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Algeria: Actors of protection

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Executive summary

The Constitution of Algeria and other legislation protect fundamental human rights and penalise criminal activity.

Whilst there have been incidents of arbitrary arrest and detention, mistreatment, and use of excessive force by authorities, law enforcement agencies and the military are generally effective in maintaining security, combating crime and providing protection to citizens.

Judicial independence is constitutionally guaranteed but is often undermined by executive influence, particularly in cases involving activists and opposition figures.

In general, Algeria takes reasonable steps to prevent the persecution by operating an effective legal system for the detection, prosecution and punishment of acts constituting persecution and a person is generally able to access the protection.

As such, the state is both willing and able to offer sufficient protection to persons fearing non-state, including 'rogue' state actors. The onus is on the person to demonstrate otherwise.

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Assessment

Section updated: 27 January 2025

About the assessment

This section considers the evidence relevant to this note – that is the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- the state (or quasi state bodies) can provide effective protection.

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case's specific facts.

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1. Material facts, credibility, and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 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](#)).
- 1.1.3 Decision makers must also consider making an international biometric data-sharing check (see [Biometric data-sharing process \(Migration 5 biometric data-sharing process\)](#)).
- 1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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Official – sensitive: Not for disclosure – End of section

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Protection

- 2.1.1 In general, Algeria takes reasonable steps to prevent the persecution by operating an effective legal system for the detection, prosecution and punishment of acts constituting persecution and a person is generally able to access the protection.
- 2.1.2 As such, the state is both willing and able to offer sufficient protection to persons fearing non-state, including ‘rogue’ state actors. The onus is on the person to demonstrate otherwise.
- 2.1.3 The Constitution of Algeria states that all citizens are equal before the law and provides for the protection of people’s lives and property without any basis for discrimination. It prohibits the abuse of authority, torture and arbitrary arrest and guarantees a fair trial and legal aid for those who need it. Some sources state concerns on the extent that rights are respected in practice, particularly in cases of spousal rape and domestic abuse. Whilst mechanisms exist for citizens to seek redress for violations of their rights, sources state concerns on the extent this is respected in practice (see [Legal framework](#)).
- 2.1.4 Law enforcement is conducted by the national police force and the National Gendarmerie. The national police, with around 200,000 personnel, operate in urban areas and report to the Ministry of Interior. The National Gendarmerie, consisting of about 130,000 personnel, operate in rural areas under the Ministry of National Defence. Both agencies share responsibility to maintain law and order (see [Police and National Gendarmerie](#)).
- 2.1.5 The Algerian People’s National Army (ANP) is a well-equipped and well-funded military. It is responsible for external defence but also has some internal security responsibilities. Mandatory national service for men is required between the ages of 19 and 30, with all Algerian men required to register at the age of 17 (see [Armed forces](#)).
- 2.1.6 Algeria's law enforcement and military are effective in combating organised crime and terrorism, with severe penalties for drug and human trafficking. In 2023, over 376,000 criminal cases were recorded, including a sharp rise in drug-related arrests from the previous year. Urban areas such as Algiers benefit from extensive security measures, but rural border regions remain vulnerable due to remoteness and pockets of weak state authority. Sources

state that the authorities generally enforced the law regarding rape, domestic abuse/violence, discrimination and hate speech, with the Ministry of Justice reporting that domestic violence prosecutions increased by 35% between 2022 and 2023 (see [Effectiveness](#)).

- 2.1.7 The Constitution prohibits arbitrary arrest and detention. However, some sources indicate that such practices still occur, though most do not specify the scale or extent. These practices are reportedly facilitated by vague legal provisions used to target individuals perceived as critical of the government or as threats to public order. In 2023, NGOs categorised approximately 250 arbitrarily detained people as political prisoners, including journalists, activists, and protesters, noting however, that accurate numbers were difficult to verify. Pressure by the authorities on NGOs and human rights attorneys also make it difficult to collect information. CPIT was unable to determine what percentage of all detentions were arbitrary as the prison population figure for 2023 could not be found in the sources consulted (see [Arbitrary arrest and detention](#)).
- 2.1.8 The Constitution does not address police use of force and there are no specific laws regulating the use of firearms by law enforcement agencies, though police are bound by a code of ethics introduced in 2017. Sources have reported instances where authorities occasionally used excessive force, particularly during arrest and detention, and un-investigated allegations of torture. However, only a limited number of examples could be found in the sources consulted (see [Constitution](#), [Extra-judicial killings](#) and [Torture and ill-treatment in detention](#)).
- 2.1.9 As of September 2021 (the latest data available at the time of writing), Algeria's prison system had an official capacity of 79,620 but held 94,749 inmates, resulting in an occupancy level of 119%. Sources state that prison conditions are often harsh, with reports of physical abuse, inadequate medical care, and poor sanitation, though in 2023 the Ministry of Justice reported that improvements have been made, including new facilities, medical upgrades, and staff training (see [Prison conditions](#)).
- 2.1.10 While the Constitution guarantees judicial independence, sources state that in practice, the executive branch holds considerable influence over the judiciary, particularly in cases involving protesters and opposition figures. The Constitution guarantees the right to a fair trial. Whilst reporting is limited, some sources indicate that this is not always upheld. Most trials are public, except for sensitive cases, and defendants can appeal existing verdicts through one of 48 courts of appeal (see [Independence](#) and [Fair trial and right of appeal](#)).
- 2.1.11 The law provided criminal penalties for corruption by officials. Sources state that there have been incidents of judicial and government corruption, some of which have been prosecuted in the courts. Whilst reportage on the effectiveness of anti-corruption policies is limited, available information supports that the state has made attempts to combat corruption and reform the justice system (see [Reform](#) and [Corruption and impunity](#)).
- 2.1.12 Moreover, in line with [Horvath v. Secretary of State For The Home Department \[2000\] UKHL 37 \(6 July 2000\)](#), 'corruption, sympathy or

weakness of some individuals in the system of justice does not mean that the state is unwilling to afford protection’.

