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Country Information and Policy Unit

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1. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a wide variety of sources. The document does not contain any Home Office opinion or policy.

1.2 The assessment has been prepared for background purposes for those involved in the asylum / human rights determination process. The information it contains is not exhaustive. It concentrates on the issues most commonly raised in asylum / human rights claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a six-monthly basis while the country remains within the top 35 asylum-seeker producing countries in the United Kingdom.

2. GEOGRAPHY

2.1 The official state name is Republique populaire democratique d'Algérie (Democratic and Popular Republic of Algeria) or El-Djezaïr or Al- Djoumhouryya Al-Djazairyya ad Dimoukratyya Ash-Shabyya. [1a] Algeria is on the north-west Mediterranean coast of Africa, and is bounded by Morocco, Mauritania, Mali, Niger, Libya, Tunisia, and the disputed Western Sahara territory. The capital is Algiers (or El-Djezaïr). The other principal towns are Oran, Constantine (Qacentina), Annaba and Blida (el-Boulaida). The area of Algeria is 2,381,741 square kilometers (919,595 square miles), most of which is in the Sahara desert. [1a] [24a]

2.2 The population is estimated to exceed 30 million. The capital, Algiers, has the highest population concentration with about 2 million people. 60% of the population lives in urban areas. [1a]

2.3 The official language is Arabic, but French is widely spoken. The Berber languages, particularly Tamazight, are also spoken, particularly in the Kabylie and Aures mountain regions. [1a] [3] [14h] [14i] [24a] [49] In April 2002 the constitution was amended to make the Berber language Tamazight one of the country's national languages. [7r]

For further information on Geography refer to Europa Yearbooks, Sources 1a and 1b.

3. ECONOMY

3.1 The unit of currency is the Algerian dinar (AD). 1 AD = 100 centimes (CT) Exchange rate (April 2001) £1 = 111.05 AD. Paper money comprises banknotes with a face value of 5, 10, 20 centimes and 1, 2, 5, 10, 20, 50 dinars. [1a] [10]

3.2 President Bouteflika has promised to speed up privation of state enterprises and move towards a free market economy but progress has been slow. [1a] [51b] Although the macro-economy is largely sound [7s] [37a] there is frustration over socio-economic issues, notably unemployment, poor housing and water supplies which has led to riots in several areas, including the Berber area of Kabylie. [7s] [37a] [47] [50a] [51b] [54e] [54f] [54g] [54h] [56a] [59a] [59b] Officially, about 30% of the workforce is unemployed, and about 70% of persons under the age of 30 cannot find employment. [6c] [7s] [47]

3.3 Algeria signed an Association Agreement with the EU in December 2001 that will require it to carry out certain economic reforms. [1b]

4. HISTORY

PRE-1990

4.1 Algeria was under French colonial rule from the mid-19th century. For most of this colonial period, official policy was to colonise the territory with French settlers, and many French citizens became permanent residents. [1a] [24a]

4.2 In 1954 the principal Algerian nationalist movement, the Front de Libération Nationale (FLN), began a war of national independence, in the course of which about 1 million people were killed or wounded. A cease-fire was agreed and independence was declared in 1962. A new government was formed with Ahmed Ben Bella, founder of the FLN, as Prime Minister. [1a]

4.3 Following the economic problems resulting from the collapse of oil prices in the mid-80s a wave of strikes and riots culminated in considerable bloodshed and street demonstrations in 1988. [1a]

1991-92: RISE OF THE FIS AND 1991-2 ELECTIONS

4.4 The Front Islamique du Salut (FIS) /Islamic Salvation Front / al-Jibhat al-Inqath, established in 1989, emerged as the largest and most influential opposition movement, capable of developing a nation-wide

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organisation based on mosques and Islamic organisations. Its promise of social justice and its grass-root welfare services appealed strongly to the urban poor and unemployed. In local elections in June 1990, the FIS gained control of 32 of Algeria's 48 provinces and 853 of the 1,539 municipalities, winning a landslide victory in all major cities. [1a]

4.5 By early 1992 the FIS was also poised to win the general elections to the National People's Assembly. [1a] However, amid protests about the electoral laws and a call by the FIS for a general strike, the government declared a state of siege and suspended the elections indefinitely. During the widespread unrest, which followed, the leaders of the FIS, including Abbasi Madani and Ali Belhadj, were arrested. [1a]

4.6 Violent clashes occurred across the country over the weekend of 8 and 9 February 1992, between police and FIS supporters. Detention centres were opened in the Sahara, and the FIS claimed that 150 people were killed, and as many as 30,000 detained. The government declared a state of emergency and the FIS was banned. The government also dissolved 411 FIS-controlled local and regional authorities. [1a] [24a]

1993-1998: CONTINUING VIOLENCE

4.7 After the outlawing of the FIS, the Islamic opposition became fragmented and increasingly radicalised. [1a] A political vacuum was created which was increasingly filled by armed Islamic groups operating autonomously across the country, united only in their opposition to the regime. [1a] [24a]

See Section 6 Armed Groups and Annex C Main Armed Groups

4.8 In February 1993 the state of emergency was renewed for an indefinite period. [12a]

4.9 Throughout the period, violence in Algeria escalated. There were frequent attacks by the Islamic extremists on the population, including various categories such as government officials, judges, politicians, intellectuals, journalists and teachers. Assassinations of foreign nationals led to most embassies in Algeria advising their citizens not to travel to Algeria, and those in Algeria to leave immediately. [1a]

4.10 Algerian security forces intensified their campaign against armed Islamic groups and reports suggested that air attacks, punitive raids, and torture had been used in an attempt to eradicate the terrorists. [1a] There were also numerous reports of violence such as bomb explosions in the main cities, massacres of civilians and fighting between government security forces and Muslim guerrillas. [1a] [27a] [27b]

4.11 The cycle of violence intensified by mid-1997 when a series of massacres took place in villages to the south and west of Algiers increasingly referred to as the "triangle of death". The Armed Islamic Group (GIA) / Groupe Islamique Armé was widely held responsible for the massacres but it was claimed that some units of the GIA had been infiltrated by military intelligence, and that the security forces had failed to protect the population. [1a] See Section 6 Security Forces

4.12 Press reports indicated that about 2,000 people, mainly civilians, died in a succession of massacres during the holy month of Ramadan, which began on 30 December 1997. [1a]

1999-2000: CIVIL CONCORD LAW AND DISSOLUTION OF THE AIS

4.13 Presidential elections were held on 15 April 1999. Abdelaziz Bouteflika was proclaimed as the new President on April 16 after winning 73.8% of the votes. His victory was affected, however, by the decision of all the other candidates in the poll to withdraw from the election several days before it took place. [1a] There was also subsequent international comment that the true voter turnout figure was substantially lower than claimed. [1a] The six other candidates (Ahmed Taleb Ibrahimi; Sheikh Abdallah Djallabah; Hocine Ait Aïmed; Mouloud Hamrouche; Mokdad Sifi; and Youcef Khatab) who would have competed with Bouteflika, said that the military, which had backed Bouteflika's candidacy, had intervened to rig the ballot in his favour. The opposition held demonstrations in major cities across Algeria to protest against the election. [1a]

