and others calling for more press freedom, scheduled for 3 May in Algiers, and briefly detained four of the organizers.

- From August, the authorities prevented relatives of victims of enforced disappearance from holding public protests in front of the National Advisory Commission for the Promotion and Protection of Human Rights (CNCPPDH) without giving an official reason, and police used violence to disperse protesters who sought to defy the ban.

Journalists and human rights defenders faced defamation or other criminal charges apparently for criticizing state officials or institutions, or alleging corruption.

- Belhamideche Belkacem, director of the daily *Réflexion*, and two other men were sentenced to six months' imprisonment on 13 May after being convicted of defaming the Mayor of Ain-Boudinar in an article about alleged corruption published in the newspaper in June 2009. All three remained at liberty awaiting the outcome of an appeal.
- Anti-corruption activist and journalist Djilali Hadjadj was arrested on 5 September at Constantine airport on the basis that he had previously been convicted in his absence of forgery. He was retried on 13 September in Algiers. He was convicted and sentenced to a suspended six-month prison term and fined, then released.

Counter-terror and security

Officers of the Department of Information and Security (DRS), military intelligence, continued to arrest security suspects and detain them incommunicado, in some cases for more than the 12 days permitted by law, at unrecognized detention centres where they were at risk of torture or other ill-treatment. Impunity for torturing or otherwise abusing security suspects remained entrenched.

- Salah Koulal was arrested on 5 September in Baghtiya, Boumerdès province, by plain-clothed security officers and detained for 13 days in an unrecognized detention centre in Blida. He remained in El Harrach prison at the end of the year, awaiting trial on a charge of being an "apologist" for terrorism-related activities.
- Mustapha Labsi was detained for 12 days by the DRS after he was forcibly returned to Algeria from Slovakia on 19 April. He was then transferred to El Harrach prison. At the end of 2010, he was awaiting trial on charges of belonging to a "terrorist group abroad".
- In April, security suspects held in El Harrach prison went on hunger strike to protest against alleged ill-treatment by guards who, they said, had insulted, slapped and humiliated them. No official investigation into their allegations was held.

Suspects in terrorism-related cases faced unfair trials. Some were convicted on the basis of "confessions" that they alleged were extracted under torture or other duress, including some who were sentenced to death by military courts. Some were denied access to lawyers of their choice. Other security suspects were detained without trial.

- The trial of Malik Medjnoun and Abdelhakim Chenoui had not resumed by the end of 2010. Accused of murdering famous Kabyle singer Lounès Matoub, and of terrorism-related offences, they have spent over 10 years in detention without trial. Both were tortured during prolonged incommunicado detention following their arrest in 1999.
- Hasan Zumiri and Adil Hadi Bin Hamlili were transferred to Algeria from US custody in Guantánamo Bay in January; Abdelaziz Naji was transferred in July. All three remained at liberty while investigations continued to determine whether they would face charges of belonging to a "terrorist group abroad". Two former Guantánamo detainees, Mustafa Ahmed Hamlily and Abdul Rahman Houari, were acquitted of similar charges in February and November, respectively. Another former Guantánamo detainee, Bachir Ghalaab, was sentenced to a suspended prison term.

Discrimination and violence against women

In November, the UN Special Rapporteur on violence against women visited Algeria. Despite efforts to implement a national strategy to combat violence against women, the authorities had yet to criminalize domestic violence, including marital rape, and individuals responsible for gender-based violence were not brought to justice.

- In March and April, a series of attacks targeting women living alone took place in the "36 dwellings" and "40 dwellings" areas in the town of Hassi Messaoud. Groups of men forcibly entered the women's homes, and robbed and physically assaulted them. Some women were also sexually abused. Complaints led to tighter security around the targeted areas, but did not result in prosecutions of alleged perpetrators.

Impunity – enforced disappearances

No steps were taken to investigate the thousands of enforced disappearances and other serious

abuses that took place during the internal conflict in the 1990s. The authorities continued to implement the Charter for Peace and National Reconciliation (Law 06-01), which gave impunity to the security forces, criminalized public criticism of their conduct and amnestied members of armed groups responsible for gross human rights abuses. In October, a senior official claimed that 7,500 "repented terrorists" had been granted amnesties since 2005. He also said that 6,240 families of people who had disappeared had accepted financial compensation, and that only 12 families "manipulated by NGOs and foreign bodies" were refusing compensation. Under Law 06-01, relatives can seek compensation if they obtain a death certificate from the authorities for the person who disappeared.

Families of the disappeared continued to hold protests in several cities, including Algiers, Constantine and Jijel. The head of the CNCPDPH declared in August that demands by families for truth and justice were unrealistic due to the absence of testimonies and the impossibility of identifying perpetrators.

In July, the UN Human Rights Committee said that the authorities should investigate the disappearance of Douia Benaziza, who was arrested by security forces in June 1996, and provide her family with an adequate remedy. The Committee found that the authorities had breached her right to liberty and security of person, and her right not to be tortured or ill-treated.

Freedom of religion

Amid a continuing crackdown on Protestant churches, Christians, including converts, faced judicial proceedings for "practising religious rites without authorization" under Ordinance 06-03 regulating religious faiths other than Islam. The Constitution guarantees freedom of religion but makes Islam the state religion.

- A Protestant church in Tizi Ouzou was pillaged in January; the authorities failed to investigate.
- In August, the trial began in the town of Al-Arba'a Nath Irathen of Mahmoud Yahou, who had established a Protestant church earlier in the year in Tizi Ouzou province, and three other converts to Christianity. They were accused of breaching Ordinance 06-03. The church was not registered apparently as a result of the authorities' refusal to establish any new Protestant churches. In December, the four men were sentenced to suspended prison terms and fined.

Individuals were prosecuted for breaking fast during the holy month of Ramadan under Article 144 bis 2 of the Penal Code. Courts were not consistent in their sentencing, in some cases dropping the charge and in others imposing prison terms and fines.

- On 5 October, a court in Ain El-Hammam cleared two Christian converts, Hocine Hocini and Salem Fellak, of all charges. They were prosecuted for eating during daylight hours in Ramadan.

Death penalty

Algeria co-sponsored the UN General Assembly resolution calling for a moratorium on the death penalty, and maintained a de facto moratorium on executions that has been in force since 1993. Nonetheless, more than 130 people were sentenced to death, many in their absence, mostly for terrorism-related offences.

Migrants' rights

Thousands of Algerians and sub-Saharan Africans continued to attempt to migrate to Europe from Algeria, undeterred by amendments to the Penal Code introduced in 2009 that criminalized "irregular exit" from Algeria. Some perished in the desert or at sea; some were intercepted by border control authorities.

According to police statistics, 34 foreign nationals were expelled while 5,232 were deported from Algeria between January and June. Law 08-11, which regulates the entry, stay and movement of foreigners in Algeria, allows provincial governors to order deportations of individuals who have entered or remain in Algerian territory "illegally", without guaranteeing their right to appeal.

In May, the UN Committee on Migrant Workers expressed concern that Algerian legislation allows for the indefinite detention of irregular migrants and that the authorities had failed to investigate reports of collective expulsions.

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