- 2.1.13 The National Human Rights Council (CNDH) and the General Directorate of National Security (DGSN) investigate human rights abuses and allegations of mistreatment by authorities. Human rights organisations have raised concerns about limited accountability, lack of legal protection for whistleblowers and a failure to cooperate with UN recommendations on tackling corruption and impunity. However, in 2023, the government reported several prosecutions of officials for abuse and misconduct, over 160 investigations into mistreatment, and expanded human rights training for police officers (see [Avenues of redress and complaint mechanisms](#)).
- 2.1.14 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) [Assessing Credibility and Refugee Status](#)

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Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated, and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person, or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **25 September 2024**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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3. Legal framework

3.1 Constitution

- 3.1.1 The Constitution of Algeria states that all citizens are equal before the law and shall be guaranteed to the right to equal protection with no pretext for discrimination on the basis of birth, race, gender, opinion, or any other personal or social condition or situation (Article 37). It additionally provides protection for people's lives (Article 28, 38) and property (Article 28, 60)¹.
- 3.1.2 The Constitution also prohibits abuse of authority (Article 25), torture (Article 39) and arbitrary arrest (Article 44) and guarantees the right to a fair trial (Article 41) and legal aid for those who need it (Article 42). The Constitution additionally states that detention pending a criminal investigation shall be subject to judicial control and shall not exceed 48 hours and any person remanded in custody has the right to get in touch with their family immediately (Article 45). The Constitution also provides the right to compensation for arbitrary detention or miscarriage of justice (Article 46)².
- 3.1.3 In an Algeria country profile updated on 13 July 2022, The Law on Police Use of Force, a policing law website containing academic reviews of national regimes governing use of force by law enforcement officials³, stated:
- 'The Constitution does not regulate the use of force by the police or other law enforcement agencies.
- 'A code of ethics for the police was adopted by decree in 2017. The code stipulates that the police may only use force where necessary and in accordance with the law. It further states that firearms may only be used where absolutely necessary or in executing tasks mandated by a higher State authority and in accordance with the law. There appears to be no

¹ The Constitution Project, '[Algeria 2020](#)', 1 November 2020

² The Constitution Project, '[Algeria 2020](#)', 1 November 2020

³ The Law on Police Use of Force, '[About](#)', updated March 2024

specific legislative regulation of the use of firearms by law enforcement agencies.⁴

3.1.4 Bertelsmann Stiftung (BTI) in their annual Algeria country report (the BTI 2024 report), published 19 March 2024 stated: ‘Civil rights are guaranteed and protected by the constitution and international human rights agreements to which Algeria is a party. These rights include the right to life, liberty, and security; freedom of expression, association, and assembly; and the right to a fair trial and protection against discrimination. However, ongoing concerns exist regarding the extent to which these rights are respected in practice and the ability of citizens to seek redress for violations of their rights.’⁵

3.1.5 The International Centre for Not-for-profit Law (ICNL), an organisation that ‘works to improve the legal environment for civil society, philanthropy, and public participation around the world’⁶, on their Algeria profile, updated 5 September 2024, stated:

‘On November 1, 2020, Constitutional changes were passed after a popular referendum with a record low voter turnout was held. The revised Constitution limits the role of the army to “the consolidating and developing of the Nation’s defensive capabilities; preserving national independence and defending national sovereignty; and protecting the unity of the country and the integrity of its territory” (Article 30). However, it does not prohibit the armed forces from intervening in the political or economic affairs of the country. It additionally does not provide for civilian oversight of the armed forces, though under the adopted constitution, the president remains the Supreme Commander of the Armed Forces and in charge of national defense.

‘... Under article 39 of the amended Constitution, torture or cruel, inhuman, or degrading treatment is punishable by law, but cruel, inhuman, or degrading punishment is neither prohibited nor criminalized. Article 44, moreover, maintains that no person shall be arrested, detained or prosecuted for reasons other those provided by the law and mandates that persons must be provided with the reason behind their arrest. It also holds that acts of arbitrary detention be punished and that pre-trial detention only be used as an exceptional measure. Although the Constitution holds that acts of arbitrary detention be punished and that pre-trial detention only be used as an exceptional measure, it falls short of guaranteeing the right of everyone “to liberty and the security of person.”’⁷

3.1.6 CPIT was unable to find a full version of the amended Constitution in the sources consulted (see [Bibliography](#)).

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3.2 Penal Code

3.2.1 Considering punishments for crimes against people, the United States Department of State (USSD) Trafficking in Persons report 2023 (USSD TiP

⁴ The Law on Police Use of Force, ‘[Algeria](#)’, updated July 2022

⁵ BTI, ‘[Algeria Country Report 2024](#)’, (Rule of Law), 19 March 2024

⁶ ICNL, ‘[About us](#)’, no date

⁷ ICNL, ‘[Algeria](#)’, (Legal Snapshot), updated 5 September 2024

2023) stated (repeated from previous reports) that ‘Algeria criminalized most forms of sex trafficking and all forms of labor trafficking under Section 5 of its penal code and prescribed penalties of three to 10 years’ imprisonment and fines of 300,000 to 1 million Algerian dinar [£1726- £5756 GBP⁸].⁹

- 3.2.2 Specifically considering penalties for the crimes of rape, other sex crimes, domestic violence and discrimination and hate speech, the USSD Human Rights Practices report on Algeria, covering events in 2023 (USSD HRP 2023 report), stated (repeated from previous reports):

‘The law criminalized rape but did not explicitly address spousal rape. Prison sentences for rape ranged from five to 10 years... The penal code allowed an adult accused of “corruption of a minor” to avoid prosecution if the accused subsequently married their victim and if the crime did not involve violence, threats, or fraud. The law stipulated sentences of one year to life imprisonment for “anyone who voluntarily causes injury or blows to their spouse.” It also provided penalties for verbal and psychological violence, sexual assault, harassment, and indecent assault.

‘... The law prescribed sentences of up to 20 years’ imprisonment for those convicted of domestic abuse, depending on the severity of injuries. If domestic violence resulted in death, a judge could impose a life sentence. The accused could receive a reduced sentence or avoid punishment altogether if pardoned by a spouse. The law also required six months to two years’ incarceration for men who withheld property or financial resources from their spouses.

‘... The law criminalized discrimination and hate speech, and the constitution prohibited discrimination based on place of birth, race, sex, opinion, or any other personal condition or circumstance.’¹⁰

- 3.2.3 For information on enforcement of these laws, see [Effectiveness](#). For more information on the Penal Code see the Legal Snapshot section of the [ICNL Algeria profile](#). CPIT was unable to find an English version of the Algerian Penal Code in the sources consulted (see [Bibliography](#)).

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3.3 Criminal procedure

- 3.3.1 The USSD HRP 2023 stated (repeated from previous reports):

‘The law stated police had to obtain a summons from the prosecutor’s office to require a suspect to appear in a police station and could hold a suspect for no more than 48 hours. Police could make arrests without a warrant if they witnessed the offense. Lawyers reported that authorities usually, but not always, followed procedures for warrants and summonses properly.

‘If authorities needed more than 48 hours to gather additional evidence, they could extend a suspect’s time in police detention with the prosecutor’s authorization up to 12 days for minor crimes and up to 60 days for serious offenses. The law stipulated detainees should immediately be able to contact

⁸ XE, ‘[DZD to GBP](#)’, as of 11 September 2024

⁹ USSD, ‘[2023 Trafficking in Persons Report](#)’, (Prosecution), 15 June 2023

¹⁰ USSD, ‘[Country Report for 2023](#)’, (Section 6), 23 April 2024

a family member, receive a visit, or contact an attorney.