4.14 The new President stated his aims were to promote civil concord, reform the economy and stamp out corruption. [1a] [11] [12a]

4.15 The Islamic Salvation Army (AIS), the armed wing of the banned political party Front Islamique du Salut (FIS), declared an end to their guerrilla struggle against the government on June 6 1999. The AIS had been observing a unilateral cease-fire since October 1997. [1a]

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4.16 Shortly afterwards the President put forward a new Law on Civil Concord. [1a] It was unanimously adopted by the National People's Assembly and approved by a referendum in September. [1a] The Law offered an amnesty for Islamic militants not implicated in mass killings, rapes, or bomb attacks on public places, and reduced sentences for such crimes provided they surrender to the authorities within 6 months (i.e. by 13 January 2000). [1a] [11] [12a] [27a]

4.17 More than 180 people were killed during the holy month of Ramadan ending on 8 January 2000. This was a similar total to the previous year's Ramadan and much lower than that of 1997/88. [7b]

4.18 During the Ramadan month ending on 27th December 2000 over 300 people were killed. These included over 100 members of the security forces. In several instances groups of 20-30 civilians were killed. Violence was reported across much of the north of the country, particularly in the south and west of Algiers. [7h] In 2000 about 250 people per month [11], a total of about 2588 [6c] were killed in terrorist incidents, the majority in rural areas. [11]

4.19 The amnesty deadline for armed groups expired on 13 January 2000. [1a] Just before this deadline the AIS leader Madani Mezrag announced that the AIS would dissolve itself. [1a] In return, on 11 January, the president announced an immediate full amnesty for AIS members. [1a] [11] [12a] Members of the GIA also surrendered under the terms of the Civil Concord amnesty. [1a] [7b]

EVENTS OF 2001

4.20 Press reports indicated that a total of 1980 civilians, terrorists and security force members died during 2001 as a result of the ongoing violence although main cities were generally secure. [1a] [6c] However, since mid-2001 there have been bomb attacks in bus stations and other crowded areas in Algiers resulting in one death and several serious injuries. [5a] [6c] [7l] [7m] Press reports indicated that the death toll during the Ramadan period ending in mid-December was lower than previous years at fewer than 100. [7o]

4.21 From late April riots occurred in the Kabylie region and beyond following the death of a young man in police custody near Tizi Ouzou during the annual "Berber Spring" demonstrations. [1a] See Section 6 Ethnic Groups

EVENTS OF 2002

4.22 In February Antar Zouabri was killed by the security forces. He was regarded as the most prominent emir of the GIA. [7p] According to unconfirmed reports his successor Rachid Abu Tourab was also killed by security forces in June 2002. [7u]

4.23 Unrest and violence continued, particularly in the Kabylie region. The government announced a number of measures in response to the Berber demands including official recognition of the Berber language. See Section 6 Ethnic Groups There were also riots in various parts of the country in protest at poor social infrastructure and unemployment. [7s] [37a] [50a] [54e] [54f] [56a] [59a] [59b]

4.24 On 31 May elections were held for the lower legislative chamber. [7t] See Political System The FLN party, the former single party prior to 1989, won majority control. [7t] [37b] [48] The official turnout figure was 46%. [37b]

4.25 The full election results were announced as:

Party	%age of vote	Number of Seats
Front pour la Libération Nationale/ Front for National Liberation /Jabha al Tahrir al Watani (FLN)	34.3	199
Movement for National Reform / el-Islah (MRN)	9.5	43
Rassemblement national pour la démocratie / National Rally for Democracy (RND)	8.2	47
Mouvement de la société pour la paix/ Movement of the Society for	7.0	38

Peace / Harakat Moudjtamaa As-Silm (MSP)		
Parti du Travail / Workers' Party (PT)	21	3
Algerian National Front (FNA)	1.6	4
Mouvement de la Renaissance Islamique / Islamic Renaissance Movement / Harakat al-Nahda al-Islamiyya / ennnadha (MRI)	0.6	1
Party of Algerian Renewal (PRA)	0.3	1
Movement of National Understanding	0.2	1
Independent	4.9	30

[7t] [37b] [48]

See also Annex B Political Organisations

4.26 The elections were described in reports as marred by violence. [7t] [37b] The two main Berber parties boycotted the election - the Front des Forces Socialistes (FFS) (Front of Socialist Forces), and the Rassemblement pour la Culture et la Démocratie (RCD) (Rally for Culture and Democracy). [7t] [37b] [48] The current prime minister, Ali Benflis, formed a new government. [7t]

4.27 On 10 October the FLN party won the majority in municipal elections for the appointment of mayors and other local elected officials. [58a] [59h]

For further information on History see Annex A Chronology and Europa Yearbooks, Sources 1a and 1b

5. STATE STRUCTURES

Part I

Part II

Part III

5. STATE STRUCTURES

THE CONSTITUTION

5.1 A new constitution, approved by a popular referendum, was promulgated on 22 November 1976 and has been amended since. [1a] [10] [45] Under the Constitution all discrimination on grounds of sex, race or belief is forbidden. Law cannot operate retrospectively, and freedoms of conscience and opinion, intellectual, artistic and scientific creation, and of expression and assembly are guaranteed. [1a] [24a]

5.2 Citizenship is governed by the Nationality Code of 15 December 1970. [44]

5.3 State of Emergency A state of emergency was declared on 9 February 1992 and is still in place. [1a] [10] [11] [24a] This declaration, and subsequent decrees, allowed restrictions on freedom of movement and the power to take restrictive actions against persons or organisations deemed to endanger public order and security, the normal functioning of an institution, or the supreme interests of the country. [24a] These measures included the extension of the period of custody from four days to twelve days for detainees suspected of subversive or terrorist activity. [12a]

POLITICAL SYSTEM

5.4 Algeria is a democratic and popular republic, which uses a presidential model. [1a] [10] [45] The President is the head of state and is elected by universal suffrage for a five-year term. [1a] The current President, Abdelaziz Bouteflika, came to power in the last presidential election on 15 April 1999. The President is also responsible for appointing a Prime Minister, currently Mr Ali Benflis. [1a]

5.5 The Parliament has an elected lower chamber - the Assemblée Populaire Nationale / al-Majlis al-Sha'abi al-Watani / National Popular Assembly (APN); and an upper chamber, the National Council, where two thirds of the representatives are elected by municipal and provincial councils, while the remaining third are appointed by the President. [1a] [45] The APN has 380 members, elected for a five year term in multi-seat constituencies by proportional representation. [37b] [48] The country is divided into 48 electoral sections or wilayats. Laws originate in the lower house, and must be approved by three quarters of both the upper and lower chambers. [1a] [6c]

5.6 Algeria is a multi-party state, but parties must obtain approval to exist from the Ministry of the Interior. [1a] [6c] Under the constitution the State guarantees the right to form political associations on condition they are not based on differences in religion, language, race, gender or region. [1a]

