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2021 Country Report on Human Rights Practices: Algeria

EXECUTIVE SUMMARY

Algeria is a multiparty republic whose president, the head of state, is elected by popular vote for a five-year term. The president has the constitutional authority to appoint and dismiss cabinet members and the prime minister, who is the head of government. President Abdelmadjid Tebboune won the 2019 presidential election, which followed mass popular demonstrations (known as the *Hirak*) throughout 2019 calling for democratic reforms. Observers characterized the elections as well organized and conducted without significant problems or irregularities, but they noted restrictions on civil liberties during the election period and lack of transparency in vote-counting procedures. The country held a constitutional referendum in November 2020, followed by legislative elections on June 12. Official voter turnout was 23 percent, the lowest in the country's history for a parliamentary election.

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. The army is responsible for external security and has some domestic security responsibilities. Civilian authorities generally maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment by members of the security forces; arbitrary arrest and detention; political prisoners; serious problems with the independence of the judiciary and impartiality; unlawful interference with privacy; serious restrictions on free expression and media, including criminal defamation laws, unjustified arrests of journalists, government censorship and blocking of websites; substantial interference with freedoms of peaceful assembly and association, including squelching a resumption of the *Hirak* and overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions of religious freedom; refoulement of refugees to a country where they would face a threat to their life or freedom; serious government corruption; lack of investigation of and accountability for gender-based violence against women; trafficking in persons; criminalization of consensual same-sex sexual conduct; significant restrictions on workers' freedom of association; and the worst forms of child labor.

The government took steps to investigate, prosecute, or punish public officials who committed human rights abuses, especially corruption. 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 no prosecutions or convictions of civil, security, or military officials for torture or other abusive treatment. Impunity for police and security officials remained a problem.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports during the year that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and prescribes prison sentences of between 10 and 20 years for government agents found guilty of torture. Human rights activists reported police occasionally used excessive force against suspects, including protesters exercising their right to free speech, that could amount to torture or degrading treatment.

On January 26, authorities transferred political activist and prominent Hirak detainee Rachid Nekkaz from Kolea prison in Tipaza (30 miles from Algiers) to Labiod Sidi Cheikh prison (450 miles from Algiers) and placed him in solitary confinement despite Nekkaz's suffering from prostate cancer and liver complications. On February 19, authorities released Nekkaz and other Hirak detainees ahead of the Hirak movement's two-year anniversary. Authorities prevented Nekkaz from leaving Algeria on March 27 and arrested him twice in May for traveling within the country.

On February 2, during university student Walid Nekkiche's trial for allegedly "distributing and possessing leaflets undermining the interest of the country," "participating in a conspiracy to incite citizens to take up arms against the State," "organizing secret communication with the aim of undermining national security," and "undermining security and national unity," Nekkiche accused intelligence officers of torture during the 14 months he spent in pretrial detention. Abdelghani Badi, Nekkiche's lawyer, said the intelligence services forced Nekkiche to undress and then raped him. The public prosecutor's office ordered an investigation into Nekkiche's claims, although no details of the investigation were released by year's end.

On March 2, Hirakist Sami Dernouni testified that he suffered mistreatment and torture while in the custody of the intelligence service in Algiers. Dernouni faced charges of "inciting an illegal gathering," "undermining national unity," and "undermining national security." Dernouni's lawyer, Fellah Ali, said the intelligence services forced Dernouni to undress, before beating and shocking him. Authorities denied his request to seek medical care for his injuries.

On April 3, authorities arrested 15-year-old Said Chetouane and several other youths during a Hirak protest. Upon his release, Chetouane publicly accused the police of sexual assault. The DGSN launched an investigation into Chetouane's claims, accusing the other arrested youth of manipulating Chetouane, and stated authorities would publicize the investigation's results, if the prosecutor approves. Authorities have not yet publicized the investigation's findings.

The Ministry of Justice did not provide figures concerning prosecutions of police officers for abuse during the year. Local and international nongovernmental organizations (NGOs) asserted that impunity in security forces was a problem.

Prison and Detention Center Conditions

There were some significant reports of mental and physical abuse in detention centers that raised human rights concerns. Human rights lawyers and activists also expressed concern with prisons' COVID-19 management.

The penal code prohibits the detention of suspects in any facilities not designated for the alleged crime. The local prosecutor has the right to visit detention facilities at any time.

Physical Conditions: The Ministry of Justice reported a total prisoner population of 94,749 individuals as of September and an average overcrowding rate of 19 percent, and stated it balanced the prison population across facilities to alleviate overcrowding. Convicted terrorists had the same rights as other inmates but were held in higher security prisons based on the danger they posed.

Prison authorities separated vulnerable persons but provided no consideration for sexual orientation. There were no legal protections for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons in prison, but authorities stated civil protections extend to all prisoners regardless of gender orientation.

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. The Ministry of Justice stated cell sizes exceeded international standards under the UN's Nelson Mandela Rules. Some observers, including government-appointed human rights officials, attributed overcrowding in pretrial detention facilities to continued overuse of pretrial detention.

Authorities generally transferred pretrial detainees, after presenting them before the prosecutor, to prisons rather than holding them in separate detention facilities. The government stated pretrial detainees were normally held in cellblocks separate from those that confined the general prison population.

Administration: The DGSN reported it conducted investigations into 210 allegations of mistreatment and took administrative actions against officers it deemed to have committed abuses, including suspensions and termination. Religious workers reported they had access to prisoners during the year, and authorities allowed detainees access to religious observance. The DGSN reported it conducted four human rights-focused training sessions for 237 police officers during the year.

Independent Monitoring: The government allowed the International Committee of the Red Cross (ICRC) and local human rights observers to visit prisons and detention centers. ICRC staff visited prisons, police, and gendarme stations under the jurisdiction of the Ministry of Justice, and an administrative detention center operated by the Ministry of Interior. The ICRC hosted training sessions on human rights standards related to arrest, detention, and interrogation procedures for judicial police from the DGSN and National Gendarmerie, as well as for judges.

Improvements: During the year the Ministry of Justice reported it opened two new prisons, bringing the total number of prisons to 51, and the new prisons provided better detention conditions in line with international standards. The new prison in Messerghine reduced overcrowding at the nearby Oran prison. The ministry also reported that it renovated and reopened the prison in Sfisef, which it closed in December 2020 for renovations. The Ministry of Justice reported the government included prisoners in their nationwide COVID-19 vaccination campaign, and that the ministry, in coordination with the Ministry of Health, trained prison medical staff in COVID-19 vaccination and treatment, electrocardiogram use, and emergency first response. The DGAPR also increased weekly bank-transfer limits from 2,500 dinars (\$19) to 4,500 dinars (\$34), permitting prisoners more money to purchase staple goods in the prison, and expanded public telephone use in 93 prisons.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention. A detainee has the right to appeal a court's pretrial detention order and, if released, seek compensation from the government. Nonetheless, overuse of pretrial detention remained a problem. The government increasingly used pretrial detention after the beginning of the Hirak popular protest movement in 2019. The Ministry of Justice reported that, as of September, 19 percent of the prisoners were in pretrial detention. Security forces routinely detained individuals who participated in unauthorized protests. Arrested individuals reported that authorities held them for four to eight hours before releasing them without charges.

Arrest Procedures and Treatment of Detainees

According to the law, police must obtain a summons from the prosecutor's office to require a suspect to appear in a police station for preliminary questioning. With this summons, police may hold a suspect for no more than 48 hours. Authorities also use summonses to notify and require the accused and the survivor to attend a court proceeding or hearing. Police may make arrests without a warrant if they witness the offense. Lawyers reported that authorities usually carried out procedures for warrants and summonses properly.

If authorities need more than 48 hours to gather additional evidence, they may extend a suspect's time in police detention with the prosecutor's authorization in the following cases: if charges pertain to an attack on data processing systems, they may extend the time in detention once; if charges relate to state security, they may do so twice; for charges concerning drug trafficking, organized and transnational crime, money laundering, and other currency-related crimes, they may do so three times; and for charges related to terrorism and other subversive activities, they may do so five times for a maximum of 12 days. The law stipulates detainees should immediately be able to contact a family member, receive a visit, or contact an attorney.

The law provides detainees the right to see an attorney for 30 minutes if authorities extend the time in detention beyond the initial 48-hour period. In these cases authorities permit the arrested person to contact a lawyer after one-half of the extended time has expired. Prosecutors may apply to a judge to extend the period before arrested individuals can have access to an attorney. The court appearance of suspects in terrorism cases is public. At the end of the detention, the detainee has the right to request a medical examination by a physician of choice within the jurisdiction of the court. Otherwise, the judicial police appoint a doctor. Authorities enter the medical certificate into the detainee's file.

In nonfelony cases and in cases of individuals held on terrorism charges and other subversive activities that exceed a 12-day period plus any authorized extension, the law calls 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 subject suspects to requirements such as reporting periodically to the police station in their district, stopping professional activities related to the alleged offense committed, surrendering all travel documents, and, in some terrorism-related cases, residing at an agreed-upon address. The law provides that foreigners may be required to furnish bail as a condition of release on provisional liberty status, while citizens may be released on provisional liberty without posting bail.

Judges rarely refused requests to extend pretrial detention. During the year the Ministry of Justice reported an average pretrial detention of four months. The defendant has the right to request compensation if a court overturns the detention. Most detainees had prompt access to a lawyer of their choice as accorded by law, and the government provided legal counsel to indigent detainees. There were reports that authorities held some detainees without access to their lawyers and abused them physically and mentally.

Arbitrary Arrest: Although the law prohibits arbitrary arrest and detention, authorities 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 and other human rights organizations criticized the law prohibiting unauthorized gatherings as a significant source of arbitrary arrests intended to suppress political activism. Police arrested protesters throughout the year for violating the law against unregistered public gatherings.

According to the National Committee for the Release of Detainees (CNLD), at least 74 persons were arbitrarily detained for expressing their opinion, and 48 of them were in pretrial detention as of May 5. On March 5, the UN High Commissioner for Human Rights reported on the use of arbitrary arrest to suppress peaceful demonstrations and highlighted those hundreds of individuals arrested since the Hirak protests resumed in February.