'The law provided detainees the right to see an attorney for 30 minutes if authorities extended the time in detention beyond the initial 48-hour period. In these cases, authorities permitted the arrested person to contact a lawyer after one-half of the extended time had expired. Prosecutors could apply to a judge to extend the period before arrested individuals could have access to an attorney. At the end of the detention, the detainee had the right to request a medical examination by a physician of their choice within the jurisdiction of the court. Otherwise, the judicial police appointed a doctor. Authorities entered the medical certificate into the detainee's file.

'In nonfelony cases and in cases of individuals held on felony charges that exceeded any authorized extension, the law called for the release of suspects on provisional liberty, referred to as "judicial control," or release on own recognizance while awaiting trial. Under provisional liberty status, authorities required suspects to report periodically to their district police station, stop professional activities related to the alleged offense committed, surrender all travel documents, and, in some terrorism-related cases, remain under house arrest. The law provided that foreigners could be required to furnish bail as a condition of release on provisional liberty status, while citizens could be released on provisional liberty without posting bail.'¹¹

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3.4 Death penalty

- 3.4.1 On 28 May 2024, the European External Action Service (EEAS), the European Union's diplomatic service¹², published their annual report on human rights and democracy across the world, covering events in 2023. The report stated that: 'Algeria has been observing an undeclared moratorium on the application of the death penalty since 1993. No executions took place in 2023.'¹³

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3.5 International covenants

- 3.5.1 The UN Human Rights Office of the High Commissioner (OHCHR) Status of Ratification Interactive Dashboard noted that Algeria has signed and ratified eight human rights treaties and 3 additional protocols, including the:
- International Convention on the Elimination of All Forms of Racial Discrimination
 - International Covenant on Civil and Political Rights
 - International Covenant on Economic, Social and Cultural Rights
 - International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.
 - Convention on the Elimination of All Forms of Discrimination Against

¹¹ USSD, '[Country Report for 2023](#)', (Section 1D), 23 April 2024

¹² EEAS, '[About Us](#)', no date

¹³ EEAS, '[2023 Human Rights and Democracy in the World ...](#)', (Page 36-37), 29 May 2024

Women

- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of Persons with Disabilities
- Convention on the Rights of the Child, including its optional protocols which restricts the involvement of children in armed conflict and the prohibition of the sale of children, child prostitution and child pornography¹⁴

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4. Security apparatus

4.1 Police and National Gendarmerie

- 4.1.1 The Algeria country profile published by The Law on Police Use of Force, stated: 'Law enforcement in Algeria is conducted by the Gendarmerie Nationale, under the Ministry of National Defence, and the national police force (Sûreté Nationale), under the Ministry of Interior.'¹⁵
- 4.1.2 The US Overseas Security Advisory Council (OSAC), a public-private partnership between the U.S. Department of State's Diplomatic Security Service and security professionals from U.S. organizations operating abroad¹⁶, in their Country Security report for 2024 (the OSAC report), published 25 June 2024, stated that: 'The 130,000-member National Gendarmerie, which performs police functions outside urban areas under the auspices of the Ministry of National Defense, and the 200,000-member General Directorate of National Security or national police, under the Ministry of Interior, share responsibility for maintaining law and order.'¹⁷
- 4.1.3 According to the OSAC figures above and an estimated population of 47,022,473 in 2024¹⁸, there are 27 Gendarmes and 42 national police officers per 10,000 people in Algeria. For comparison, according to an October 2024 Police Service Strength report published by the House of Commons Library, there are 24 police officers per 10,000 people in England and Wales¹⁹.
- 4.1.4 The USSD TiP 2023 stated that the 'DGSN [Directorate General for National Security] maintained seven police brigades to combat human trafficking and illegal immigration; five additional brigades supported the seven specialized brigades as necessary. The Gendarmerie maintained 50 special brigades dedicated to managing children's issues, including child trafficking.'²⁰
- 4.1.5 The Algerian Ministry of National Defence, on their undated webpage for the National Gendarmerie, stated the following regarding the different branches of the organisation:

¹⁴ OHCHR, '[Status of Ratification Interactive dashboard](#)', no date

¹⁵ The Law on Police Use of Force, '[Algeria](#)', updated July 2022

¹⁶ OSAC, '[About us](#)', no date

¹⁷ OSAC, '[Country Security Report - Algeria 2024](#)', updated 25 June 2024

¹⁸ CIA, '[World Factbook 2024](#)', (People), updated 27 August 2024

¹⁹ House of Commons Library, '[Police Service Strength](#)', (Page 10), 22 October 2024

²⁰ USSD, '[2023 Trafficking in Persons Report](#)', 15 June 2023

‘Judicial police: The National Gendarmerie fights against criminality and organised crime... this institution employs [sic] scientific investigation means and forensics expertise, according to provisions of acts and laws enforcement, notably the code of criminal proceedings.

‘Administrative police: The National Gendarmerie ensures the maintaining of public order and peace by preventive working through general and continuous monitoring... It assures the public safety by the protection of individuals and goods and guarantees [sic] the free circulation on highways. It ensures also the implementation of laws and rules governing the general and special polices.

‘Military police: The National Gendarmerie exercises both the judicial military police in pursuance [sic] of provisions of military justice code and the general military police according to the rules in governing the service into National Popular Army.’²¹

4.1.6 The website also lists the following specialised units which are part of the National Gendarmerie. See the relevant webpage for information on each of the units:

- [The National Institute of Forensic Science and Criminology](#)
- [Borders Guard Units](#)
- [Special Detachment of Intervention](#)
- [Maintaining Order Units](#)
- [Security and Investigation Brigades](#)
- [Information and Coordination Road Center](#)
- [Research and Development Center](#)
- [Air Formations](#)
- [Brigades of Protection of Minors](#)
- [Cultural Heritage Protection Unit](#)
- [Brigades of Environmental Protection](#)
- [Railway brigades](#)

4.1.7 The National Society for the History and Heritage of the Gendarmerie, a French historical society documenting the histories of the Gendarmerie around the world²², in a report entitled ‘Algerian National Gendarmerie’, updated in 2023, stated that:

‘As an integral part of the National Popular Army (NPA), the Algerian National Gendarmerie is placed under the authority of the Minister of National Defense. It is commanded by a general officer, "Commander of the National Gendarmerie", appointed by presidential decree.

‘... At the central level, the command of the Algerian National Gendarmerie is located in Chéraga, in the western suburb of Algiers.

²¹ Ministry of National Defence, ‘[National Gendarmerie- Organization and missions](#)’, no date

²² National Society for the History and Heritage of the Gendarmerie, ‘[About](#)’, no date

'At the regional level, 6 regional commands correspond to the 6 military regions. At the local level, there are:

- 48 territorial groups placed at the wilaya (department) level;
- 210 territorial companies placed at the level of the daïra (district);
- 1233 territorial brigades placed at the commune level.'²³

4.1.8 The source also stated:

'The Algerian National Gendarmerie has 120,000 men and women. It is made up of 3 corps: officers (5%), non-commissioned officers (54%) and auxiliary gendarmes (40%). The rest of the workforce is made up of civilians and conscripts. The institution has been feminized since 2004.