5.7 A law of February 1997 redefined the principles and objectives of political parties. The most important of these was that parties were not to identify themselves specifically with the causes of Islam, Arab or Amazigh (Berber). Criteria for the setting up of political parties were also redefined. [1a] [27a] Thirty political parties were dissolved on 19 May 1998 for failing to abide by the new rules on political parties. [1a] In November 2001 the Wafa party was refused legal status by the Interior Minister on the grounds that it was a reconstitution of the dissolved FIS. [1a] [7g]

5.8 The main political parties are the Front pour la Liberation Nationale (FLN), the former single party, which obtained a majority in the June 2002 legislative elections, the Rassemblement nationale pour la democratie (RND), Mouvement de la société pour la paix (MSP), Parti du Travail (PT), Front des Forces Socialistes (FFS), and Mouvement pour la Culture et la Democratie (RCD). [2] [48] The Front Islamique du Salut Islamic Salvation Front (FIS) is banned. [1a] [13f] [13g] See also Annex B - Political Organisations

JUDICIARY

5.9 The legal system is based on French and Islamic law. Criminal law is based on the French model and family and inheritance laws in particular are strongly influenced by Islamic practice. [10] [12a] [51a] The Basic Law of 1989 was superseded by the state of emergency declared in February 1992, which was extended indefinitely in 1993. [10] [11]

5.10 The judicial system consists of the highest court of justice - the Supreme Court in Algiers; 183 courts of first degree - covering several divisions such as a court of state security, and military courts; and 31 appeal courts, organised on a regional basis. [1a] [10] [12a] [45] [51a] From February 1993 to February 1995 three special courts existed to try suspects accused of terrorist offences. They have now been abolished. [1a] [36] [24a] Algeria has not accepted International Court of Justice jurisdiction. [51a]

5.11 An independent judiciary is provided for in the constitution, which also states that trials are public and defendants have the right to legal representation. [1a] However executive branch decrees restrict the independence of the judiciary, the authorities do not always respect defendants right to due process, and in day to day life there is not always a guarantee of a fair trial. [6c] [10] [11] [12b]

5.12 In August 2000 the President announced a major reorganization of the judiciary. He replaced 87% of the heads of the 187 lower courts and 99% of the presidents of the 37 higher courts. Most of the heads were assigned to new locations, however a number were replaced outright. Whereas women previously headed only a few courts, 19 now have female heads. [6c] In August 2001 a further round of changes included the appointment of two woman presiding judges for the first time, 404 more examining magistrates and the dismissal of 16 presiding judges and 25 public prosecutors. [6c]

LEGAL RIGHTS/DETENTION

5.13 The Constitution states that detention in criminal cases should not exceed 48 hours before the suspect is charged or released (the garde à vue law). [6c] [12a] According to the Code of Criminal Procedure this may be extended to four days. [12a] Also, under the Anti-Terrorist law of 1992, the detention of persons who are suspected of subversive or terrorist activities can be extended to a maximum of 12 days. [12a] [12b] The individuals should be informed of the charges against them [12a] [12b]

5.14 Those who are suspected of having committed crimes abroad punishable under Algerian law run the risk of prosecution. Those who are convicted abroad for crimes committed there and who have completed their punishment for such crimes need not fear a new sentence on their return to Algeria. [10]

5.15 Persons convicted in absentia by Algerian courts have a right of appeal to a higher court. The appeal must be lodged within one month from the date of the conviction decision. [5e]

5.16 Death penalty Algeria adopted a Penal Code in 1966, retaining the death penalty. [1a] Algerian criminal law includes the death penalty for, inter alia, crimes against state security, crimes against life and economic sabotage. Military criminal law also has the death penalty. The 1992 counter-terrorism law has also made it possible to impose the death sentence for subversive or terrorist activities for which the Algeria criminal code previously only had the maximum of life imprisonment. [12b] It has often happened that the death penalty is imposed on armed Islamic fundamentalists who had committed acts of terrorism. [12b]

5.17 However, since the end of 1993 the execution of the death penalty has been suspended. After the pronouncement of the death penalty, this punishment is usually commuted on appeal to a life sentence. [6f] [12a] [12b] [26f]

INTERNAL SECURITY

5.18 The government's security apparatus is composed of the armed forces (army 107,000 including 75,000 conscripts, air force 10,000 and navy 7000); and paramilitary forces of 181,200 - including an estimated 100,000 self-defence militia and communal guards and a gendarmerie of 60,000. (August 2000 figures). [1a]

5.19 All of these elements are involved in counter insurgency and counter terrorism operations and are under the control of the government. [6c] The security forces have committed serious human rights abuses, although allegations of such abuses continued to decline in 2001. [6c] The gendarmerie were also blamed for using excessive force in dealing with the unrest in the Berber area of Kabylie which began in spring 2001. [1a] [6c]

5.20 Responsibility for maintaining law and order is shared by a number of organizations, primarily the Gendarmerie Nationale and the Surête Nationale. [4] [10] [14b] Members wishing to be discharged must have their resignation approved by a special police commission and leaving the force without authorisation can incur punishments ranging from a fine to imprisonment. [8a]

5.21 Police Forces The Gendarmerie Nationale is responsible for maintaining law and order in villages, towns and rural areas; providing security surveillance over local inhabitants; and representing government authority in remote areas. [8q] [14c] It is organised into battalions, whose companies and platoons are dispersed to individual communities and outposts. [8q] [14c] It is an armed paramilitary force and works under the Algerian Ministry of Defence, and in close collaboration with the army, to combat terrorism in rural areas. [10]

5.22 The Surête Nationale (Directeur-Generale Surête Nationale-DGSN) under the Ministry of Interior maintains law and order in urban areas and performs other routine police functions, including traffic control. [10] [14d] Elements of the Surête also play a part in counter subversion, and work with customs inspectors at legal points of entry to control illegal activities of undesirable immigrants and contraband traffickers. [14d]

5.23 The Corps de Garde Communale (local police) provides standard policing on a local level and where necessary supports the security forces in the fight against terrorism. See also Local Militias below. [10] [14c]

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5.24 Local Groups In addition to the Corps de Garde Communale various local defence militias have also been formed since about 1994 on a voluntary basis and the security forces equip these militias with arms including pistols and rifles. [10]

5.25 Legitimate defence groups (Groupes de légitime défense - GLD) or "patriots" were founded for defensive purposes to compensate for a lack of security forces in isolated areas. They have been accused of exceeding their remit and carrying out killings but no such cases have been reported recently. [6c] [7f] [8t] [10]

5.26 Special task forces comprise selected men from the army, Gendarmerie and Surête that carry out security related surveillance and control operations and raids against subversive or terrorist groups. Special gendarmerie task forces are sometimes called "Ninjas". [8e] [10] [24a]

5.27 Intelligence units These operate under the Ministry of Defence but have extensive scope when exercising their duties as follows:

5.28 The Department of Intelligence and Security (Département de renseignement et de la sécurité - DRS), formerly known as Military Security (Sécurité Militaire - SM) is the principal agency for domestic and foreign intelligence activities. DRS operates under the Ministry of Interior but comprises military personnel commanded by an army general who report to the Minister of Defence. [10] [14a] [14b] Some of its members have repeatedly been accused of committing gross human rights violations, such as torture, extrajudicial executions and "disappearances", over the past ten years. The authorities have however failed to investigate such allegations. [26b]