Local and international organizations reported arbitrary detention and prosecution of human rights activists Said Boudour, Jamila Loukil, and Kaddour Chouicha. According to press reports, on March 12, police beat Chouicha and his son during a protest, and one police officer tried to strangle Chouicha's son. Chouicha and Loukil also accused police of violence during an arrest in April. Boudour claimed police physically assaulted him during his arrest on April 23.

On April 20, the police arrested Nacer Meghnine, head of Hirak-affiliated youth and cultural NGO SOS Bab El-Oued, and placed him in pretrial detention. The DGSN called SOS Bab El-Oued a “criminal organization” and accused Meghnine of “acts of incitement and receiving foreign funding from a diplomatic mission of a major country.” The police stated the NGO used foreign funding to purchase equipment used to produce “provocative films” and “publications used during Hirak demonstrations.” Authorities seized 677 posters, seven computers, one camera, three scanners, and 12 printers. On September 26, the Bab-El Oued court sentenced Meghnine to eight months in prison.

Pretrial Detention: Prolonged pretrial detention remained a problem. Nongovernmental observers believed pretrial detainees were a significant portion of the total detainee and prisoner population but did not have specific statistics. According to the Ministry of Justice's figures, 19 percent of the prison population was in pretrial detention, and of those, 7 percent were under preliminary investigation.

The law limits the grounds for pretrial detention and stipulates that before it can be imposed, a judge must assess the gravity of a crime and whether the accused is a threat to society or a flight risk. Judges rarely refused prosecutorial requests to extend pretrial detention. Most detainees had prompt access to a lawyer of their choice as accorded by law, and the government provided legal counsel to indigent detainees. Human rights activists and attorneys, however, asserted that some detainees were held without access to lawyers.

The law prohibits pretrial detention for crimes with maximum punishments of less than three years' imprisonment, except for infractions that resulted in deaths or to persons considered a “threat to public order.” In these cases the law limits pretrial detention to one month. In all other criminal cases, pretrial detention may not exceed four months. Amnesty International alleged that authorities sometimes detained individuals on security-related charges for longer than the 12-day prescribed period.

On January 6, authorities at El-Harrach prison transferred three Hirak detainees – Mohamed Tadjadit, Noureddine Khimoud, and Abdelhak Ben Rahmani – to a hospital. The detainees had begun a hunger strike in December 2020, to protest the extension of their pretrial detention. On January 21, authorities convicted and released the three men, as they served their full sentences while in pretrial detention. On March 26, Tadjadit was among the 190 demonstrators arrested during a Hirak protest in Algiers, and although police released most of those arrested later that same day, Tadjadit was one of eight remanded into custody.

On September 22, the court of Dar El-Beida sentenced Major General Ali Ghediri – a candidate in the 2019 presidential election – to four years in prison after the court convicted Ghediri of “participating in times of peace to an endeavor aimed at weakening the morale of the National People's Army.” The prosecutor initially requested a 10-year sentence and expressed his hope that the “severe sentence will serve as an example.” In February the Indictment Chamber at the Court of Algiers rejected Ghediri's request for release from pretrial detention, and during his sentencing, Ghediri questioned the length of his pretrial detention, which was 832 days at that time.

e. Denial of Fair Public Trial

The judiciary was not always independent or impartial in civil matters and lacked independence according to some human rights observers. Some alleged family connections and status of the those involved influenced decisions. 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 who the president chooses. The president serves as the president of the High Judicial Council, which is responsible for the appointment, transfer, promotion, and discipline of judges.

In May the Superior Council of the Judiciary (CSM) removed National Union of Judges president Saad Eddine Merzouk for “violating an obligation of confidentiality.” The CSM suspended Merzouk in 2019 for supporting the Hirak movement. In May the CSM filed suit against Prosecutor Sid-Ahmed Belhadi for sharing pictures of himself and Merzouk on social media. In 2020 Belhadi requested that the courts release Hirak demonstrators. In May the CSM also suspended judge Fatma Zohra Amaili for alleged “insults on social networks.”

In September, President Tebboune appointed Tahar Mamouni as Supreme Court first president, replacing Abderrachid Tabi after his appointment as minister of justice. Tebboune also appointed 15 new appeal courts presidents, 20 attorneys general, and 20 administrative courts presidents. Tebboune did not indicate if the High Judicial Council reviewed his decision.

On November 18, according to media reports, authorities arrested and placed Judge Chentouf El Hachemi, president of the Court of Oran, in pretrial detention for allegedly accepting a bribe. Media also reported that the Ministry of Justice promoted El Hachemi to his position, despite facing previous disciplinary actions. El Hachemi presided over several high-profile corruption cases.

Trial Procedures

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 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 penal code stipulates that defendants have 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 not respond to a summons ordering their appearance. Courts tried defendants without legal representation and denied defendants’ requests to delay court proceedings when their lawyers were not present.

Defendants may confront or question witnesses against them and present witnesses and evidence on their behalf. Defendants may not 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.

Political Prisoners and Detainees

International and local observers alleged that authorities occasionally used antiterrorism laws and restrictive laws on freedom of expression and public assembly to detain political activists and outspoken critics of the government.

According to the CNLD, more than 200 political prisoners associated with the Hirak protest movement were in government detention during the year, an increase from 61 in 2020. In June the CNLD reported more than 300 prisoners of conscience. They 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. In September 2020 former minister of communication and government spokesperson Ammar Belhimer stated there were no political detainees in the country.

On May 4, authorities sentenced Amira Bouraoui, founder of two opposition movements (Barakat “Enough” and al-Muwatana “Citizenship”), to four years imprisonment. She had initially received a one-year prison sentence in June 2020 on charges of “inciting an unarmed gathering, offending Islam, offending the President, publishing content which may harm national unity, publication of fake news that may harm safety and public order, and undermining the lives of others,” and the sentence was increased on appeal.

On May 24, authorities sentenced Hirak activist Slimane Hamitouche, a codefendant in the high-profile prosecution of Reporters Without Borders journalist Khaled Drareni, to one year in prison on “illegal assembly and incitement to illegal assembly” charges.

Civil Judicial Procedures and Remedies

Individuals may bring lawsuits, and administrative processes related to amnesty may provide damages to the victims or their families for human rights abuses and compensation for alleged wrongs. Individuals may appeal adverse decisions to international human rights bodies, but their decisions cannot be legally enforced.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution provides for the protection of a person's "honor" and private life, including the privacy of home, communication, and correspondence. According to human rights activists, citizens widely believed the government conducted frequent electronic surveillance of a range of citizens, including political opponents, journalists, human rights groups, and suspected terrorists. Security officials reportedly visited homes unannounced and conducted searches without a warrant. The government charged the Ministry of National Defense cybercrime unit with coordinating anticybercrime efforts and engaging in preventive surveillance of electronic communications in the interests of national security, but it did not provide details regarding the limits of surveillance authority or corresponding protections for persons subject to surveillance. The Ministry of Justice stated the agency was subject to all existing judicial controls that apply to law enforcement agencies. In 2019 the government moved the agency from the Ministry of Justice to the Ministry of Defense. A new decree allowed authorities to conduct domestic surveillance and required internet and telephone providers to increase cooperation with the Defense Ministry.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for members of the press and other media. Independent media outlets regularly criticized and satirized government officials and policies, but the government on some occasions restricted these rights. The government's actions included harassment of some critics, arbitrary enforcement of vaguely worded laws, and informal pressure on publishers, editors, advertisers, and journalists. Some media figures alleged the government used its control over most printing houses and significant funding of public-sector advertising preferentially, and that the lack of clear regulations over these practices permitted it to exert undue influence on press outlets.

Freedom of Expression: While public debate and criticism of the government were widespread, journalists and activists were limited in their ability to criticize the government on topics crossing unwritten "red lines." Authorities arrested and detained citizens for expressing views deemed damaging to state officials and institutions, including the use of the Berber flag during protests, and citizens practiced self-censorship in expressing public criticism. The law criminalizing speech regarding security force conduct during the internal conflict of the 1990s remained in place, although the government stated there had never been an arrest or prosecution under the law. A separate law provides for up to three years' imprisonment for publications that "may harm the national interest" or up to one year for defaming or insulting the president, parliament, army, or state institutions. Government officials monitored political meetings.

Authorities have summoned, arrested, and prosecuted journalist Mustapha Bendjama in at least six different cases for charges such as "offense to public bodies" and "undermining national unity." On June 27, the court in Annaba convicted Bendjama, and the judge sentenced him to two months in prison and 2,500 dinars (\$19) fine.

Police arrested former parliamentarian Nordine Ait-Hamouda on June 26 in Bejaia for making "inappropriate statements towards various important national figures." On August 29, authorities released Ait-Hamouda from El-Harrach prison after two months of incarceration. The Court of Ruisseau in Algiers granted Ait-Hamouda's provisional release, pending the completion of the investigation and determination of the trial date.

On June 30, security personnel arrested Fethi Ghares, national coordinator of the opposition party Democratic and Social Movement and searched his home. His wife, Messaouda Cheballah, posted a live video of her husband's arrest and denounced the police's "indiscreet search of her belongings."

NGOs reported in 2020 that they stopped holding events outside private locations due to longstanding government suppression and pressure on owners of public gathering spaces.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The National Agency for Publishing and Advertising (ANEP) controlled public advertising for print media, and most daily newspapers depended on ANEP-authorized advertising to finance their operations. Press outlets reported taking extra caution before publishing articles critical of the government or government officials due to fear of losing revenue from ANEP. According to the NGO Reporters without Borders, private advertising existed but frequently came from businesses with close links to the ruling political party. ANEP stated its support for a pluralistic press and freedom of information and noted that it funded opposition newspapers.

In April 2020 parliament adopted amendments to the penal code that criminalize spreading "false news" that harms national unity. Penalties for convictions under the bill, which does not distinguish among news reports, social media, and other media, include prison terms of two to five years and

finances. Civil society groups reported that the amendments gave authorities excessive power to prosecute activists and human rights defenders.