- Officers are trained over 3 years.
- Non-commissioned officers are trained over 2 years.
- Auxiliary gendarmes are recruited to serve for a maximum of 20 years.

'Four schools:

- National Gendarmerie School of Higher education of Issers [sic] for officers;
- Sidi-Bel-Abbès, Sétif and M'Daourouche schools for non-commissioned officers;
- 6 training centres (4 training centres for auxiliary gendarmes, a motorcycle training centre and a dog training centre in Bainem, on the suburb of Algiers).'²⁴

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4.2 Armed forces

4.2.1 The CIA World Factbook stated that the Algerian People's National Army (ANP) consists of: Land Forces (approximately 100,000 personnel), Naval Forces (approximately 10,000 personnel), Air Forces and Territorial Air Defence Forces (approximately 15,000 personnel) and the Republican Guard (under the ANP but responsible to the President; approximately 1,000 personnel)²⁵. This amounts to 53 military personnel per 10,000 people based on an estimated population of 47,022,473 in 2024²⁶. The United Kingdom has approximately 21 regularly serving military personnel per 10,000 of the population according to the CIA World Factbook²⁷.

4.2.2 The CIA World Factbook noted that Algeria's military expenditure was estimated to be 9% of its gross domestic product (GDP) in 2023²⁸ and

²³ National Society for the History and Heritage of the Gendarmerie, '[Algerian ...](#)', (Page 2), 2023

²⁴ National Society for the History and Heritage of the Gendarmerie, '[Algerian ...](#)', (Page 4), 2023

²⁵ CIA, '[World Factbook 2024](#)', (Military and Security), updated 27 August 2024

²⁶ CIA, '[World Factbook 2024](#)', (People), updated 27 August 2024

²⁷ CIA, '[World Factbook 2024 - UK](#)', (People, Military and Security), updated 25 November 2024

²⁸ CIA, '[World Factbook 2024](#)', (Military and Security), updated 27 August 2024

additionally stated:

'[T]he ANP is one of the better-equipped militaries in North Africa; over the past decade, it has made large investments in more modern equipment, including armored vehicles, air defense systems, fighter aircraft, unmanned aerial vehicles, and warships, largely from Russia, its traditional supplier, but also China and Western European suppliers...

'[T]he ANP is responsible for external defense but also has some internal security responsibilities; key areas of concern include border and maritime security, terrorism, regional instability, and tensions with Morocco... border security and counterterrorism have received additional focus since the Arab Spring events of 2011 and the rise of terrorist threats emanating from Libya and the Sahel.

'18 is the legal minimum age for voluntary military service for men and women; 19-30 years of age for mandatory national service for men (all Algerian men must register at age 17); service obligation reduced from 18 to 12 months in 2014... conscripts comprise an estimated 70% of the military.'²⁹

4.2.3 In a Country Commercial Guide (a report on market conditions, opportunities, regulations, and business customs prepared by US Embassies worldwide³⁰) for Algeria, published 31 January 2023, the US International Trade Administration stated: 'With a 2022 defense budget of roughly \$10 billion, Algeria is Africa's most prominent defense market and the world's sixth-largest arms importer... The industry is expected to grow to \$11.9 billion by 2023, with expenditures reaching \$12.1 billion by 2025.'³¹

4.2.4 The BTI 2024 report stated:

'Under [former President Abdelaziz³²] Bouteflika's rule (1999 – 2019), power was informally shared among the army, presidency, and secret services. His removal in 2019 led to increased military involvement in governance. The subsequent election of Abdelmadjid Tebboune, believed to be the army's choice, reduced the military's public role, but power distribution remains opaque. While the separation of powers, limited presidential terms and the independence of the judiciary were key demands of the opposition, the November 2020 constitution reinforced the prerogatives of the president, while formally giving the army the possibility to intervene in politics.'³³

4.2.5 In April 2024, Freedom House published its 'Freedom in the World 2024 - Algeria' (the FH FW 2024) report, covering events in 2023, which stated:

'The military retains its long-standing influence over civilian politics. Its vast resources and lack of public accountability have helped shape its role as the most powerful political actor in Algeria.

'... The military has historically served as the ultimate arbiter of policy disputes in Algeria, and elected leaders have relied on its support to

²⁹ CIA, '[World Factbook 2024](#)', (Military and Security), updated 27 August 2024

³⁰ US International Trade Administration, '[Country Commercial Guides](#)', no date

³¹ US International Trade Administration, '[Algeria - Country Commercial guide](#)', 31 January 2023

³² Britannica, '[Abdelaziz Bouteflika](#)', updated 11 September 2024

³³ BTI, '[Algeria Country Report 2024](#)', (Rule of Law), 19 March 2024

maintain office. The loss of military backing played a significant role in Bouteflika's resignation in 2019. The army chief of staff continues to wield considerable influence over the administration of President Tebboune.³⁴

- 4.2.6 The OSAC report stated that 'Civilian authorities generally maintained effective control over the security forces.'³⁵
- 4.2.7 For more information on Algeria's armed forces see Global Firepower's [Algerian Military profile](#).

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4.3 Effectiveness

- 4.3.1 The ENACT (Enhancing Africa's ability to Counter Transnational Crime) project, funded by the European Union, and implemented by the Institute for Security Studies, Interpol and the Global Initiative Against Transnational Organized Crime³⁶, aims to 'to analyse the scale of organized crime across the entire African continent and its impact on security, governance and development.'³⁷ In November 2023, ENACT published an Algeria country profile based on the ENACT Africa Organised Crime Index, a 'multi-dimensional tool that measures both the level of countries' criminality and their resilience to organised crime'³⁸, which stated:

'Algeria is known for its strong law enforcement and military leadership in the fight against transnational organized crime. The country is considered the main security power in the region, with a reputation as a stabilizing force. The security apparatus links the fight against organized crime with terrorism, resulting in a tough on-the-ground approach against criminal networks... Strong anti-organized crime laws are in place, with severe penalties for crimes such as drugs, human trafficking, arms smuggling, and other offences.