5.29 The Department of Internal Security (Direction de la sécurité intérieure - DSI), and the Department of Documentation and External Security (Direction de documentation et de sécurité - DDSE). Operate in support of the DRS. [10] [14a] [14b] [14f]

5.30 The Special Security Service (Service de la sécurité spéciale) is responsible for surveillance, coordinating other security services and government security. [10]

PRISONS

5.31 Conditions are austere but generally meet international standards. [6c] [12a] [12b] Conditions improved since 2001. [6c] [12b] Also, the prison population has fallen since 2000, as the result of which the situation in the previously over-crowded prisons will have become more bearable. [12b] The International Committee of the Red Cross has made six series of prison visits since October 1999. [33b]

5.32 Algeria has over 35,000 prisoners held in 123 penitentiary establishments under the Ministry of Justice. [33a] The government plans to build four new prisons to hold 4000 prisoners. [50c] [60a]

5.33 Riots occurred in several prisons during April and May 2002. In most cases fires were started by prisoners setting fire to their bedding. [50b] The Algerian Justice Minister said that prison conditions would be improved and were still too overcrowded. [60a] He also accused detained Islamic prisoners of fanning protests in jails through a political manipulation campaign. [50d] However, human rights activists condemned harsh prison conditions and overcrowding. [50d]

MILITARY SERVICE

Background

5.34 Male Algerians are normally due to be conscripted for 18 months national service between the ages of 19 and 30. There is a subsequent liability for recall as a reservist to age 50. [36] [46] The legal basis is the National Service Code. [43] Women are not allowed to do military service. [36] If an Algerian with dual nationality completes his military service elsewhere he will not be called up in Algeria. [12b]

5.35 It appears that many young men have not done their national service especially in the mid 1990s when there was strong resistance to national service and very few young Algerians were willing to do their national service [36], also some young Algerians were inclined to leave the country. [8n] In 1994 a French newspaper

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stated that conscripts made up half the numbers of the army and were on the front lines in the fight against the armed Islamic groups. [8n]

5.36 The trend now is toward easing the demands of military service. If the security situation in the country continues to improve, this tendency will likely be maintained, because of public pressure and because the authorities appear to be increasingly so inclined. [11]

5.37 Only some of the male population actually joins the army, since it is not logistically possible to accept every conscript. The army appears to be interested mainly in more highly educated men. [12b] With 40% of eligible conscripts given dispensations outright and everyone (with a few exceptions) born in 1978 or earlier eligible to apply for a dispensation, the reach of national service has already shrunk considerably. [11] See also Exemptions of 1999-2000

Conscientious Objection

5.38 There is no provision for conscientious objection in the National Service Code (NSC). [11] [43] [46] Algeria now has no substitute for military service although in 1997 a civilian service was introduced for those with medical training. [12b]

Registration

5.39 Articles 43 to 62 of the NSC deal with the various procedures governing national service recruiting. [43] [46] According to the law, one month before the registration period, the wali, through a media and poster campaign, calls on the young men concerned to register for national service. Young men who turn 18 must register by a given date with the people's community assemblies in the communities where they live. Often there are announcements made over the radio and television and in the press to remind those who are turning 18 of the requirement to register and specifying the dates within which they must do so, in accordance with the law. [8n] [11] [12b]

5.40 The NSC stipulates that the chairperson of the people's community assembly shall, between 1 January and 1 March, tabulate the names of all those who register. The wali then sends a copy of the tables to the recruitment office. [8i] [8i]

5.41 Each registrant is placed in a category. This includes, among other things, whether he is a son who is the sole support of [translation] "an ascendant or a young or disabled collateral relative"; a son or brother of a *chahid* (a man killed during the war of independence); a son or brother of a soldier; a married man with a child, the holder of a pre-military diploma *cum laude* or *summa cum laude*; or a bachelor who is a secondary support of a family of five young children. [8i] [8n] [12a] See Exemptions and Deferments below.

5.42 In 1994, the Algerian government announced a number of measures dealing with conscription, including the creation, in each community, of a [translation] "permanent cell" responsible for handling registrations, deferments, exemptions and postponed enlistment's. [8n]

Selection

5.43 Those registered are summoned to selection and orientation centres. Articles 64-69 of the NSC include provisions dealing with severely handicapped people, who are exempted from going in person to a selection and orientation centre. At the selection and orientation centre, those registered are given a medical check-up and are classified as fit, temporarily unfit or permanently unfit for national service. Article 76 states that candidates suffering from grave and irreversible physical or psychological conditions are considered to be permanently unfit for service. Those classified as permanently unfit are released from their military obligations. [8n] [11]

5.44 Conscription orders are sent by the recruitment offices to the people's community assemblies, who must forward them to the individuals concerned at least two weeks before the scheduled enlistment, with a request for an acknowledgement of receipt. This is done by mail. If a person is not at home, the conscription order is delivered to his immediate relatives or to the chairperson of the people's community assembly. [8n] [11]

5.45 If he fails to present himself after the first call-up letter, the person is sent two reminders (not clear within what period of time). If he still does not respond, his file is passed to a military tribunal, which will usually issue a 'notice of search' ("avis de recherche"). This remains outstanding until such time as the person comes forward to appear for a hearing before a military tribunal. Once an "avis de recherche" has been issued, a

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person cannot legally leave Algeria. [8ar] See Employment and Travel below

5.46 Each call-up notice has a code referring to a general computer file at the recruitment office of the army. Algerian diplomatic missions can authenticate the code and provide information on the validity of the document. It has been stated that there are many false call-up notices currently in circulation and it is very difficult to distinguish valid documents from fraudulent ones. Only the authentication of the code on the call-up notices can validate or not a call-up notice for military service. [8k] [8m] [8n] [8s] [11] See also Military Service Documents below

5.47 The rank of Aspirant is given only to those called to undertake military service, and reservists. It is the lowest rank in the hierarchy of subaltern officers. [14e] [18]

The Reserve

5.48 Order 76-111 of 9 December 1976 defines the reserve as being "constituted of all citizens who have finished their active service and are subject to military obligations". Thus, the reserve includes "retired regular and contractual soldiers who were released from the army at their request, as well as all those who have fulfilled their national service obligations". Article 27 excludes certain categories of people: "individuals convicted of criminal offences, and individuals convicted of endangering state security or encouraging desertion or absence without leave". [36] [46]

5.49 According to order 76-110 of 9 December 1976, the military obligations of Algerian citizens last 27 years and consist of four stages:

1. National service (two years) (18 months military service and a further 6 months availability as reservists);
2. Availability (immediate recall) (five years);
3. First reserve (ten years), and
4. Second reserve (ten years).