On May 10, authorities found journalist Khellaf Benhedda guilty in absentia and fined him 100,000 dinars (\$750) for an “offense to the President.”

On May 14, police arrested Maghreb Emergent journalist Kenza Khatto during a Hirak march in Algiers on charges of “incitement to unarmed gathering,” “contempt of police,” and “noncompliance with the instruction of the wali (governor) of Algiers on the ban of marches.”

On May 18, authorities placed journalist El Kadi Ihsane, director of Radio M and Maghreb Emergent websites, on probation. The judge issued a travel ban and confiscated Ihsane's passport. According to Radio M, authorities charged Ihsane with “undermining national security and territorial unity” and “sharing publications undermining national interest.” The CNLD said the charges emanated from a complaint filed by the Minister of Communication Ammar Belhimer.

On September 6, authorities arrested Hassan Bourras at his home in El Bayadh and charged him with “belonging to a terrorist organization,” “conspiracy against the security of the State to change the system of governance,” and “use of technical and media tools to enlist individuals against the authority of the State.” Bourras is a well known human rights’ activist with the Algerian League for the Defense of Human Rights (LADDH). According to the CNLD, authorities transferred Bourras on September 12 to a court in Algiers, which ordered him into pretrial detention.

On September 12, police arrested Mohamed Mouloudj, a reporter for *Liberte*, and raided his home. On September 14, the Sidi M’hamed Court in Algiers placed Mouloudj in custody and charged him with spreading false news, harming national unity, and belonging to a terrorist group. The court placed him in pretrial detention which was ongoing at year end.

Many civil society organizations, government opponents, and political parties had access to independent print and broadcast media and used them to express their views. Opposition parties also disseminated information via the internet and published communiques but stated they did not have access to the national television and radio stations. Journalists from independent print and broadcast media expressed frustration regarding the difficulty of receiving information from public officials. Except for several daily newspapers, most print media outlets relied on the government for physical printing materials and operations.

Organizations wishing to initiate regular publications must obtain authorization from the government. The law requires the director of the publication to hold Algerian citizenship. The law additionally prohibits local periodicals from receiving direct or indirect material support from foreign sources.

The ministry's Media Directorate is responsible for issuing and renewing accreditations to foreign media outlets operating in the country. Although this accreditation is required to operate legally, the ministry did not accredit most foreign media. Regulations require the shareholders and managers of any radio or television channel to be citizens and prohibit them from broadcasting content that offends “values anchored in Algerian society.”

The law mandates that online news outlets must inform the government of their activities but does not require them to request authorization to operate.

Violence and Harassment: Authorities subjected some journalists to harassment and intimidation. Journalists reported that selective prosecutions served as a mechanism for intimidation. According to Reporters without Borders, the government intimidated activists and journalists. The government's actions included harassment of some critics, arbitrary enforcement of vaguely worded laws, and informal pressure on publishers, editors, advertisers, and journalists.

Censorship or Content Restrictions: Some major news outlets faced direct and indirect retaliation from the Audiovisual Regulatory Authority (ARAV) for criticism of the government. According to state-run Algerie Presse Service (APS), in March, Algerian authorities warned France 24 to tone down its “biased Hirak coverage.”

On June 13, Communication Minister Ammar Belhimer cancelled France 24's accreditation for its “clear and repeated hostility towards our country and its institutions.” Upon the withdrawal of France 24's accreditation, several foreign news outlets said all journalists in Algeria – both foreign and local – faced bureaucratic hurdles and must navigate murky procedural processes to operate.

In June the ARAV suspended El Hayet TV for one week after it broadcast an interview with Nordine Ait Hamouda, the founding member of the opposition party Rally for Culture and Democracy and son of independence war hero Colonel Amirouche Ait Hamouda. During the interview, Nordine Ait Hamouda called several Algerian historical figures “traitors.” The interview prompted the Ministry of

Communication to summon El Hayet TV director Habet Hannachi to the ARAV headquarters to explain his decision to broadcast the controversial interview. On June 26, authorities arrested Ait Hamouda and placed him in pretrial detention, although authorities granted his provisional release on August 29 pending trial on charges of “attacking symbols of the nation and the revolution.”

On July 31, the ARAV withdrew the accreditation of Saudi-funded al-Arabiya TV for “propagating misinformation.” In a statement the Ministry of Communication stated al-Arabiya failed to “respect the rules of professional ethics and practiced media misinformation and manipulation.”

On August 16, the Ministry of Communication announced “the immediate and final closure” of the private television channel Lina TV at the request of the ARAV. Communication Minister Ammar Belhimer stated the ARAV had previously warned Lina TV for its “noncompliance with ethical principles.” Belhimer characterized the channel as a “danger to national unity.” The Ministry added that Lina TV did not have the required accreditation to operate.

On August 23, the Ministry of Communication suspended the private progovernment television channel El Bilad TV for one week. The ARAV based its decision on “noncompliance with the requirements of public order” and due to legal proceedings against Ayoub Aissiou, a station shareholder who also owns El Djazairia One. The government accused Aissiou of violating the law on broadcast activity, which forbids holding shares in more than one television station.

On August 23, the Ministry of Communication shut down the private television channel El Djazairia One, after the ARAV recommended its immediate closure. On August 24, officials at the ARAV said El Djazairia One’s owners violated the law on audiovisual activity by purchasing shares in more than one television channel. The station’s owners, brothers Ayoub and Tayeb Aissiou, were close associates of former president Abdelaziz Bouteflika and Bouteflika-era prime minister Ahmed Ouyahia.

On August 24, the ARAV censured state-run EPTV after one of its reporters said the suspects arrested for lynching Djamel Bensmail were charged with belonging to a “terrorist region” instead of a “terrorist organization.” The ARAV stated this was “an unforgivable breach,” prompting EPTV to apologize and discipline the reporter.

Libel/Slander Laws: NGOs and observers criticized the law on defamation as vaguely drafted and stated the definitions in the law failed to comport with internationally recognized norms. The law defines defamation as “any allegation or imputation of a fact offending the honor or consideration of a person, or of the body to which the fact is imputed.” The law does not require that the fact alleged or imputed be false or that the statement be made with malicious intent to damage another individual’s reputation. Defamation is not a crime but a serious misdemeanor that carries a fine. The Ministry of Justice did not provide information on the percentage of defamation claims that originated from private citizens, as opposed to government officials. Defamation laws specify that former members of the military who make statements deemed to have damaged the image of the military or to have “harmed the honor and respect due to state institutions” may face prosecution.

The law criminalizes statements denigrating Islam or insulting the Prophet Muhammed or “messengers of God.”

Internet Freedom

The government monitored certain email and social media sites.

Internet users regularly exercised their right to free expression and association online, including through online forums, social media, and email. Activists reported that some postings on social media could result in arrest and questioning; observers widely understood that the intelligence services closely monitored the activities of political and human rights activists on social media sites, including Facebook.

There was some disruption of communication prior to planned antigovernment demonstrations during the year, namely internet shutdowns, the blocking of access to certain online news sites and social media platforms, and the restricting or censorship of content. When the Hirak protests resumed in February, parts of the country experienced internet outages during the demonstrations.

The law on cybercrime establishes procedures for using electronic data in prosecutions and outlines the responsibilities of internet service providers (ISPs) to cooperate with authorities. Under the law the government may conduct electronic surveillance to prevent terrorist or subversive acts and infractions against state security, pursuant to written authorization from a competent judicial authority.

By law ISPs face criminal penalties for the material and websites they host, especially if subject matters are “incompatible with morality or public opinion.” The Ministries of Justice, Interior, and Post, Information Technology, and Communication have oversight responsibilities. The law provides

sentences of six months to five years in prison and fines for users who do not comply with the law, including the obligation to cooperate with law enforcement authorities against cybercrime.

For a fifth year, the government blocked access to social media sites, including Facebook and Twitter, for several days during nationwide high school examinations. The decision was in response to previous leaks of examination materials, which were posted on social media.

Academic Freedom and Cultural Events

Academic seminars generally occurred with limited governmental interference. The Ministry of Culture reviewed the content of films before they could be shown, as well as books before importation. The Ministry of Religious Affairs did the same for all religious publications. The law gives authorities broad power to ban books that run counter to the constitution, “the Muslim religion and other religions, national sovereignty and unity, the national identity and cultural values of society, national security and defense concerns, public order concerns, and the dignity of the human being and individual and collective rights.” It further prohibits books that “make apology for colonialism, terrorism, crime, and racism.”

Importers must submit to the ministry the title, author’s name, editor’s name, edition, year, International Standard Book Number, and number of copies to be imported. Importers of books covering the “national movement and the Algerian Revolution” must submit the entire text of the books for review, including a secondary review by the Ministry of the Moudjahidine (veterans of the revolution). The Ministry of Culture can also require a full content review of books on other topics if it chooses. The ministry has 30 days to review the importation application; in the absence of a response after 30 days, the importer may proceed with distribution of the publication. After deciding, the ministry notifies the customs service of the decision to allow or ban the importation of the publication. Appeals may be made to the ministry, with no independent or judicial review provided for in the decree.

A 2017 decree covering religious texts other than the Quran stated, “The content of religious books for import, regardless of format, must not undermine the religious unity of society, the national religious and public order, good morals, fundamental rights and liberties, or the law.” The importer must submit the text and other information, and the ministry must respond within 30 days. A nonresponse after this period is considered a rejection. Religious texts distributed without authorization may be seized and destroyed.

On April 23, authorities sentenced Sufi Muslim academic Said Djabelkheir to three years in prison and a fine of 50,000 dinars (\$375) for “offense to the precepts of Islam,” based on his personal Facebook account publications regarding Islamic rituals and theology. Djabelkheir wrote that the sacrifice of sheep predates Islam and denounced child marriage. He said authorities did not inform him or his lawyers ahead of the court proceedings. Djabelkheir appealed the conviction and was free on bail pending the appeal.

b. Freedoms of Peaceful Assembly and Association

Although the constitution provides for freedom of peaceful assembly and association, the government severely restricted the exercise of these rights.