'... Algeria has a robust law enforcement capacity to combat organized crime on the ground, with well-trained and well-equipped personnel. However, the tough-on-crime policy can lead to operational excesses, and cooperation between forces can be problematic. While the country has deployed impressive law enforcement measures along its vast borders, many breaches exist, and it is unlikely that the army can achieve complete control over such a vast territory in a fragile environment. There are micro-zones where the state is weak, and although it can project authority at times, it struggles to assert it continuously. These zones are known to harbour terrorist groups.'³⁹

- 4.3.2 The same source additionally stated:

'Algeria's capacity to support victims and witnesses is inadequate... Efforts to combat human trafficking have improved compared to previous years, including increased investigations and prosecutions. However, victim

³⁴ FH, '[Freedom in the World 2024 - Algeria](#)', (Section B3, C1), 24 April 2024

³⁵ OSAC, '[Country Security Report- Algeria 2024](#)', 25 June 2024

³⁶ Global Initiative Against Transnational Organized Crime, '[ENACT](#)', no date

³⁷ Interpol, '[Project ENACT](#)', no date

³⁸ ENACT, '[Africa – Organised Crime Index](#)', no date

³⁹ ENACT, '[Organised Crime Index - Algeria 2023](#)', (Section 8,9), 24 November 2023

identification systems remain insufficient and victim protection services are inadequate. The government claims to have provided an unspecified number of victims with medical, legal, and psychological aid, but it has failed to supply tailored shelter or protection services.

'Prevention activities in Algeria fall below global standards. Organized crime prevention efforts focus on drug consumption and human trafficking, and a new national anti-trafficking action plan is being drafted. However, many activities related to the previous national anti-trafficking action plan were postponed following COVID-19 restrictions and prolonged political paralysis.'⁴⁰

4.3.3 The USSD HRP 2023 stated that although rape is rarely reported due to cultural norms, the authorities 'generally enforced the law' regarding rape, domestic abuse and violence, discrimination and hate speech⁴¹. It additionally stated that 'The Ministry of Justice reported a 35 percent increase in domestic violence prosecutions over the previous year [2022] for a total of 8,075.'⁴²

4.3.4 The OSAC report stated:

'Algiers and many of the larger coastal cities are safer due to the significant deployment of security forces. In addition to police personnel, Algiers province employs an extensive camera network for monitoring general safety and combating crime. Algeria uses video surveillance in at least seven major cities and expects to expand the program.

'... In mid-2020, the government increased penalties for gang activity to include heavier sentencing. This was in response to increases in neighborhood gang violence, armed robberies, drug trafficking, and other activities that posed threats to civilians.

'... The Global Organized Crime Index is a tool designed to measure levels of organized crime in a given country and assess its resilience to organized criminal activity. The most recent index ranks Algeria 104 out of 193 worldwide for criminality, with 1 being the worst possible ranking.

'...The areas along Algeria's borders, especially along the east and south, have the most concentrated risk of kidnapping due to the areas' remoteness and porous borders.

'...Terrorist groups remain active throughout Algeria, though Algerian military operations over the past several years have been very successful in countering terrorist activity.'⁴³

4.3.5 The same source additionally stated:

'The National Police (DGSN) reported that 376,417 criminal cases were recorded in 2023, including 291,249 treated cases, involving 363,856 individuals, which shows a more than 15% increase in the number of criminal cases in 2023 compared to 2022... Additionally, the number of individuals arrested [for drug offences] has witnessed a noticeable increase,

⁴⁰ ENACT, '[Organised Crime Index - Algeria 2023](#)', (Section 10), 24 November 2023

⁴¹ USSD, '[Country Report for 2023](#)', (Section 6), 23 April 2024

⁴² USSD, '[Country Report for 2023](#)', (Section 6), 23 April 2024

⁴³ OSAC, '[Country Security Report - Algeria 2024](#)', 25 June 2024

rising from 107,968 in 2022 to 146,309 in 2023, representing an increase of over 38,000 arrests for drug trafficking within a single year.

‘... Government sources reported 10 terrorists arrested, and 19 surrendered in 2023, with another 37 hideouts destroyed in 2023, almost double the statistics reported in 2022... An additional 417 terrorist supporters were arrested in 2023 against 372 in 2022.’⁴⁴

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5. Human rights violations

5.1 Arbitrary arrest and detention

5.1.1 The USSD HRP 2023 stated:

‘The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government did not consistently observe these requirements. A detainee also had the right to appeal a court’s pretrial detention order and, if released, seek compensation from the government. Nonetheless, the overuse of pretrial detention remained a problem during the year.

‘... Although the law prohibited arbitrary arrest and detention, authorities used vaguely worded provisions criminalizing “inciting an unarmed gathering,” “harming national unity,” “publishing fake news,” or “insulting a government body” to arrest and detain individuals they considered to be disturbing public order or criticizing the government. Amnesty International, Human Rights Watch, and other prominent human rights organizations criticized laws prohibiting unauthorized gatherings and criminalizing actions that “harm national unity” as significant sources of arbitrary arrests intended to suppress political activism. Police arrested protesters throughout the year for violating the law against unregistered public gatherings.

‘... Prolonged pretrial detention remained a problem. The length of pretrial detention frequently equaled or exceeded the maximum sentence for the alleged crime.

‘According to Ministry of Justice figures, 14.7 percent of the prison population was in pretrial detention [CPIT could not find the original source of this information and therefore was unable to calculate in absolute numbers how many people were in pretrial detention during 2023], and the average duration of pretrial detention was four months.

‘The law limited the grounds for pretrial detention and required judges to assess the gravity of a crime and whether the accused was a threat to society or a flight risk before imposing pretrial detention, and limited the grounds on which it could be imposed. Judges rarely refused prosecutorial requests to impose or extend pretrial detention. Amnesty International alleged that authorities sometimes detained individuals on security-related charges for longer than the 12-day prescribed period and that many of those arrested for peacefully protesting or exercising their right to freedom of expression were held in pretrial detention without scheduled trials or granted

⁴⁴ OSAC, [‘Country Security Report- Algeria 2024’](#), 25 June 2024

bail.’⁴⁵

5.1.2 The same source additionally stated:

‘... NGOs categorized approximately 250 arbitrarily detained individuals as political prisoners. This was similar to prior years, although some new individuals were detained and others were released, making it difficult to verify the total number of prisoners. In addition, human rights activists reported NGOs and human rights attorneys faced increasing pressure from authorities, which affected their ability to collect information. These included journalists, activists, lawyers, opposition figures, and hirak protesters. International human rights organizations and local civil society groups repeatedly called on the government to release all political prisoners.’⁴⁶

5.1.3 The FH FW report 2024 stated (repeated from previous reports) that ‘Security forces frequently conduct warrantless searches and engage in arbitrary arrests and short-term detentions.’⁴⁷ The source however does not indicate what it means by “frequently” nor provide details on individual incidents nor the scale or extent of the issue.

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5.2 Enforced disappearances.

5.2.1 The USSD HRP 2023 stated:

‘There were few reports of disappearances by or on behalf of government authorities.