[36] [46]

Reserve Recalls

5.50 1995: Decree 95-146 ordered a call-up of reservists on 27 May 1995. It was the first time since the war of independence ended in 1962 that reservists were being called upon to take part in resolving the country's internal problems. Under this decree, the classes of 1988, 1989, 1990 and 1991 were recalled to serve for a one-year period. It was stated that the government planned to recall up to 15,000 reservists to maintain security during the 1995 presidential elections. The decree had no provision for keeping the reservists in service beyond the one-year period. [8n] [8a] [8ai] [11]

5.51 According to two contemporary press reports reservists had previously been recalled on two occasions prior to 1995, neither of them within the country. One was during the Israeli-Arab war of 1973, and the other was in 1975 when neighbouring Morocco was fighting guerillas seeking independence for the Western Sahara. [9]

5.52 1996: The government issued decree No. 96-311, which stated that "reservists recalled [under the 27 May 1995 decree] can be maintained in active service beyond the recall period". In addition to maintaining these reservists in active service in 1996, the government also reportedly recalled another 10,000 reservists who had done their national service four to eight years earlier. [8n]

5.53 1997: In an interview on 14 October 1997 the military attaché of the Algerian Embassy in Washington stated that the Algerian army did not recall reservists in January 1997. [8d] It is possible that in the autumn of 1997 the government recalled a number of reservists in order to maintain security during the October 1997 municipal elections. However, this procedure has also been described as an important conscription process [8j] while another source stated that in the fall of 1997 the government extended the term of reservists in active service. [8n] However, in a January 2000 interview an Algerian consular official in Ottawa stated that to his knowledge there had been no recall of reservists in 1997. [8w] A chronology of events concerning military service published by the Algerian newspaper El Watan on 12 February 2000 did not mention any

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recall of reservists in 1997. [8w]

5.54 1998: Decree No. 98-233 of 18 July 1998 announced that another recall of reservists would start on 20 September 1998. This decree affected the following classes: 1992/4, 1993/1, 2, 3 and 4, and 1994/1, 2 and 3. The recall was for one year, but the 1998 decree, unlike the 1995 one, contained a provision allowing for extensions. [8n]

5.56 Post-1998 There have been no further reserve recalls since 1998. [8a] [8ai] [19]

Postponed Enlistment

5.57 Article 90 of the NSC states that there are two categories of people who are eligible for a postponed enlistment. Those who have a brother who is a volunteer soldier or a conscript in the national service and has not yet finished his term of service; and those who present a "socially significant" reason. The postponement ends when the circumstances justifying it cease to exist. [8n]

Deferments

5.58 According to the NSC, citizens who wish to continue their studies in Algeria or abroad may apply to the selection and orientation centre for a deferment. The application will then be forwarded to the recruitment office, which will decide whether to grant the deferment. The deferment may be renewed until the student reaches the age of 27. The recruitment office must receive the application for renewal by 1 July of each year. Article 100 states furthermore that the deferment will be cancelled if the applicant does not present, immediately after the start of the academic session, proof that he is pursuing his studies. [8i] [8n]

5.59 Under measures published from June 1999 to allow students and others who had not done their national service to regularise their status, students can apply for exemption when they have completed their studies. [8a] [8i] [8o] [8aq] [8ar] See Exemptions below.

Exemptions and Amnesties

5.60 Some people can obtain an exemption from their national service obligation. The regional commissions grant such exemptions. The military authorities and diplomatic missions abroad issue exemption cards to students and others exempted from military service. [8n] It is possible to buy these cards in Algeria for a fee. [8i] Article 93 of the NSC states that an exemption may be granted upon request to a citizen who provides evidence that he is the sole supporter of an "ascendant"; or of a collateral relative who is a minor or disabled; or is the son of a chahid (a man killed during the war of independence). [8i] [8n] [8p] [8aq] Deferments and exemptions may also be granted to students. [8i] [8o] See Deferments above

Exemption for Men Over Age 30 at 1 November 1989

5.61 Article 1 of law No. 89-20 of 12 December 1989 states that "citizens who were thirty (30) years of age or older on 1 November 1989 are exempted from national service whatever their legal situation in respect of national service". A representative of the Embassy of Algeria in Ottawa stated in 1993 that the amnesty proclaimed by this law was not permanent, and applied only to people who were 30 years of age or older in 1989. [8n]

5.62 Law No. 89-20 of 12 December 1989 was reportedly adopted in order to avoid various logistical problems associated with the reduction in the length of national service; such a reduction was called for by law No. 89-19, promulgated the same day. In addition, the two laws were intended to signal the government's waning enthusiasm for national service and were also a response to pressure from Algerians who were chafing at the military's interference in public affairs. [8n] [11]

5.63 Presidential decree 89-226 of 12 December 1989 also dispensed from service all persons born before 1 January 1968 who had not been inducted into service by 15 January 1989, with the exception of persons of higher level education and students. [11]

Exemptions in 1999 and 2000 for Men Over Age 27

5.64 During 1999 and 2000 measures were published to regularise the situation of men who had not undertaken their conscription. [8o] [8s] [8u] [8w] [8z] [8aa] [8ad] [8ag] [8ah] [11] [12b] The reasons given

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include the Algerian military authorities wish to relax the requirements for military service, the high cost of military training, overpopulated barracks, and the situation of young men who are unable to obtain official documents and obtain employment. [8u]

5.65 Two decrees were issued around June 1999, and a further decree on 13 September 1999 by which the Algerian military authorities could regularise the status of people aged 27 years or more at 31 December 1999. [8o] [8s] [8u] [11] [12b] An earlier measure also applied to students born between 2 November 1959 and 31 December 1961. [8o]

5.66 A further phase was reportedly announced in 2000. [8w] [8ad]. Arrangements were announced in July 2000 to extend the system to men born between 1 January and 31 March 1973. [8ad] Under further extension of the scheme the regularisation measures ended with people born before 31 December 1978. [8af] [8ag] [12b] [11] [19] However they are always in force for people born before this date and can still be applied for. [12b] [19]

5.67 Eligibility The effect of the second stage was to allow exemption from service for:

- Those who had deferments or who had been called to service (ordre d'appel)
- Those who had submitted applications for dispensation from service
- Those who had not yet been called to service or invited to undergo a medical examination in relation to service
- Those who had not responded to an invitation to undertake a medical examination
- Those against whom there was a charge of draft dodging (objet d'une plainte en insoumission) - but which presumably had not yet been adjudicated. [8ag] [11] [12b]

5.68 The following are not eligible for the measures:

- Draft dodgers subject to a "wanted notice" (avis de recherche)
- Deserters (to 55 years) [8s] [8z] [8ae] [8ag] [8ah] [11] [12b]
- Doctors [8s]

5.69 Procedures The administrative procedures to be followed for Algerian citizens living abroad have been publicised and require the person to apply to the Embassy of the country where they are living and present a completed application form, a birth certificate, and two recent photographs. [8s] [8ad] [8ag] [8ar] [11] [21] Lists of those living abroad who have been granted exemption are published by the Embassy of the country concerned. [8u] [8ag] [11] [12b] [17] [21]

5.70 Evidence of identity has to be presented with the application form. This can be a passport, ID card or driving licence. [8ar] [17] [21] A French academic and commentator on Algerian affairs stated that it would seem the regularisation measures are gradually being implemented: the Algerian press regularly publishes notices from the MDN (Algerian Ministry of Defence) ordering young people who have not done their national service to report for regularisation of their status. [8u] About 25,000 requests have been made from abroad and 20,000 of them had been dealt with by February 2000. [11] [12b]