Freedom of Peaceful Assembly

The constitution provides for the right of peaceful assembly, but the government curtailed this right. A ban on demonstrations in Algiers remained in effect. Authorities utilized the ban to prohibit assembly within the city limits. Nationwide, the government required citizens and organizations to obtain permits from the local governor, who is appointed by the national government, before holding public meetings or demonstrations. The government restricted licenses to political parties, NGOs, and other groups to hold indoor rallies or delayed permission until the eve of the event, thereby impeding organizers’ publicity and outreach efforts. The DGSN reported it arrested 10,943 protesters during the year, up from 3,017 protesters arrested in 2020. Of those, authorities interviewed and released 9,900 protesters, typically on the same day as the arrest. Of the remainder, police charged 545, and the remaining 489 were placed in pretrial detention. The Hirak protest movement, which began in 2019, consisted of mass, peaceful protest marches taking place every Tuesday and Friday in many locations throughout the country. The protests paused with the onset of COVID-19 in March 2020.

On February 22 and 26, Hirak marches resumed in cities throughout the country, with thousands of demonstrators returning to the streets to commemorate the movement’s two-year anniversary. Student protests also resumed their weekly Tuesday marches on February 23 in Algiers, but by May they had largely ceased.

On April 3, police arrested 23 Hirak protesters on alleged charges of “holding an unarmed gathering or protest.” The court placed them in pretrial detention on April 5. On April 14, El Harrach prison officials relocated the detainees to the hospital after they engaged in a hunger strike because, they

asserted, they were arbitrarily detained.

On April 28, police arrested Kaddour Chouicha, a university professor and vice president of the LADDH, and journalist Jamila Loukil, as they left an Oran court following a hearing on “unarmed assembly” charges.

In May security forces further increased arrests and use of force against Hirak protesters, drawing negative international attention and condemnation from human rights groups. Amnesty International said authorities’ “illegal and constant use of violence...against demonstrators” was unacceptable and called for the government to allow peaceful protests without resorting to force, and for the government to release prisoners of conscience.

On May 5, according to purported official documents leaked on social media, authorities asked the police to intervene – using force, if necessary – to maintain public order during demonstrations. On May 7, Hirakists unexpectedly changed their usual procession route, prompting the Ministry of Interior to issue a communique on May 9 requiring the organizer to provide names, start and stop times, routes, and slogans in advance of marches. When the Hirak protests resumed, some public transportation was not operational on Fridays, which Hirakists claimed was another mechanism the government used to prevent protesters from gathering.

On May 14 and 21, police blocked Hirak protests in Algiers and several other cities and arrested many protesters including journalists, politicians, and academics. The CNLD reported that police arrested more than 800 demonstrators nationwide. Marches took place without incident in Tizi Ouzou and Bejaia, while in Bouira the protest turned violent after police intervened to prevent the march. The Ministry of Interior denied receiving a request for the May 21 Hirak march; however, a group of pro-Hirak lawyers publicized the protest request, which bore signatures from *wilaya* (state) officials.

On May 21 and May 25, security forces created new checkpoints in locations throughout Algiers to prevent protesters from reaching Hirak rally points or changing their protest routes. Police checked identification documents and individuals who did not reside in Algiers were arrested and taken to various police stations throughout the city. Hotels in Algiers and other major cities continued their practice of refusing to sign rental contracts for meeting spaces with political parties, NGOs, and civil associations without a copy of written authorization from the Ministry of Interior for the proposed gathering. NGOs reported instances of not receiving the written authorization in time to hold planned meetings. NGOs reported that the government threatened hotel and restaurant owners with penalties if they rented rooms to NGOs without official authorization. In most cases the NGOs continued to hold their meetings and police came to the hotels to end the gatherings.

Throughout the year police dispersed unauthorized gatherings or prevented marching groups of protesters from demonstrating. Police typically dispersed protesters shortly after a protest began and arrested and detained organizers for a few hours.

Freedom of Association

The constitution provides for the right of association, but the government restricted this right.

The law’s extensive requirements and uneven enforcement served as major impediments to the development of civil society. The law grants the government wide-ranging oversight of and influence in the day-to-day activities of civil society organizations. It requires national-level civil organizations to apply to the Ministry of Interior for permission to operate. Once registered, organizations must inform the government of their activities, funding sources, and personnel, including notification of personnel changes. The law imposes an additional requirement that associations obtain government preapproval before accepting foreign funds. If organizations fail to provide required information to the government or attempt to operate with or accept foreign funds without authorization, they are subject to fines and individuals may face up to six months’ imprisonment.

According to the law, associations that apply for accreditation are entitled to receive a response within two months for national organizations, 45 days for interregional-level associations, 40 days for provincial-level associations, and 30 days for communal organizations. While the Ministry of Interior oversees the accreditation process for most associations, the president of a local assembly approves applications for communal associations. Although the Ministry of Interior is responsible for authorizing associations, the government stated COVID-19 spurred the ministry to relax registration rules, specifically for health-care charities operating on the local level, as these organizations were better positioned to assist during the pandemic.

The Ministry of Interior may deny a license to or dissolve any group regarded as a threat to the government’s authority or to public order, and on several occasions it failed to grant in an expeditious fashion official recognition to NGOs, associations, religious groups, and political parties. According to the ministry, organizations receive a receipt after submitting their application for accreditation and after the relevant time frame based on the type of association, this slip is legally

sufficient for them to begin operating, to open a bank account, and to rent office or event space. The law does not explicitly include this provision. If the application is approved, the ministry issues a final accreditation document.

Many organizations reported they never received a deposit slip and that even with the receipt, it was difficult to conduct necessary administrative tasks without formal accreditation. Other organizations reported they never received any written response to their application request even after calling the ministry and trying to register at local police stations. The ministry maintained that organizations that were refused accreditation or that did not receive a response within the specified period could appeal to the State Council, the administrative court responsible for cases involving the government.

On October 13, an administrative court ruled in favor of the Ministry of Interior's request to dissolve the Youth Action Rally, a prominent civic association. The Ministry of Interior stated the group's political activities violated its bylaws, which its leaders denied, contending that authorities targeted the association because of its support for the Hirak movement.

The government issued licenses and subsidies to domestic associations, especially youth, medical, and neighborhood associations. According to the Ministry of Interior, there were 117,801 local and 1,799 regional NGOs registered as of September, including 5,864 new local NGOs and 52 new national NGOs. Unlicensed NGOs remained active, but rarely received government assistance, and citizens at times hesitated to associate with these organizations.

According to the Ministry of Interior, during the COVID-19 pandemic, the government significantly eased local association requirements, giving local organizations the space to operate. The government determined local civil society organizations, specifically health-care-related charities, were better positioned to assist locally than the federal government. The Ministry of Interior relaxed its registration rules, allowing local governments to authorize local associations, resulting in more than 1,000 new local charity associations. National associations must still submit their applications to the Ministry of Interior for authorization.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

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

In-country Movement: The constitution provides citizens "the right to freely choose their place of residence and to move throughout the national territory." Citing the threat of terrorism, the government prevented overland tourist travel between the southern cities of Tamanrasset, Djanet, and Illizi.

Foreign Travel: The constitution states that citizens have the right to enter and exit the country. The law does not permit those younger than 18 to travel abroad without a guardian's permission. Married women younger than 18 may not travel abroad without permission from their husbands, but married women older than 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. The government granted such authorization to students and persons with special family circumstances.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government generally cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, and other persons of concern.

The International Organization for Migration (IOM) estimated 90,000 migrants enter the country annually, and the Ministry of Interior reported approximately 100,000.

According to UNHCR's September report on refugees in Algeria and Sahrawi refugees in Tindouf, there were 7,830 refugees in urban areas, 2,450 asylum seekers in urban areas, and an estimated 90,000 "vulnerable" Sahrawi refugees. The government protected a significant number of refugees in five large refugee camps in Tindouf and ran two other smaller camps near Tindouf, one surrounding a women's boarding school, and another used for administrative purposes. UNHCR reported many

Sahrawi refugees lost their jobs and other sources of income due to COVID-19. UNHCR, the World Food Program (WFP), UNICEF, the Algerian Red Crescent, the Sahrawi Red Crescent, and other organizations assisted Sahrawi refugees.

As of September, UNHCR continued registering asylum seekers, determining refugee status, issuing documentation, and advocating for the adoption of legislation to protect persons in need of international protection. Despite the ongoing border closures, asylum applications rose during the year, with 1,570 recorded in the first half of the year, an increase of 20 percent compared with 2020, due to the progressive easing of COVID-19 restrictions. UNHCR monitored and advocated for the release of refugees.

Access to Asylum: While the law generally provides for asylum or refugee status, the government has not established a formal system through which refugees can request asylum. There were no reports that the government granted refugee status and asylum to new refugee applicants during the year. According to UNHCR, the government did not accept UNHCR-determined refugee status for individuals. From the beginning of January to June, UNHCR recommended 35 refugees for resettlement to France, Canada, and Sweden, and submitted 41 refugees for resettlement to Canada and Sweden during the same period. UNHCR assisted eight refugees to depart Algeria for family and educational reasons. UNHCR reported the majority of its registered refugees came from Syria, the Palestinian Territories, Yemen, Mali, and other countries in sub-Saharan Africa. There was no evidence of any pattern of discrimination toward asylum applicants, but the lack of a formal asylum system made this difficult to assess.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened because of their race, religion, nationality, membership in a particular social group, or political opinion. Since the outbreak of violence in northern Mali in 2012, international observers reported an influx of individuals into Algeria across the Mali border inconsistent with traditional migratory movements.

In 2019 the National Human Rights Council stated the government had dedicated 1.6 billion dinars (\$12 million) to ensure the human rights of migrants during repatriation operations (to include accommodation, food, clothing, health care, medicines, and transportation). Authorities conducted repatriations in coordination with consular officials from the migrants' countries of origin, but the migrants were not permitted to challenge their removal. The government stated it maintained a policy of not removing migrants registered with UNHCR, and that in a few cases it worked with UNHCR to return registered refugees who were mistakenly removed. Air Algérie signed an agreement with the IOM agreeing to provide charter flights for humanitarian supplies and migrants returning voluntarily.