‘Human rights activists on social media reported that on September 13 [2023], plainclothes police officers detained Abdel Salam Salim Bounatiro at his family home in Bejaia. Bounatiro was known for his participation in the hirak (movement) that caused President Bouteflika to resign in 2019. Bounatiro’s family first learned of his whereabouts on September 19, when he appeared before a judge in a court in Bejaia. The government requested a one-year prison sentence, though he was acquitted on October 4 [2023].’⁴⁸

5.2.2 In February 2023, Alkarama, a Geneva-based non-governmental human rights organisation⁴⁹, published a submission to the UN Special Rapporteur on the promotion and protection of human rights while countering terrorism which stated:

‘Practically all persons arrested for expressing dissenting opinions, considered “subversive” in the context of the Hirak, are detained under Articles 51 and 51bis of the CPC [Criminal Procedure Code]. These allow the legal police custody period of 48 hours to be extended five times – for a total of 12 days – without guaranteeing habeas corpus rights. Access to a lawyer is only granted after the 12-day period and only sporadically. This has led to a multiplication of “short-term” enforced disappearances and incommunicado detentions of peaceful opponents, exposing them to torture

⁴⁵ USSD, ‘[Country Report for 2023](#)’, (Section 1D), 23 April 2024

⁴⁶ USSD, ‘[Country Report for 2023](#)’, (Section 1E), 23 April 2024

⁴⁷ FH, ‘[Freedom in the World 2024 - Algeria](#)’, (Section F2), 24 April 2024

⁴⁸ USSD, ‘[Country Report for 2023](#)’, (Section 1B), 23 April 2024

⁴⁹ Alkarama, ‘[Our work](#)’, no date

and ill-treatment.⁵⁰

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5.3 Extra-judicial killings

5.3.1 The USSD HRP 2023 stated:

‘There were few reports during the year that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings.

‘On July 20 [2023], according to human rights activists, members of the investigative police (BRI) allegedly beat and used a taser on Tebessa resident Haithem Djebbari during a search of his house, leading to severe injuries. Djebbari died in the hospital on July 23 from the injuries sustained during the altercation. Prior to his death, Djebbari posted a video on YouTube in which he claimed police tortured him. Police raided the Djebbari home based on allegations a family member was involved in drug trafficking. On July 23, the prosecutor’s office in Tebessa announced an investigation into the death but had not published results as of the end of the year.’⁵¹

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5.4 Prison conditions

5.4.1 In a country profile for Algeria, the World Prison Brief (WPB), a ‘database that provides free access to information about prison systems throughout the world’⁵², stated that according to data from the Algerian Ministry of Justice, as of September 2021 (the latest data available at the time of writing), the official capacity of the prison system was 79,620⁵³. Relying on the same Ministry of Justice data, the same source additionally stated that as of September 2021 the prison population was 94,749, an occupancy level of 119%⁵⁴.

5.4.2 The USSD Human Rights Practices Report, published in March 2023 and covering events in 2022, stated that: ‘The government used specific facilities for prisoners younger than age 27. The Ministry of Justice’s General Directorate for Prison Administration and Resettlement (DGAPR) maintained different categories of prisons that also separated prisoners according to the lengths of their sentences.’⁵⁵

5.4.3 The USSD HRP 2023 stated:

‘Prison conditions were sometimes harsh and life threatening due to physical abuse and inadequate medical care.

‘... The Ministry of Justice reported no prison facilities were over capacity and stated it balanced the prison population across facilities to alleviate overcrowding. Some human rights organizations disputed this and claimed overcrowding in detention facilities resulting from overuse of pretrial detention, which was legally allowed only in exceptional cases.

⁵⁰ Alkarama, ‘[Special Rapporteur on the promotion and protection of ...](#)’, 27 February 2023

⁵¹ USSD, ‘[Country Report for 2023](#)’, Section 1a, 23 April 2024

⁵² WPB, ‘[About us](#)’, no date

⁵³ WPB, ‘[World Prison Brief - Algeria](#)’, no date

⁵⁴ WPB, ‘[World Prison Brief - Algeria](#)’, no date

⁵⁵ USSD, ‘[Country Report for 2022](#)’, (Section 1C), 20 March 2023

‘Prison authorities separated vulnerable persons but provided no specific legal protections for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons in prison.’⁵⁶

5.4.4 The source additionally stated:

‘During the year the Ministry of Justice reported several improvements to prison conditions, including adding public telephones to three new prisons, the opening of two new prisons to decrease prison overcrowding, and improving medical facilities associated with several prisons throughout the country. Authorities also instituted training programs for prison officials on national and international legal protections for detainees, as well as training for special protections for women and minors in prisons.’⁵⁷

5.4.5 The FH FW report 2024 stated (repeated from previous reports) that ‘Prison conditions are poor, with some inmates reportedly facing significant overcrowding and poor sanitation.’⁵⁸

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5.5 Torture and ill-treatment in detention.

5.5.1 MENA Rights Group, a Geneva-based legal advocacy NGO defending and promoting fundamental rights and freedoms in the Middle East and North Africa region⁵⁹, in their Periodic review for Algeria dated 7 April 2022 stated:

‘Since the beginning of the protest movement in 2019, several cases [of torture] have been reported, including those of activist Sami Dernouni and protestor Walid Nekiche, who were subjected to torture in the Antar military barracks by agents of the General Directorate of Internal Security Forces in late 2020 and late 2019, respectively. Though an enquiry was opened by the Public Prosecutor in February 2021 into the torture suffered by Nekiche, it has not yielded any results. Said Chetouane also alleged that he was subjected to sexual violence in an Algiers police station on 3 April 2021.’⁶⁰

5.5.2 The USSD HRP 2023 stated:

‘The law prohibited such practices [torture and other cruel, inhuman, or degrading treatment or punishment, and other related abuses], but there were credible reports that government officials employed them... Human rights organizations reported police occasionally used excessive force against suspects, including protesters and whistleblowers exercising their right to free speech, that could amount to torture or degrading treatment.

‘On July 12 [2023], a court in Dar El Beida (Algiers) sentenced former soldier turned activist and whistleblower Mohamed Benhalima to seven years in prison and a fine on charges of terrorism and undermining national security. At his trial Benhalima alleged torture, beatings, and sexual abuse by authorities during his imprisonment. There was no official investigation into the allegations as of the end of the year.