Employment and Travel

5.71 Article 8 of the NSC states that citizens whose national service status is not in order are ineligible for jobs in both the public and private sectors. [8n] [8ag] [11] [20]

5.72 Algerians who want to obtain a passport or an identity card have to submit a document attesting that they have been registered for national service or granted a deferment or exemption. [8n] [8ag] [11] [20] Young Algerians who are liable for military service cannot leave the country before fulfilling their military obligations, although special permission may be granted to students and people in exceptional family circumstances. [8n] [8ag] [11] [12a] [12b] However, an Algerian consular official stated in April 2002 that not having regularised one's position is not in itself an obstacle to renewing an Algerian passport. [8ar]

Documents relating to Military Service

5.73 The following documents are used:

Ordre de convocation (convening order)	A document that requires the young persons whose names are on the national service lists to appear at specified locations to undergo their medical examination. [8s]
Ordre d'appel (order of assignment)	A document for persons called into active service. It is written in French. The order is a white printed 21x27mm form. It bears the letterhead of the competent military authority and includes the following information. First name and family name of the person concerned, with the names of their parents, address, class, assignment unit, date, signature date on which the document was created, and, stamp of the authority that generated the document. It may be typed or completed by hand by the regional recruitment office. [8m] [8s] [8v]
Ordre de (mis en) route	A travel document that allows military personnel to have free transportation to the military barrack to which they have been posted. [8f] [8s]
Carte de dispense (exemption card)	Light green and has an identification photograph. [8s] [8af] It is written in Arabic and shows the name, first name and place of birth. It specifies the type of deferral. Everyone who has benefited from the latest regularisation measures receives an exemption card. [8af]
Deferral card (document de sursis)	Formerly yellow, the card is now the same colour as the exemption card, i.e. light green, and also includes a photograph of the holder. The deferment is renewable every year until the end of the person's studies. Once the studies are finished the person can ask for an exemption card. [8af]
Discharge document (carte militaire or livre militaire)	Given to conscripts who have finished their service. This is not a card, but a military record comprising four to five pages. The cover is clear. It contains a photograph of the holder as well as information about their military situation, rank etc. The military notebook is written in French. [8ab] [8ap]
Registration card (carte d'immatriculation)	Card issued by the Algerian authorities to persons who have registered for military service and can apply for exemption from military service under the exemption rules. [8ap]
Recall order (ordre de rappel)	A document that applies exclusively to reservists. [8s]

5.74 Documents related to national service are national documents that are identical for all regions of the country. With the exception of the ordre d'appel (order of assignment), all documents have been written in Arabic since January 1999. [8s]

Penalties for Draft Evasion and Desertion

5.75 The 1971 Military Penal Code sets out the scale of punishments below. Algeria has been in a declared state of emergency since 1992, therefore the wartime scales are liable to apply. [12b] [36] No distinction is drawn between conscripts and professional soldiers. For officers the penalties are heavier. Draft evasion is defined at Article 16 Of the NSC - " Any citizen called up to fulfil his national service obligations and who has been duly notified by a call up order is deemed to have evaded call up if, in the absence of a compelling reason, he has not presented himself at the place designated for his induction 30 days after the date given by the call up order mentioned above." [46]

DRAFT EVASION

Peacetime
3 months-5 years

Wartime
2-10 years

DESERTION

The various penalties for desertion depend on whether the deserter fled within the country, went abroad, or deserted to the enemy, and whether the deserter was alone or in a group. Deserters still have to complete the remainder of their interrupted service period after serving their prison sentence. [12b]

Desertion within the country

Peacetime

Wartime

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6 months- 5 years imprisonment

2-10 years imprisonment

Desertion in the country with others

The penalties for desertion in the country are the same for officers and soldiers, but in addition officers may also be discharged.

Peacetime

1-10 years imprisonment

Wartime

5-15 years imprisonment

Desertion abroadPeacetimeSoldiers

2-10 years imprisonment

Officers

5-10 years imprisonment*

WartimeSoldiers

10-20 years imprisonment*

Officers

20 years imprisonment*

Desertion abroad with others or with armsPeacetimeSoldiers

5-10 years imprisonment

Officers

10 years imprisonment*

WartimeSoldiers

life imprisonment*

Officers

life imprisonment*

Desertion as an armed groupPeacetimeSoldiers

10-20 years imprisonment*

Officers

20 years imprisonment*

WartimeWith Collusion

life imprisonment*

With arms

Death penalty

Desertion to the enemy

Death penalty

Desertion in the presence of the enemySoldiers

10-20 years imprisonment*

Officers

life imprisonment*

* with forced labour

[36] [46]

Military Service Personnel**Absence Without Leave - Conscripts, Reservists and Deserters**

5.76 Various punishments for absence without leave are liable. See Penalties for Draft Evasion and Desertion above.

5.77 Article 16 of the NSC provides that if a conscript who has received his joining orders does not appear at the designated site within 30 days of the indicated date, he will be considered to be absent without leave, unless the delay was caused by circumstances beyond his control. Such individuals are sought by the Gendarmerie nationale. Such persons may enter Algeria but will only be able to leave again when their national service position is regularised. [8u]

5.78 In 1996 a paper by the Swiss section of Amnesty International (AI) stated that "in the prevailing climate ...the risk of torture is high, owing to the fact that deserters and call up evaders are easily taken for supporters of Islamic movements. [46] A 1998 report stated that on the one hand conscripts are threatened with death by the armed Islamic groups and on the other they face long prison sentences if they desert or

refuse to perform military service. [36]

5.79 However, more recent reports state that absentees are not treated so harshly by the authorities as in the past. The Algerian authorities informed the Canadian Embassy in Algiers in March 1999 that people suspected of being absent without leave are arrested by the police and immediately brought before a military tribunal which "is free to decide the punishment for the individual," according to the law. They stated that absence without leave is not considered to be a major issue by the Algerian authorities: those convicted of this offence are usually sent to their units to do their national service. [8n]

5.80 The same source quotes two Algerian human rights organizations - the Observatoire national des droits de l'homme (ONDH), which is linked to the state, and the Ligue algérienne des droits de l'homme (LADH). They have stated that they have received no complaints regarding torture of deserters and draft evaders. Both these organisations also indicate that the situation today is considerably different from what it was in the 1970s, when soldiers who were absent without leave might have been treated more harshly. [8n]

5.81 A professor specialising in Algerian military affairs at the Centre d'études et de recherches internationales in Paris, Luis Martinez, also believes that young Algerians who return to Algeria are not tortured if they have not fulfilled their military obligations. [8n]

5.82 A country report prepared for the Canadian immigration authority in 2001 also states that the tendency is for draft evaders to receive more lenient sentences, especially for those who merely sought to avoid doing their service, and the latter are therefore often only sentenced to do their normal service term. [11] At a seminar in June 2001 it was also stated that there is no more persecution of draft evaders. [41] The Canadian report stated however that deserters are in a different category and are dealt with much more severely. It is not known how the authorities are presently deciding deserter's cases. [11]