Since January the NGO Alarme Phone Sahara (APS) reported the government deported 18,749 individuals from Algeria to Niger, an increase from 4,722 individuals in 2020. APS reported two types of deportation convoys from Algeria to Niger: official deportation convoys and unofficial deportation convoys. Official deportations from Algeria to Niger take place pursuant to a 2014 bilateral agreement for the deportation of Nigerien nationals. According to APS, however, Algeria also deports numerous nationals from other countries to Niger in unofficial convoys, and the Nigerien authorities lacked the power or the will to stop this practice. Convoys also left citizens of various nationalities near Assamaka where they must walk the last 10 to 15 miles into Nigerien territory. APS reported the IOM, Doctors without Borders, and Nigerien security forces looked for deportees lost in the desert. According to APS, deportees includes nationals from Cote d'Ivoire, Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Eritrea, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Nigeria, Senegal, Sierra Leone, Sudan, and Togo.

In April the NGO Doctors Without Borders reported that authorities forcibly returned more than 4,000 migrants to Niger. Many migrants travelled on trucks that returned them to Agadez, a Nigerien city that has become a crossroads on the migration route.

On September 29, APS reported that the country deported 894 individuals in a unofficial convoy to the Assamaka border post.

On October 1, APS reported an additional 1,275 individuals in an official convoy were transported to the Assamaka border post.

Abuse of Migrants, Refugees, and Stateless Persons: UNHCR reported refugees and migrants traversing land routes to and through the country continued to risk death, kidnapping, sexual- and gender-based violence, physical abuse, and other violence.

Employment: The government does not formally allow refugee employment; however, many worked in the informal market and were at risk of labor exploitation due to their lack of legal status in the country. Other migrants, asylum seekers, and Malians and Syrians who had a "special status"

with the government, relied largely on remittances from family, the support of local family and acquaintances, and assistance from the Algerian Red Crescent and international aid organizations.

Access to Basic Services: UNHCR provided registered refugees with modest food assistance and lodging support. Sahrawi refugees lived predominantly in five camps administered by the Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro (POLISARIO) near the city of Tindouf. The POLISARIO (through the Sahrawi Red Crescent Society), UNHCR, WFP, UNICEF, and partner NGOs provided basic services including food aid, primary health care, and primary and secondary education. The Algerian government invested heavily in developing the camps' infrastructure and also provided free secondary and university educations, as well as advanced hospital care, to Sahrawi refugees. The remote location of the camps and lack of government presence resulted in a lack of access by police and courts. Other refugees, asylum seekers, and migrants had access to free public hospitals, but independent NGOs reported instances of migrants being turned away.

School administrators must allow migrant and refugee children to enroll in primary school through high school and require only that they present their passport and documentation showing their level of schooling from their home country. International organizations reported some children had trouble integrating into the educational system but that migrants' access to education was improving, particularly in the north of the country. These organizations reported that migrant parents were often reluctant to enroll their children in Algerian schools due to language barriers or cultural differences. NGOs also indicated that some migrants were denied treatment at health-care facilities.

Durable Solutions: The government did not accept refugees from foreign countries for resettlement. The Sahrawi refugees have not sought local integration or naturalization during their over 40-year stay in the refugee camps near Tindouf, and the Polisario Front continued to call for a referendum on independence in Western Sahara. The IOM led an *Assisted Voluntary Return and Reintegration* program to help migrants return to their homes willingly with economic and social support, including personalized professional training and other socioeconomic assistance. Although the government was not a financial donor to the initiative, it did cooperate.

Temporary Protection: The law does not address formal temporary protection, but authorities provided informal, temporary protection to groups such as Syrians and Malians.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

On March 10, President Tebboune enacted a new electoral law. Typically, new laws must obtain parliamentary approval, but on February 18, Tebboune dissolved parliament's lower house, thus necessitating the law's promulgation via decree.

The new law outlines a significant procedural change to the way voters elect members of parliament. Under the previous system, electors voted for a political party's candidate list rather than for individual candidates, and the candidates on the top of the list would obtain a seat in parliament. The government stated it made the change as part of its efforts to fight corruption. Opposition parties from across the political spectrum criticized the electoral law for creating a more complex process for qualifying for the ballot, 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.

Presidential term limits, which were eliminated in 2008, were reintroduced in a 2016 revision of the constitution to limit the president to two five-year terms. The new 2020 constitution maintains term limits. The National Independent Authority for Elections (ANIE), established in 2019 to replace the High Independent Election Monitoring Body, is responsible for organizing the election and voting processes, monitoring elections, and investigating allegations of irregularities.

Recent Elections: In November 2020 the country held a constitutional referendum. Restrictions on freedom of assembly and association as well as restrictions on political party activities inhibited the activity of opposition groups. The referendum passed with 66.8 percent support and 23.7 percent turnout, according to the ANIE.

On June 12, the country held legislative elections. Official voter turnout was 23 percent, the lowest in the country's history for a parliamentary election. The vote was the first held under the new electoral law. The new parliament did not have an established opposition party presence, as traditional opposition parties chose to boycott. After the polls closed, Mohamed Charfi, head of the ANIE,

announced an “average final turnout rate” of 30.2 percent based on the average turnout percentage in each of the country's 58 wilayas (states) – not of the percentage of all eligible voters who cast their ballots.

On November 27, the country held local elections and municipal level elections for wilaya (state) and commune-level legislative bodies, plus mayors. The ANIE announced a final turnout rate of 36 percent for municipal elections and 34.9 percent for provincial elections.

Political Parties and Political Participation: The Ministry of Interior must approve political parties before they may operate legally.

Opposition political parties claimed they did not have access to public television and radio. Occasionally security forces dispersed political opposition rallies and interfered with the right to organize. Since taking office in 2019, Tebboune's government has blocked foreign funding and pressured media to limit government criticism. The government used COVID-19 restrictions to prevent political opposition meetings; however, the National Liberation Front and the Democratic National Rally continued to meet despite restrictions.

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 September there were 72 registered political parties, one more than in 2020. Parties must hold a party congress to elect a party leader and confirm membership before the Ministry of Interior counts them as a registered party.

The law does not place significant restrictions on voter registration.

Membership in the Islamic Salvation Front, a political party banned since 1992, remained illegal. The law also bans political party ties to nonpolitical associations and regulates party financing and reporting requirements. By law political parties may not receive direct or indirect financial or material support from any foreign parties. The law also stipulates resources from party members' domestic contributions, donations, and revenue from party activities, in addition to possible state funding, must be reported to the Ministry of Interior. President Tebboune publicly stated his administration was revising political funding laws and that the new constitution would change campaign finance and funding laws.

On April 22, the Ministry of the Interior initiated legal action against the opposition party Union for Change and Progress (UCP). Authorities alleged that the UCP and its president Zoubida Assoul, who was also a lawyer and political activist, lacked legal status. The UCP denied these accusations and said it followed the law on political parties. On May 2, the Interior Ministry requested that the Council of State temporarily suspend the UCP, pending a legal ruling on its outright dissolution.

Participation of Women and Members of Minority Groups: No laws limit the participation of women and members of minorities in the political process, and they did participate.

The electoral law eliminated gender quotas in parliament, and women's representation in parliament fell from 120 to 34. During the 2017 legislative election campaign, the regulatory election body that preceded the ANIE sent formal notices asking parties and individuals to display candidates' photos on posters. The ANIE did not require female candidates to use their photos on the campaign posters and ballots for this year's legislative election for cultural and religious reasons.

Section 4. Corruption and Lack of Transparency in Government

Authorities continued their anticorruption campaign against political, military, and security officials, as well as prominent business leaders from the Bouteflika era.

The law provides for criminal penalties of two to 10 years in prison for official corruption, but the government did not fully implement the law. Although President Tebboune's administration has emphasized rooting out corruption, corruption remained a problem. Officials sometimes engaged in corrupt practices with impunity.

Corruption: On May 3, the Ministry of Justice released a progress report on the government's efforts to recover funds embezzled during former president Bouteflika's tenure. According to the report, the government successfully recovered 52 billion dinars (\$390 million) in assets, 39 billion dinars (\$293 million), \$214 million, and two million euros (\$2.2 million). The government also seized vehicles, plots of land, residences, and businesses. The report accounted for assets recovered in the country but not funds or assets located abroad, primarily in Europe.

On August 28, President Tebboune amended the process for pursuing corruption-related charges or investigating corruption-related offenses against local officials. The Ministry of Interior must first authorize security services to pursue legal proceedings in corruption cases. Lawyers claimed the

president's executive order violates the penal code stipulating the public prosecutor is the "sole authority to assess whether or not to initiate investigative or legal proceedings."

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

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 maintained an office and actively reported on human rights matters, but it did not receive official authorization to operate from the Ministry of Interior. Amnesty International has received authorization to open a bank account, although the organization awaits final documentation from the government to open the account.

Although the government did not renew the accreditation of the Algerian League for the Defense of Human Rights, the organization had members countrywide, received independent funding, and was one of the most active independent human rights groups. The Algerian League for Human Rights, a separate but licensed organization based in Constantine, had members throughout the country monitoring individual cases.

The United Nations or Other International Bodies: The Ministry of Foreign Affairs stated budget restrictions and time constraints delayed the visit of several UN delegations in charge of human rights but asserted that the country responds to all UN requests stemming from special procedures of the UN Human Rights Council.

The government officially recorded 3,200 forced disappearances during the 1990s and noted families remained dissatisfied with the government's official response surrounding the disappearances of their family members. The government reported the working group was tasked with addressing questions posed by the families of "the disappeared." The Foreign Affairs Ministry asserted the working group took on the role of a UN investigative body, which was outside its mandate and ran contrary to the country's constitution. The ministry added that it extended invitations to the working group in 2014 and again in 2015, but UN financial and scheduling constraints delayed their visit. The ministry claimed the United Nations would not be able to visit until at least 2023 due to continued financial and scheduling issues.