⁵⁶ USSD, ‘[Country Report for 2023](#)’, (Section 1C), 23 April 2024

⁵⁷ USSD, ‘[Country Report for 2023](#)’, (Section 1C), 23 April 2024

⁵⁸ FH, ‘[Freedom in the World 2024 - Algeria](#)’, (Section F3), 24 April 2024

⁵⁹ MENA Rights Group, ‘[About us](#)’, no date

⁶⁰ MENA Rights Group, ‘[Algeria's Universal Periodic Review...](#)’, 7 April 2022

‘... Several human rights organizations reported authorities held some detainees without access to their lawyers and abused them physically and mentally.’⁶¹

- 5.5.3 On 24 April 2024, Amnesty International published its annual report on the human rights situation in Algeria, covering events in 2023. The report stated: ‘In July [2023], a court in Algiers sentenced former military officer and whistle-blower Mohamed Benhlime to seven years’ imprisonment and a fine... During a court hearing on 12 July, he told the judge that law enforcement officers had tortured him by stripping him naked, tying his legs and hands, and pouring cold water on him. He said he had also been sexually harassed, beaten and threatened. The judge did not order an investigation into these allegations.’⁶²
- 5.5.4 On 13 March 2024, Alkarama published an article which covered the case of Mohamed Benhlime, who is referred to in the article as Mohamed Azzouz, which stated: ‘... [D]uring his hearing on March 7, 2024, before the criminal court of Algiers, Mohamed Azzouz again publicly stated that he had recently been subjected to torture and sexual abuse by military personnel at Blida prison. However, his statements were not taken into account by the presiding judge.’⁶³

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6. Rule of law and the judiciary

6.1 Independence

6.1.1 The BTI 2024 report stated:

‘The separation of powers is constitutionally guaranteed. In practice, however, the concentration of powers within the executive branch has led to concerns about the independence of the other branches of government, particularly the judiciary.

‘... In the past, the parliament (Assemblée Populaire Nationale, APN) has had a limited role in relation to the government, and there have been instances of interference with the independence of the judiciary. The APN has faced criticism for its failure to initiate or question legislative proposals from the government, and the judiciary has been accused of being under the control of the executive.

‘... The judiciary’s handling of cases against political protesters unequivocally demonstrates the alarming extent of political instrumentalization, leaving no doubt that it is under complete control of the executive. The systematic manipulation of the judiciary against political opponents has not only undermined the principles of justice and fairness but has also instilled a widespread belief among Algerians that the independence of the judiciary is a mere illusion.

‘The ability and autonomy of the judiciary to perform its function in Algeria vary. While the constitution establishes the independence of the judiciary,

⁶¹ USSD, ‘[Country Report for 2023](#)’, (Section 1C, 1D), 23 April 2024

⁶² Amnesty International, ‘[The State of the World’s Human Rights 2023](#)’, 24 April 2024

⁶³ Alkarama, ‘[Former Algerian military officer, Benhalima M. AZZOUZ, ...](#)’, 13 March 2024

certain legal provisions allow for interference from the executive branch, including the dismissal of judges, which infringes on the independence of judges.

‘Judges are appointed by the High Council of the Judiciary, led by the president and justice minister, raising questions about the impartiality of the process. Additionally, there have been several cases of independent judges subjected to disciplinary measures and lawyers persecuted for defending their clients or expressing their opinion.’⁶⁴

6.1.2 The USSD HRP 2023 stated:

‘The constitution provided for an independent judiciary, but judges were not always independent or impartial. Some human rights observers alleged the status of individuals on trial influenced judicial decisions. While the constitution provided 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 granted the president authority to appoint all prosecutors and judges. These presidential appointments were not subject to legislative oversight but were reviewed by the High Judicial Council, consisting of the president, minister of justice, chief prosecutor of the Supreme Court, 10 judges, and six presidentially appointed individuals from outside the judiciary. The High Judicial Council was responsible for the appointment, transfer, promotion, and disciplining of judges.’⁶⁵

6.1.3 The FH FW report 2024 stated (repeated from previous reports) that:

‘The judiciary is susceptible to pressure from the civilian government and the military. Judges are appointed by the High Council of the Judiciary (CSM), which is headed by the president. Concerns regarding the judiciary’s independence persist despite some 2020 constitutional reforms. In 2021, the CSM expelled Sadedin Merzoug, a Hirak supporter, from the judiciary for expressing prodemocracy views, claiming that he had obstructed justice and violated his duty of confidentiality.’⁶⁶

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6.2 Fair trial and right of appeal

6.2.1 The USSD HRP 2023 stated:

‘The constitution provided for the right to a fair trial, but judges did not always enforce this right. Most trials were public, except when the judge determined the proceedings to be a threat to public order or “morals,” such as cases involving sex crimes or vices. The penal code stipulated that defendants had the right to free interpretation as necessary. Defendants had the right to be present during their trial but could be tried in absentia if they did not respond to a summons ordering their appearance. Human rights organizations stated that courts denied some defendants’ requests to delay court proceedings when their lawyers were not present.’⁶⁷

⁶⁴ BTI, ‘[Algeria Country Report 2024](#)’, (Rule of Law), 19 March 2024

⁶⁵ USSD, ‘[Country Report for 2023](#)’, (Section 1E), 23 April 2024

⁶⁶ FH, ‘[Freedom in the World 2024 - Algeria](#)’, (Section F2), 24 April 2024

⁶⁷ USSD, ‘[Country Report for 2023](#)’, (Section 1E), 23 April 2024

- 6.2.2 The BTI 2024 report stated that ‘Citizens can appeal existing verdicts in one of 48 courts of appeal... Lengthy delays in cases and extensions of pretrial detention, as well as instances of defendants not receiving fair trials, have raised concerns about the efficiency and effectiveness of the judicial system.’⁶⁸
- 6.2.3 CPIT was unable to find further information regarding fair trials and the right of appeal in the sources consulted (see [Bibliography](#)).

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6.3 Reform

- 6.3.1 The BTI 2024 report stated:
‘President Tebboune declared his aim to strengthen judicial independence, and the Ministry of Justice is working on a comprehensive reform to modernize the department through digitization. This will enhance the efficiency and transparency of Algeria's justice system.’⁶⁹
- 6.3.2 CPIT was unable to find any further information on planned reforms in the sources consulted (see [Bibliography](#))

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7. Corruption and impunity

- 7.1.1 The ENACT Algeria Country Profile stated: ‘Although there are no state-embedded criminal organizations tied to the Algerian government, corruption remains pervasive, with the presence of high-level criminal actors... The government has prioritized the fight against corruption, and several political leaders from the previous government have been tried and convicted. Nevertheless, these measures seem are not sufficient and no real reforms on transparency have taken place.’⁷⁰
- 7.1.2 The USSD HRP 2023 stated that: ‘The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption, which were prosecuted in the courts.’⁷¹
- 7.1.3 The same source additionally stated that ‘Local and international nongovernmental organizations (NGOs) asserted that impunity in security forces was a problem.’⁷²
- 7.1.4 The BTI 2024 report stated:
‘There have been reports of corruption within the judiciary, which can undermine its ability to interpret and apply laws objectively.

‘... Algeria's legal system allows for the prosecution and punishment of public officials who misuse their positions. However, concerns persist regarding the system's effectiveness in holding accountable those responsible for power abuse and corruption.