5.83 UNHCR have stated they are not aware of the authorities using excessive or inhumane or discriminatory treatment in the case of deserters and draft evaders. [24d] See UNHCR section However at a seminar in June 2001 it was stated that deserters from the Algerian army indeed do face persecution as do magistrates or police officers who leave their post. They would face torture and execution upon return. [41] Deserters would be suspected of breaking the law of silence about atrocities committed by the security forces. [41]

5.84 **Reservists.** It appears that many men did not respond to the various recall notices to the reserve in the 1990s. Although such men are liable for the same punishment as those who do not answer the draft call [8w], reservists who have been recalled and fail to present themselves at the place where they have been assigned are not sought by the Algerian authorities. [8g] [8u] Also, according to a researcher with the Centre des hautes études sur l'Afrique et l'Asie moderne in Paris the application of the law on national service seems rather flexible. The researcher stated it is possible to raise questions about the application of the punishments because some people who have not answered the recalls have been able to continue their activities without being worried by the Algerian authorities. [8w]

Threat to Military Servicemen from Terrorists

5.85 Between 1993 and 1995 Islamists put up posters in mosques threatening to kill young Algerians who reported for military service and the deaths of hundreds of such draftees was reported around 1994. [8n] Several human rights reports referred to the position of draftees who felt caught between the military authorities and the terrorists. [36] [46] Most newspaper reports of such cases are dated 1994 and 1995. However, there were still occasional reports of young men who have just finished their military service being the victims of terrorist attacks. [8n]

5.86 It has been claimed that a number of measures taken by the government have diminished this type of Islamist activity and that the "terrorists" mainly launch general attacks against the civilian population in the regions rather than targeting specific individuals. [8n] A country situation report by the Dutch immigration authorities in 2001 states that there is generally no sign at present of violence against conscripts who had just completed their military service and returned to civilian life, in contrast to the first years of terrorism. [12b] However, the Salafist Group for Call and Combat (GSPC) armed group, targets the military and conscripts within its areas of operation. [7i] [8z]

See also Armed Groups and Annex C Main Armed Groups

MEDICAL SERVICES

5.87 The standard of medical provision varies regionally. Most of the population lives in the towns and health provision is concentrated there. [54d] There was under-investment in the late 1990s leading to a fall on standards. [10]

5.88 The right to free healthcare instituted in 1974 was abolished in 1995. In fact since a ministerial order in 1997, patients now have to pay a 14% tax on the total cost of the healthcare dispensed, in particular for medico-surgical and paramedical services. The State nevertheless continues to provide assistance to the poorest categories of people who do not have any professional or private health insurance (e.g. social security) cover. [10]

5.89 In the World Health Organisation (WHO) survey in 2000 Algeria ranked 84th out of 191 countries surveyed in health system attainment and performance (the UK was 28th). [15b] Life expectancy in 1999 was 68 -70 years for men and women. [15b] In 1995 according to World Health Organisation estimates there were 84.6 physicians per 100,000 population (UK equivalent figure 164). [15a] The Algerian Ministry of Health and Population and the National Office of Statistics publish medical data. [22] [23] This includes lists of regional and specialist hospitals and numbers of medical personnel in the public sector. [22] [23]

5.90 It was reported that the annual Ministry of Health report in April 2002 stated that the most common diseases include water and animal borne diseases, cancer, and cardiovascular conditions. [54d] Renal diseases are increasing and insufficient dialysis is available. [54d] Diabetes is also a chronic disease which is growing. [54d] In 2000 there were between 1.2 million and 1.4 million diabetics in Algeria. [54d]

5.91 Mental Health There has been an increase in mental health problems due to the violence and in 2001 the Ministry established a national programme for neighbourhood mental health care. [54d] There are 10 psychiatric hospitals in different parts of the country. [20] Psychiatric services, including cover for psychiatric emergencies, are available within the public sector. [5d] There are 1.1 psychiatrists per 100,000 population (compared with 11 in the UK). [15c] Mental health is a part of the primary health care system. [15c] Actual treatment of severe mental disorders is managed in hospitals. [15c] Most psychiatric patients are managed as out-patients, and in Algiers there are two specialist psychiatric hospitals, as well as a department of psychiatry in general hospitals. [5d]

5.92 A wide selection of medication, including Sulpiride, is available free of charge to psychiatric patients treated within the public sector in polyclinics and hospitals. [5d] According to a WHO survey in 2001, other therapeutic drugs that are generally available at primary health care level are: Carbamazepine, Ethosuximide, Phenobarbital, Phenitoin sodium, Sodium Valproate, Amitriptyline, Chlorpromazine, Diazepam, Fluphenazine, Halperidol and Levodopa. [15c] Biperiden and Carbidopa are not available and the availability of Lithium is unknown. [15c]

5.93 HIV/AIDS At end-2001 about 11,000 persons in Algeria were HIV-positive. Of these about 527 had AIDS. [55a] [53b] Similar figures were reported by UNAIDS/WHO/UNICEF statistics. [16] Medecins sans Frontières consider that the number of HIV cases in Algeria is expected to increase. [34] Six referral centres have been established for AIDS treatment, including Algiers. Treatment is free. [5b] [54b]

5.94 NGOs (Non Government Organisations) The International Committee of the Red Cross (ICRC) and the Red Crescent carry out a number of health projects in the country. They have developed programmes with the Ministries of Health and Labour to help the wounded and to provide women and children victims of violence with psychological rehabilitation. The ICRC is providing financial support equipment and supplies in Kabylia following the riots there and the advice of a child psychologist who gives advice on the training of staff and care for the victims. The ICRC also mounted five seminars in October 2001 for 200 mental health care professionals in various parts of the country. [33a] Medecins sans Frontières is also active in Algeria and has programmes related to reproductive health and AIDS. [34]

5.95 Disabled persons The Government does not mandate accessibility to buildings or government services for persons with disabilities. Public enterprises, in downsizing the work force, generally ignore a law that requires that they reserve 1 percent of their jobs for persons with disabilities. Social security provides for payments for orthopedic equipment, and some NGO's receive limited government financial support. The Government also attempts to finance specialized training, but this initiative remains rudimentary. [6c]

EDUCATIONAL SYSTEM

5.96 Education in the national language (Arabic) is compulsory between ages six and fifteen. Primary education begins at age six. Secondary education begins at age twelve and lasts for up to six years (comprising two cycles of three years each). **[1b]**

5.97 In 1996 total enrolment was equivalent to 86% of the school-age population (90% of boys and 86% of girls). **[1b]** The number of young people who do not finish school is increasing - in 1999 20% of school age children were not registered. **[12b]** The government has said it regards as a priority the rebuilding of schools that were destroyed during the years of armed conflict. **[12b]**

5.98 In 1995/6, according to UNESCO estimates, the average rate of adult illiteracy was 41.6% (males 28.9% and women 54.6%). Priority is being given to teacher training, to the development of technical and scientific teaching programmes, and to adult literacy and training schemes. **[1b]**

5.99 There are two hundred specialised higher education establishments, seven university centres and ten universities in different parts of the country. **[10]** In September 2001 the government announced the creation of eight new universities and six university centres. **[53a]** In 1995/6 347, 410 students enrolled in higher education. **[1b]** About 13% of the relevant age group study to this tertiary level. **[51a]**