The country joined the Human Rights Council in 2014 but continued to deny requests for visits from the UN special rapporteurs on extrajudicial executions (pending since 1998) and counterterrorism and human rights (pending since 2006), the UN Working Group on arbitrary detention (pending since 2009), and the UN Security Council Mali Panel of Experts on Sanctions (since 2016). The Foreign Ministry stated that even during the 1990s, the country did not record many extrajudicial executions, but the perception caused numerous human rights groups to request special rapporteurs.

On March 5, Rupert Colville, the Spokesperson for the UN High Commissioner for Human Rights (OHCHR), called on authorities to put an end to violence against peaceful demonstrators of the Hirak movement. Colville expressed OHCHR's concern regarding the deteriorating human rights situation in the country and the continued and increasing crackdown on Hirak members, as "authorities are responding in the same repressive manner seen in 2019 and 2020."

In May, OHCHR urged authorities to stop using violence to disperse peaceful Hirak demonstrations. OHCHR also urged authorities to stop arbitrarily arresting and detaining protesters for exercising their rights to freedom of opinion, expression, and peaceful assembly. OHCHR called on authorities to conduct "prompt, impartial and effective investigations into all allegations of human rights violations and to ensure that the victims obtain reparations."

Government Human Rights Bodies: The National Human Rights Council (CNDH) has budget autonomy and the constitutional responsibility to investigate alleged human rights abuses, officially comment on laws the government proposes, and publish an annual report that is submitted to the president, the prime minister, and the two speakers of parliament. The CNDH releases the report to the public. The CNDH reported representation in 1,548 communes and five regional delegations located in Chlef, Biskra, Setif, Bechar, and Bejaia. The CNDH reported it had 123 local volunteers and 245 representatives.

The CNDH reported COVID-19 hampered its activities. Nevertheless, the CNDH noted that during the year it had conducted prison visits; ensured children were connected to their schools and facilitated distance learning; held sessions with the Danish Human Rights Institute, the Arab League, and Penal Reform International; interceded to guarantee that all citizens had equal access to health care; signed a convention with the Republic Ombudsman; and took steps to set up a database to track human rights-related statistics.

Between January 1 and September 30, the CNDH reported receiving 943 requests for assistance, examined 473 of them, and completed 46. The CNDH stated 424 remained under review. A CNDH representative reported the organization's focus during the year was on health measures, especially for vulnerable groups such as the elderly and migrants.

Section 6. Discrimination and Societal Abuses Women

Women

Rape and Domestic Violence: The law criminalizes rape but does not specifically address spousal rape. Prison sentences for rape range from five to 10 years and, although sex crimes were rarely reported due to cultural norms, authorities generally enforced the law. The penal code allows an adult accused of "corruption of a minor" to avoid prosecution if the accused subsequently marries his or her victim and if the crime did not involve violence, threats, or fraud. The law stipulates sentences of one year to life imprisonment for "anyone who voluntarily causes injury or blows to his or her spouse." It also introduces penalties for verbal and psychological violence, sexual assault, harassment, and indecent assault.

Domestic violence remained a society-wide problem. The law states that a person claiming domestic abuse must visit a "forensic physician" for an examination to document injuries and that the physician must determine the injuries suffered "incapacitated" the survivor for 15 days. The law prescribes up to a 20-year imprisonment for the accused, depending on the severity of injuries. If domestic violence results in death, a judge may impose a life sentence.

During the year the International Labor Organization (ILO) published a report on the rise in domestic violence during the pandemic. According to the ILO, the country recorded a 47 percent increase in violence against women.

As of September 30, the Ministry for National Solidarity, Family, and Women reported there were 470 logged cases of violence against women and 2,126 women in at-risk situations. The Ministry of Solidarity provided psychological care, guidance, and administrative and legal support through its Social Action and Solidarity Departments teams, which are in all the country's provinces. The ministry operated a free domestic violence hotline for women in distress and ran a nationwide domestic-violence awareness campaign, advertising the legal options and available aid for women in domestic distress. The ministry reported that it trained its professional cadre in cooperation with UN agencies.

For the first quarter of the year, the DGSN reported there were 3,732 complaints related to violence against women.

The government maintained three regional women's shelters, in Tipaza, Mostaganem, and Annaba. The Information and Documentation Center on the Rights of Children and Women, a network of local organizations that promoted the rights of women, managed call centers in 15 provinces.

According to statistics from women's advocacy groups published in the local press, between 100 and 200 women die each year from domestic violence. Femicides Algerie, an advocacy group that tracks and publicizes femicides, reported 37 women killed because of their gender in the country since the start of the year.

During the year a women's advocacy group, the Wassila Network, received 800 cases of domestic violence, up from 200 in 2020. The Wassila Network noted this number was a fraction of actual cases since survivors of domestic violence rarely reported the abuse to authorities and because of a forgiveness clause provided in the legal code. The clause stipulates that, if the victim forgives his or her aggressor, legal action ceases. The Wassila Network described situations in which a survivor goes to police to report a domestic violence incident and family members convince the survivor to forgive the aggressor, resulting in no charges.

The Wassila Network and other women's rights groups reported 30 femicides during the COVID-19 lockdown. According to the NGO, the figure was likely much higher, since many cases were not reported. Women's groups expressed concerns regarding the consequences of the lockdown. NGO Femmes Algériennes vers un Changement pour l'Egalité (FACE) reiterated its statement highlighting the increase of violence against women within the home. FACE called for authorities to implement emergency measures to protect women from violence.

Two women's rights activists, Wiam Arras and Narimene Mouaci, launched a Facebook page called "Femicides Algerie" in 2020 that documented 37 cases of femicide. The initiative's goal is to publicize the extent of violence against women, specifically violence resulting in death. They began their publicity initiative in 2019, after seeing the discrepancy between official statistics and NGO statistics, the latter of which were almost double that provided by authorities.

Women's rights NGOs maintained call centers and counseling sessions throughout the COVID-19 lockdown. The Wassila Network, which usually averaged 20 calls a week, received an average of 100 calls per week since the COVID-19 lockdown began in March 2020.

The law provides for sentences of one to 20 years' imprisonment for domestic violence and six months' to two years' incarceration for men who withhold property or financial resources from their spouses.

In 2018 the Ministry for National Solidarity, Family, and Women and UN Women launched an administrative database, named AMANE, to collect information on violence against women. UN Women was using the information collected to assist the government in developing targeted programs to support and protect women in vulnerable situations, including violence, as part of its programs funded by the Belgian government. The government reported it used the data to identify patterns of violence against women, specifically collecting data on family situations, types of violence, and relationship to the perpetrators. The ministry reported that the AMANE data showed women ages 36-50 were most vulnerable to violence, with married and divorced women in that age group being at most risk.

Female Genital Mutilation and Cutting (FGM/C): The practice was not generally used in the country but was widely present among immigrant communities in southern regions, particularly among sub-Saharan African migrant groups. There were no reports of any related convictions, nor any official pronouncements by religious or secular leaders proscribing the practice. FGM/C is a criminal offense punishable by up to 25 years in prison.

Sexual Harassment: The punishment for sexual harassment is one to two years' imprisonment and a fine; the punishment doubles for a second offense. Women's groups said that most reported cases of harassment occurred in the workplace.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Couples and individuals have the right to decide the number, timing, and spacing of their children. Societal and family pressure, however, restricted women from making independent decisions regarding their health and reproductive rights. During the year the government encouraged married women to use contraception to help slow the birth rate.

Conservative elements of society challenged the government's family-planning program, including the provision of free contraception. A 2018 Oran hospital survey showed that a husband's prohibition or religious disapproval influenced women's contraceptive practices. Married and unmarried women had access to contraceptives, although some clinics required a prescription before dispensing birth control pills to unmarried women. Doctors required permission of the partner for women who sought tubal ligation. Emergency contraception was not widely available, although it could be obtained from midwives after a medical examination if the woman requested it and medical personnel deemed it appropriate.

Civil society organizations such as the Wassila Network coordinated medical, psychological, and legal support to survivors of sexual violence.

According to World Health Organization (WHO) data, the maternal mortality rate gradually dropped from 179 deaths per 100,000 live births in 1998 to 112 deaths per 100,000 live births in 2017 (the most recent available annual data). The WHO attributed the decline to increased medical training, investments in health care, and specific government initiatives aimed at reducing maternal deaths. A 2018 study by a prominent women's group found that 75 percent of women who used nonbarrier birth control opted for the birth control pill, while 11 percent opted for an intrauterine device. These figures coincided with the UN Population Fund's most recent data.

Discrimination: Although the constitution provides for gender equality, aspects of the law and traditional social practices discriminated against women. In addition, some religious elements advocated restrictions on women's behavior, including freedom of movement. The law prohibits Muslim women from marrying non-Muslims, although authorities did not always enforce this provision.

Women may seek divorce for irreconcilable differences and violation of a prenuptial agreement. In a divorce the law provides for the wife to retain the family's home until the children reach age 18. Authorities normally awarded custody of children to the mother, but she may not make decisions regarding education or take the children out of the country without the father's authorization. The government provided a subsidy for divorced women whose former husbands failed to make child support payments.

The law affirms the religiously based practice of allowing a man to marry as many as four wives. The law permits polygamy only upon the agreement of the previous and future wife, and the determination of a judge as to the husband's financial ability to support an additional wife. It was unclear whether authorities followed the law in all cases since local authorities had significant discretion and the government did not maintain nationwide statistics.

Women suffered from discrimination in inheritance claims and were entitled to a smaller portion of an estate than male children or a deceased husband's brothers. Women did not often have exclusive control over assets that they brought to a marriage or that they earned.

Women may own businesses, enter contracts, and pursue careers similar to those of men. Women enjoyed rights equal to those of men concerning property ownership, and property titles listed female landowners' names. The Ministry for National Solidarity, Family, and Women reported that the National Agency for Management of Microcredit (ANGEM) that women accounted for 47 percent of loan recipients during the year, lower than the average annual percentage of 64 percent since ANGEM's 2004 establishment.