⁶⁸ BTI, ‘[Algeria Country Report 2024](#)’, 19 March 2024

⁶⁹ BTI, ‘[Algeria Country Report 2024](#)’, 19 March 2024

⁷⁰ ENACT, ‘[Organised Crime Index - Algeria 2023](#)’, (Section 7), 24 November 2023

⁷¹ USSD, ‘[Country Report for 2023](#)’, (Section 4), 23 April 2024

⁷² USSD, ‘[Country Report for 2023](#)’, (Section 1c), 23 April 2024

'Algeria has taken steps to combat corruption through institutions like the National Anti-Corruption Association (ANLC, Autorité nationale de lutte contre la corruption) and the National Agency for the Prevention and Combating of Corruption (ONPLC, Organe de prévention et de lutte contre la corruption). However, criticism has been leveled at the effectiveness of these measures in implementing anti-corruption policies and prosecuting cases, leaving their impact uncertain.'⁷³

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8. Avenues of redress and complaint mechanisms

8.1.1 The USSD HRP 2023 stated:

'The National Human Rights Council (CNDH) had budgetary autonomy and the constitutional responsibility to investigate alleged human rights abuses, officially comment on laws proposed by the government, and submit a published annual report to the president, the prime minister, and the two speakers of parliament. The CNDH reported representation in nearly all communes and five regional delegations located in Chlef, Biskra, Setif, Bechar, and Bejaia.'⁷⁴

8.1.2 The same source additionally stated:

'The government took steps to investigate, prosecute, or punish public officials who committed human rights abuses. The General Directorate of National Security conducted investigations into allegations of mistreatment and took administrative actions against officers it deemed to have committed abuses. The Ministry of Justice reported several prosecutions or convictions of civil, security, or military officials for abusive treatment.

'... The law prescribed prison sentences of between 10 and 20 years for government agents found guilty of torture... The Ministry of Justice stated there were three prosecutions of police officers for abuse during the year [2023] and one conviction.

'... Defendants had the right to request compensation if a court overturned the detention. Most detainees had prompt access to a lawyer of their choice, and the government provided legal counsel to indigent detainees.

'... The Directorate General for National Security (DGSN) reported it conducted investigations into 168 allegations of mistreatment, a slight increase from the previous year, and took administrative actions against officers it deemed to have committed abuses, including suspensions. The DGSN reported it conducted 170 human rights-focused training sessions for 8,467 police officers during the year in all 58 states, a significant increase from the previous year.'⁷⁵

8.1.3 The Cairo Institute for Human Rights Studies (CIHRS), an independent regional human rights organisation⁷⁶, in their article 'Algeria: Reveal the fate of the disappeared and put an end to systematic impunity' published 29 September 2023 stated that: '[A]ny complaint lodged against state agents for

⁷³ BTI, '[Algeria Country Report 2024](#)', 19 March 2024

⁷⁴ USSD, '[Country Report for 2023](#)', (Section 5), 23 April 2024

⁷⁵ USSD, '[Country Report for 2023](#)', (Executive Summary, Section 1C), 23 April 2024

⁷⁶ CIHRS, '[About us](#)', no date

enforced disappearance is declared inadmissible, journalists are forced into self-censorship, and gatherings of families and human rights defenders to organise the fight against impunity are often violently repressed.⁷⁷ The source however did not provide details of specific incidents.

- 8.1.4 Alkarama in their report entitled 'Algeria: Human Rights Committee Expresses Serious Concerns about the State of Civil and Political Rights', published 3 August 2024 stated:

'Alkarama noted that despite more than thirty decisions by the [United Nations Human Rights] Committee following individual complaints from families of victims of disappearances and executions, the state persists in refusing to respond to these complaints. The Committee expressed concern over this lack of cooperation and regretted the authorities' refusal to implement its decisions. It "urgently" invited the state to cooperate in good faith by responding specifically to each complainant's allegations.

'The issue of the authorities' refusal to cooperate with the UN Committee received even more attention as the latter also expressed serious concerns about police and judicial harassment or reprisals against complainants and their families.⁷⁸ The source did not provide further information on the complaints or the incidents that led to them being made.

- 8.1.5 The FH FW report 2024 stated:

'Whistleblowers have few legal protections, and safeguards that exist often go unenforced in practice. Several high-profile whistleblowers have faced retaliation from the government in recent years. In July 2023, two whistleblowers who denounced corruption in the army, Mohamed Benhalima and Mohamed Abdellah, went on trial on charges related to their alleged links with the banned movement Rachad. In November 2023 an anticorruption whistleblower, Nouredine Tounsi, was sentenced to two years in prison for publishing classified information and documents.⁷⁹

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⁷⁷ CIHRS, '[Algeria: Reveal the fate of the disappeared and put an end to ...](#)', 29 September 2023

⁷⁸ Alkarama, '[Algeria: Human Rights Committee Expresses Serious Concerns ...](#)', 3 August 2024

⁷⁹ FH, '[Freedom in the World 2024 - Algeria](#)', (Section C2), 24 April 2024

Research methodology.

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency, and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge, and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used, and the COI compared to ensure that it is accurate and balanced and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

The 'Terms of Reference' (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- **Legal framework** - relevant laws and policies that:
 - protect individuals and groups from treatment that may amount to persecution in the constitution, and penal and criminal procedural codes.
 - regulate the operation and function of security/protection forces and judiciary, including arrest and detention rights.
 - any discriminatory laws, policies, or programmes applicable to protection
- **Organisations responsible for law enforcement** - usually police but may include other agencies such as armed forces, intelligence services or civilian militias:
 - structure and size (and number of security officers as a ratio of the wider population)
 - resourcing, pay, equipment and training.
 - numbers of investigations, arrests (and types of crimes) and prosecutions
 - occurrence of corruption, misconduct, and human rights violations
 - accessibility – existence (or lack of) barriers to obtaining protection for particular groups, by location or other factors.
 - application – discrimination in enforcement of law against particular groups, by location or other factors
 - reform – ongoing or planned reform.
- **Oversight bodies of security forces**
 - size, structure, remit, and powers of units within enforcement agencies, the courts and independent organisations including national human rights institutions.
 - process for raising complaints.
 - numbers of investigations and outcomes, including any evidence of investigations and punishment for corruption, misconduct, and human rights violations
 - application – discrimination against particular groups, by location or other factors
- **Judiciary**
 - structure, size and composition, including juvenile, family, and military courts.
 - selection process for magistrates/judges
 - resourcing, pay, equipment and training.

- independence from executive or other state bodies – government influence on court composition and judgements
- fair trial – availability to legal aid and representation; witness protection programmes and their effectiveness; open and public trial; rights of appeal to higher courts
- accessibility - existence (or lack) of barriers to accessing the judicial process for particular groups, by location (different provinces or rural/urban) or other factors.
- occurrence of corruption, misconduct, and human rights violations
- numbers of cases, outcomes including convictions and acquittals
- informal justice systems, types of case and effectiveness.

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version 2.0
- valid from 30 January 2025

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

Updated country information, updated assessment, and new executive summary.

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Feedback to the Home Office

Our goal is to provide accurate, reliable, and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

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The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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