Systemic Racial or Ethnic Violence and Discrimination

Algeria's Berber minority is not homogenous and exists in constituent subcultures throughout Algeria. About half of the Berber-speaking population is concentrated in the Kabylie region of northern Algeria, including the *wilayas* (states) of Tizi Ouzou and Bejaia. The second largest Berber group, the Shawiya, inhabit the mountains of eastern Algeria. Two smaller Berber communities include the Mozabites in Ghardaia and the Touareg nomads in the south. In 2019, authorities arrested dozens of Hirak protesters carrying Berber flags on charges of "undermining national unity."

The government's 2021 designation of the Berber separatist Movement for the Self-Determination of Kabylie (MAK) as a terrorist group gives the government additional legal tools to pursue MAK-affiliated political opponents, both in Algeria and abroad.

Amazigh groups contend they were losing their traditions and language to Arabization, despite the 2020 constitution recognizing Tamazight as one of Algeria's official languages and the government's recognition in 2017 of Yennayer, the Berber New Year, as a national holiday. However, some Berber groups perceived the move to recognize the Berber language as politically motivated rather than a genuine government effort to incorporate the Tamazight language more broadly in Algerian society. The constitution also states that all individuals, regardless of race, are equal under the law.

According to researchers with the Algerian National Centre for Prehistoric, Anthropological and Historical Research (CNRPAH), Black Algerians and sub-Saharan African migrants are discriminated against and subject to racism. According to CNRPAH, sub-Saharan migrants in Algeria's large coastal cities of Algiers, Constantine, and Oran are typically not issued work permits, limiting employment opportunities to the informal market.

According to members of religious minority groups, ethnic or racial minorities are more likely to face discrimination if they are not Muslim.

Children

Birth registration: 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 does not differentiate between girls and boys in registration of birth.

In August 2020 the prime minister changed the procedure for recognizing children born to an unknown father. The decree stipulates requests must be made through the Ministry of Justice. The decree also states that a "person who has legally fostered a child born to an unknown father, may submit a request, on behalf and for the benefit of this child, to the public prosecutor in order to change the patronymic name of the child and make it match his own." If the child's mother is known and alive, her consent is required to change the name. Those born abroad can file a request at the diplomatic or consular center of their place of residence.

Child Abuse: Child abuse is illegal but continued to be a problem. The government devoted increasing resources and attention to it. A national committee is responsible for monitoring and publishing an annual report on the rights of children. The government supported the Qatari NGO Network for the Defense of Children's Rights. Yasmine Khouas, head of the Office of Protection of Vulnerable Persons at the Directorate General of National Security (DGSN), reported that 2,453 children were victims of violence during the first four months of the year.

The Ministry for National Solidarity, Family, and Women reported 51 children's shelters and centers; 31 shelters for delinquent youth, in 27 wilayas, with eight reserved for girls; 11 shelters for children at risk of violence, in nine wilayas, with three reserved for girls; and eight multipurpose youth centers, in eight wilayas, with one reserved for girls.

Laws prohibiting parental abduction do not penalize mothers and fathers differently, and the punishment for convicted kidnappers includes the death penalty.

Child, Early, and Forced Marriage: The legal minimum age of marriage is 19 for both men and women, but minors may marry if there is 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 commercial sex and stipulates prison sentences of between 10 and 20 years when the offense is committed against a minor younger than 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 survivor is a minor.

The law established a national council to address children's matters, which gives judges authority to remove children from an abusive home and allows sexually abused children to provide testimony on video rather than in court.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The country's Jewish population numbered fewer than 200 persons.

Religious and civil society leaders reported that the Jewish community faced unofficial, religion-based obstacles to government employment and administrative difficulties when working with government bureaucracy.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, although the government did not always effectively enforce these provisions (see also section 7, Worker Rights).

The CNDH reported that it created a committee exclusively devoted to assisting those with disabilities.

The Ministry of National Solidarity, Family, and the Status of Women provided some financial support to health-care-oriented NGOs, but for many NGOs, such financial support represented a small fraction of their budgets. The government provided disability benefits to persons with disabilities who registered.

The Ministry of National Solidarity, Family, and Women reported that in 2019 it ran 238 centers throughout the country that provided support for persons with intellectual, auditory, vision, and physical disabilities, but it did not provide updated figures for the year. The ministry reported the Centre National de Formation de Constantine conducted training for professionals working with children with disabilities. Training included how to work with children with sensory difficulties and children with autism.

Many persons with disabilities struggled to acquire assistive devices and noted the National Office of Apparatus and Accessories for the Handicapped did not have a presence in all provinces.

The ministry stated that it worked with the Ministry of Education to integrate children with disabilities into public schools to promote inclusion. Most of the ministry's programs for children with disabilities remained in social centers for children with disabilities rather than in formal educational institutions. Advocacy groups reported that children with disabilities rarely attended school past the secondary level. Many schools lacked teachers trained to work with children with disabilities, threatening the viability of efforts to mainstream children with disabilities into public schools. For the 2020-21 school year, the government reported it created 1,722 positions to assist children with disabilities, including 940 master teachers', 400 teachers', and 382 school assistants' positions. The government also reported it limited class sizes for children with auditory, visual, and mental disabilities.

In 2020, a total of 24,093 children and adolescents with disabilities were enrolled in specialized facilities. Seventy nongovernmental associations were caring for 8,848 children with disabilities in 112 centers throughout the country.

Many persons with disabilities faced challenges casting ballots due to voting centers that lacked accessible features.

On September 5, the Minister of Youth and Sports Abderrazak Sebgag sanctioned ministry officials after it failed to receive Algerian Paralympic athletes returning from the Tokyo Paralympic Games. The bus sent to transport the athletes was not equipped for persons with disabilities, and media broadcast footage showing the athletes struggling to board the bus.

HIV and AIDS Social Stigma

Social stigmas associated with persons in commercial sex, men who have sexual relations with men, and drug users deterred testing of these HIV-vulnerable groups. The government reported it did not take measures to specifically prevent and treat HIV/AIDS in the LGBTQI+ community. Members of the country's LGBTQI+ community reported pre-exposure prophylaxis was not available.

In 2020, UNAIDS reported the country was close to achieving the UNAIDS' 90 percent target, as 84 percent of persons with HIV knew their status. Civil society organizations were integral to the region's HIV response and advocated for HIV prevention, treatment, and funding. Many civil society organizations included individuals affected by HIV, helping these organizations reach key populations. During the year UNAIDS, in partnership with the NGO AIDS Algerie, continued operating a support team to reduce stress and anxiety among key populations and to reduce domestic conflict.

During the COVID-19 pandemic, a professor at El-Hadi Flici Hospital, Algiers' primary hospital for infectious diseases, said ambulances delivered AIDS patients' medicines to reduce their susceptibility to COVID-19.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

The law criminalizes public indecency and consensual same-sex sexual relations between adult men or women, with penalties that include imprisonment of six months to three years and a fine. The law also stipulates penalties that include imprisonment of two months to two years and fines for anyone convicted of having committed a "homosexual act." If a minor is involved, the adult may face up to three years' imprisonment and a fine. LGBTQI+ activists reported that the vague wording of laws criminalizing "homosexual acts" and "acts against nature" permitted sweeping accusations that resulted in multiple arrests for consensual same-sex sexual relations, but no known prosecutions, during the year.

LGBTQI+ status is not criminalized; however, LGBTQI+ persons may face criminal prosecution under legal provisions concerning commercial sex, public indecency, and associating with bad characters. NGOs reported that judges gave harsher sentences to LGBTQI+ persons for the above crimes compared to non-LGBTQI+ persons. An NGO reported that LGBTQI+ men were targeted more often than women.

The law does not extend antidiscrimination protections to LGBTQI+ persons based on sexual orientation, gender identity or expression, or sex characteristics. Officials asserted that the law covers LGBTQI+ individuals through general civil and human rights legislation. Government officials did not take measures specifically to prevent discrimination against LGBTQI+ persons. LGBTQI+ persons faced discrimination in accessing health services, such as longer wait times, refusal of treatment, and shaming. Some organizations maintained a list of "LGBTQI+-friendly" hospitals, and several NGOs operated mobile clinics specifically for vulnerable communities. NGOs reported that employers refused jobs to LGBTQI+ persons, particularly men perceived as effeminate. Community members reported obtaining legal assistance was also a challenge due to similar discrimination.

LGBTQI+ activists reported hostility against the LGBTQI+ community was increasing and typically emanated from the younger generation. Activists reported that members of the LGBTQI+ community were often followed and intimidated, and sometimes the harassment escalated to physical violence.

Activists said only certain employers would hire open LGBTQI+ persons and that many doctors would not treat LGBTQI+ patients. Lawyers versed in LGBTQI+ issues were not widely accessible, and other lawyers feared getting involved with the cases of LGBTQI+ persons. LGBTQI+ leaders said journalists were aware of the community's situation, and although many were sympathetic to the cause, most would not publish stories regarding LGBTQI+ discrimination.

LGBTQI+ activists described the heavy emotional toll COVID-19 lockdown measures have taken on their community. LGBTQI+ activists said the political and economic crises – particularly combined with LGBTQI+ discrimination in medical and legal services and employment – were intensifying other

psychological issues within their community, such as depression and anxiety.

During the year LGBTQI+ NGOs organized virtual meetings. The NGOs reported government harassment, including threats of imprisonment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution allows for the right of workers to join and form unions of their choice, provided they are citizens. The country has ratified the ILO's conventions on freedom of association and collective bargaining but failed to enact legislation needed to implement these conventions fully. It was unclear whether the government enforced applicable laws commensurate with those for other laws involving denial of civil rights, such as discrimination. The law requires that workers obtain government approval to form a union, and the Ministry of Labor must approve or disapprove a union application within 30 days. To form a union, an applicant must be Algerian by birth or have held Algerian nationality for 10 years. The law also provides for the creation of independent unions, although the union's membership must account for at least 20 percent of an enterprise's workforce. Unions have the right to form and join federations or confederations, and the government recognized four confederations. Unions may recruit members at the workplace. The law prohibits discrimination by employers against union members and organizers and provides mechanisms for resolving trade union complaints of employers' antiunion practices.

The law permits unions to affiliate with international labor bodies and develop relations with foreign labor groups. For example, the General Union of Algerian Workers (UGTA), which represented most public-sector workers, is an affiliate of the International Trade Union Confederation. Nevertheless, the law prohibits unions from associating with political parties and receiving funds from foreign sources. The courts are empowered to dissolve unions that engage in illegal activities. The government may invalidate a union's legal status if authorities perceive its objectives to be contrary to the established institutional system, public order, good morals, law, or regulations in force.

The law provides for collective bargaining by all unions, and the government permitted the exercise of this right for authorized unions. Nevertheless, the UGTA remained the only union authorized to negotiate collective bargaining agreements during the annual tripartite meeting. Other authorized unions can bargain with specific ministries but are excluded from the tripartite meeting.

The law provides for the right to conduct legal strikes, and workers exercised this right, subject to conditions. Striking requires a secret ballot of the whole workforce. The decision to strike must be approved by majority vote of workers at a general meeting. The government may restrict strikes on several grounds, including economic crisis, obstruction of public services, or the possibility of subversive actions. Furthermore, all public demonstrations, including protests and strikes, must receive prior government authorization. By law workers may strike only after 14 days of mandatory conciliation or mediation. The government occasionally offered to mediate disputes. The law states that decisions reached in mediation are binding on both parties. If mediation does not lead to an agreement, workers may strike legally after they vote by secret ballot to do so. The law requires that a minimum level of essential public services must be maintained during public-sector service strikes, and the government has broad legal authority to requisition public employees. The list of essential services included banking, radio, and television. Penalties for unlawful work stoppages range from eight days' to two months' imprisonment. The law protects union members from discrimination or dismissal based on their union activities. Penalties for abusing union members' rights are not sufficient to deter abuses. The law says any firing or other employment action based on discrimination against union members is invalid. The government did not effectively enforce these laws.

The government reported 99 registered trade unions and 59 employers' organizations, up from 91 and 47, respectively, in 2020. Many trade unions remained unrecognized by the government; they identified delayed processing and administrative hurdles as the primary obstacles to establishing legal status. The ILO Committee of Experts on the Application of Conventions and Recommendations reiterated in 2017 that the lengthy registration process seriously impeded the establishment of new unions.

Attempts by new unions to form federations or confederations suffered similar challenges. Representatives of the National Autonomous Union for Public Administration Personnel (SNAPAP) stated that the union continued to function without official status.

The government continued to deny recognition to the General Autonomous Confederation of Workers in Algeria (CGATA), an independent trade union confederation that includes public and economic-sector unions and committees. CGATA membership included workers from unions representing government administrators, diplomatic personnel, state electricity and gas employees, university professors, public transport and postal workers, and lawyers. The confederation also

included migrants working in the country. In 2019 authorities shut down CGATA's offices and authorities arrested and jailed an executive member of CGATA, Kaddour Chouicha. On April 29, authorities arrested Chouicha, journalists Jamila Loukil and Said Boudour, and 12 others on charges of "enlistment in a terrorist or subversive organization active abroad or in Algeria." The court in Oran heard the case on May 18 but did not notify the defendants' lawyers. The court granted Chouicha and Loukil's provisional release and placed Boudour under judicial supervision.

SNAPAP and other independent unions faced government interference throughout the year, including official obstruction of general assembly meetings and police harassment during sit-in protests. Furthermore, the government restricted union activities and the formation of independent unions in certain critical public services sectors, such as oil and gas and telecommunications. The International Trade Union Confederation reported that judicial abuse of trade union leaders had intensified.

On April 5, authorities arrested Mourad Ghedia, president of the SNAPAP/CGATA Justice Sector Workers. A judge placed Ghedia in pretrial detention. Ghedia did not have access to a lawyer, and the judge did not inform him of the charges.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. The government did not effectively enforce the law. Penalties were not commensurate with those for other analogous serious crimes, such as kidnapping.

NGOs reported that irregular migrants sometimes worked in forced labor and that their lack of work permits made them more vulnerable to exploitation. For example, migrant women were subjected to debt bondage as they worked to repay smuggling debts through domestic servitude, forced begging, and exploitation. Construction workers and domestic workers were reportedly vulnerable. Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law does not prohibit and criminalize all the worst forms of child labor. The government did not effectively enforce the law. Penalties were not commensurate with those for other analogous serious crimes, such as kidnapping. The law prohibits employment by minors in dangerous, unhealthy, or harmful work or in work considered inappropriate because of social and religious considerations, yet the country has not determined by national law or regulation the types of work that are hazardous for children. Under the law there is no legislative provision prohibiting the use, procuring, or offering of a child younger than age 18 for the production and trafficking of drugs. The minimum legal age for employment is 16, but younger children may work as apprentices with permission from their parents or legal guardian. The law prohibits workers younger than 19 from working at night. The ILO noted, however, that the country's standard of "night" for children is only eight hours, less than the 11 hours recommended by the ILO.

Although specific data were unavailable, children reportedly worked mostly in the informal sales market, often in family businesses. There were isolated reports that children were subjected to commercial sexual exploitation.

The Ministry of Labor is responsible for enforcing child labor laws and refers violators to the Ministry of Justice for prosecution. There is no single office charged with this task, but all labor inspectors are responsible for enforcing laws regarding child labor. The Ministry of Labor conducted inspections and, in some cases, investigated companies suspected of hiring underage workers. The ministry's Labor Inspector Service in 2019 conducted 124,698 inspections and reported 10 children were found working illegally but did not provide updated statistics for the year. The Ministry of Labor attributed the low figure to the fact that most children worked in the informal economy, and inspections were limited to registered businesses. Monitoring and enforcement practices for child labor were ineffective.

The Ministry of National Solidarity, Family, and Women led a national committee composed of 12 ministries and NGOs that meets yearly to discuss child labor issues. The committee was empowered to propose measures and laws to address child labor as well as conduct awareness campaigns.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment, salary, and work environment based on age, gender, social and marital status, family links, political conviction, disability, national origin, and affiliation with a union. It was not clear whether penalties for violations were commensurate with other laws on civil rights, such as election interference. The law restricts women from working

during certain hours of the day and does not permit women to work in jobs deemed arduous. In addition to the legislative provisions in force, employers must ensure that the work entrusted to women, minors, and persons with disabilities does not “require an effort exceeding their strength.”

Men held a large percentage of positions of authority in government and the private sector, and women reported facing employment discrimination with job offers being extended to less qualified male applicants. Although the law states women should receive a salary equal to men, leaders of women's organizations reported discrimination was common and that women were less likely to receive equal pay for equal work or promotions, particularly in the private sector.

Few businesses abided by the law requiring that they reserve 1 percent of jobs for persons with disabilities. NGOs reported that the government did not enforce payment of fines for failing to abide by the law. The government usually highlighted its efforts in March to coincide with the National Day of the Disabled. The ministry, however, reported it had increased efforts to enforce the 1 percent quota during the year. The ministry reported it inspected 276 businesses, encompassing 88,718 workers, to verify compliance with the 1 percent quota. The ministry issued 44 formal notices to 68 noncompliant employers for failure to adhere to the quota.

The law does not explicitly prohibit discrimination with respect to employment based on sexual orientation, HIV-positive status, or religion. The government did not adequately enforce the law, since discrimination reportedly existed, specifically against migrant workers in the informal economy who lacked a legal means to address unfair working conditions. Particularly vulnerable were women, girls, and young men from sub-Saharan Africa who were lured into the country to accept jobs in restaurants and hair salons but were subjected to forced labor conditions. NGOs reported instances in which unaccompanied migrant girls were exploited as domestic workers and were known to be loaned out to families for extended periods to work in homes or exploited as prostitutes.

e. Acceptable Conditions of Work

Wage and Hour Laws: A tripartite social pact among business, government, and the official union established a national, monthly minimum wage which is above the poverty income level. In June 2020 President Tebboune directed the Ministry of Labor to increase the monthly minimum wage. He also eliminated tax obligations for low-income workers.

The standard workweek was 40 hours, including one hour for lunch per day. Half of the lunch hour is considered compensated working time. Employees who worked longer than the standard workweek received premium pay on a sliding scale from time-and-a-half to double time, depending on whether the overtime occurred on a normal workday, a weekend, or a holiday. It was unclear whether penalties for violations were commensurate with those for similar crimes, such as fraud.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for the main industries in the country. Responsibility for identifying unsafe situations remains with OSH experts and not the worker based on hazards inherent to the nature of work. Responsibility for identifying unsafe situations remains with occupational safety and health experts and not the worker. It was not clear whether the law provides workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. There were no known reports of workers dismissed for removing themselves from hazardous working conditions. If workers face such conditions, they may renegotiate their contracts or, failing that, resort to the courts. While this legal mechanism existed, the high demand for employment in the country gave an advantage to employers seeking to exploit employees. The government did not effectively enforce occupational safety and health laws. It was unclear whether penalties for violations were commensurate with those for crimes like negligence.

Informal Sector: The government's labor laws do not formally allow refugee employment or adequately cover migrant laborers; therefore, many economic migrants from sub-Saharan Africa and elsewhere who worked in the informal sector, primarily in construction and as domestic workers, were at risk of labor exploitation due to their lack of legal status.

The government requires employers to declare their employees to the Ministry of Labor and to pay social security benefits. The government allowed undeclared workers to gain credit for social security and retirement benefits for time spent in the informal economy if they repay any taxes owed after registering. The government did not effectively enforce the law. The Labor Ministry did not employ sufficient inspectors.

The government prioritized pregnant women and women raising children, as well as individuals with chronic illnesses and those with health vulnerabilities, for exceptional leave. In 2020 authorities extended exceptional leave to the private sector.

On August 8, the government increased the unemployment allowance. The government set an age limit for qualified job seekers and introduced a system to control unemployment cards.

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