6. HUMAN RIGHTS

6A. HUMAN RIGHTS ISSUES

Part I

Part II

6 HUMAN RIGHTS

6A HUMAN RIGHTS ISSUES

OVERVIEW

6.1 Algeria has been subject to ongoing internal violence for years. **[1a] [6a] [24a] [26f] [27c] [35]** President Bouteflika has stated that about 100,000 people were killed in the internal violence of 1992-2002. **[1a]** Conflict between armed terrorist groups, which arose in the 1990s, and the security forces have led to thousands of killings of terrorist and security personnel and also among the general population, which has been subject to attacks, killings, bombs and abductions. **[1a] [6a] [6c] [24a] [26f] [27c] [35]**

6.2 Estimates varied between 1500 and 2000 of the numbers killed in 2001 in the ongoing violence involving the security forces and armed groups. **[6c] [7a]** This was a decrease from the previous years total of over 2500 deaths. **[6c]**

6.3 The US State Department Report for 2001 observed that despite continued improvements, particularly in addressing problems of torture and arbitrary detention, the human rights situation remained generally poor, and serious problems persisted. These include the excessive use of force, increased restrictions on freedom of expression, and failure to account for past disappearances. **[6c]**

6.4 Human rights groups have continued to draw attention to the human rights situation in Algeria and call for measures to monitor and improve the situation. **[26a] [26f] [27c] [35]** They condemned Islamic groups, government agents and security forces for these killings. **[5c] [6c] [7a] [11] [26f] [27a] [27b]** They also criticised the authorities over impunity for members of the security forces for alleged human rights abuses, since 1992 during the rise of terrorist activity, and also in the past year during popular anti-government protests, especially in Kabylie. **[26f] [27c] [35]**

6.5 There has been a shift in the past few years in the pattern and intensity of the violence. **[11] [12b] [27c]**

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The overall security situation has improved as the security forces have largely brought the security situation under control and forced the insurgents out of the main cities into the countryside. [1a] [5a] [6a] [6c] [8w] [8y] [8ac] [11] [12b] [23] The Algerian authorities are in control of the vast majority of their territory. [11] [12b] As most people live in towns, many having voluntarily relocated for personal security reasons, the terrorist attacks are not a major feature of most people's day to day lives. [11] [12b]

6.6 However, reports also state that the general population is increasingly disillusioned about lack of progress in improving security, living standards and unemployment. [7s] [11] [12b] [36a] [47] [59a] Social unrest among the population has become apparent in riots over local and general grievances, including the Berber riots and demonstrations in Kabylie, which are assessed to stem from frustration about socio-economic standards as well as cultural and ethnic issues. [1a] [6c] [7a] [8u] [11] [12b] [27c] [35] [47] See Economy Tensions exist between President Bouteflika and the military establishment, which strongly influences national policy. [1a] [6c] [7a] [8u] [11] [12b] [35]

6.7 Responsibility for the killings and disappearances of the past remains largely unresolved. [11] [12b] [26e] [26f] [27c] [35] Some personal testimonies by former French and Algerian officers have been publicised in the past year. [1a] These include *La Sale Guerre* (The Dirty War) a book published in February 2001 in France by a former lieutenant in the Algerian army, Habib Souaida, who had taken refuge in France. He presented what he claimed to be first hand accounts of military operations and massacres against the population by soldiers disguised as terrorists, and the routine torture of suspected Islamists by the army. The Algerian authorities condemned the book. [1a]

6.8 A country report prepared for the Canadian immigration authorities in 2001 observed that there is now no single group that is being persecuted in Algeria. The report stated that what does exist in Algeria is discrimination. As in many societies, this can range from subtle to overt forms in relation to one's status in society or to one's education or to some other casual categorization. It can affect a person's access to employment, education, housing, benefits and so forth. Most of the discrimination is unofficial, although in some matters, for instance pertaining to women, laws exist that could be viewed as discriminatory. [11]

SECURITY FORCES - EXTRAJUDICIAL ACTIONS

6.9 **Arrest and detention** The police are empowered to hold criminal suspects incommunicado for 48 hours, which can be extended up to 12 days under the anti-terrorist law. The police must inform suspects of the charges against them. [10] [12a] [12b] The country US State Department report considered that in 2001 the security forces generally adhered to these limits. [6c] However other reports stated that in practice, the period on remand is regularly exceeded. [12b] [26c] Prolonged pre-trial detention and lengthy trial delays are also problems. [6c] [12b]

6.10 Reports of the number of persons being detained and held incommunicado by the security services have fallen sharply. [6c] [11] [12b] However, AI and Human Rights Watch (HRW) report cases of incommunicado detention in recent publications. [26f] [27c]

6.11 The government has made efforts to monitor treatment of suspects in police custody. [6c] In August 2000, the Government announced new policies, enacted into law and implemented in July, concerning the Police Judiciaire (PJ), the officers who interrogate suspects when they first are arrested to determine whether there are grounds for prosecution. Local judges now are required to grade the performance of PJ officers operating in their jurisdiction in an effort to ensure that the officers comply with the law in their treatment of suspects. In addition any suspect held in preventive detention is to undergo a medical examination at the end of the detention, whether the suspect requests it or not. International NGOs and local lawyers have reported that these new procedures were generally being followed in practice. [6c]

6.12 A country report prepared for the Canadian immigration authorities in 2001 stated that today, according to most interlocutors and judging from what evidence there is available, it is unlikely that any Algerian is at risk of disappearing, much less of being executed summarily, by the authorities, except in cases involving a threat to security or a case of excess on the part of members of the security services. [11]

6.13 **Torture and violence** Several country reports state that, although prohibited by the Constitution and legislation, the security forces have committed extrajudicial killings, tortured, beaten or otherwise abused detainees, and arbitrarily arrested and detained, or held incommunicado, individuals. [6c] [11] [12b] [26f] [27c] [35] [41] However, in general such abuses continued to decline and reported incidents of torture by the

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security forces are now substantially fewer. [6c] [11] [12b] [27c] However, victims may hesitate to complain for fear of reprisal. [6c] [12b]

6.14 Most such cases were committed against suspected members of armed groups in the context of the Government's continued battle with terrorism. [6c] [11] [12b] Some security forces also committed serious abuses in connection with riots and demonstrations in the Kabylie region from the spring of 2001. [6c] [26c] [27c] See Ethnic Groups section

6.15 Reported torture methods include severe beatings, including on the soles of the feet ("bastonnades") including with rubber hoses and sticks; forcing dirty water and/or chemicals down a victim's throat to the point of choking ("chiffon"); the "chalimeau" (blowtorch) to burn parts of the body; electrical shocks to the body; insertion of glue, or bottles, sticks and other objects including firearms, in the anus; suspending the detainee in a contorted position; and sexual assault. [27b] [28] [41]

6.16 Government response The government recognises that security services and local militia are sometimes guilty of excesses and says that if these offenders are found they will be prosecuted. [6c] Although the government does not routinely release details of such cases [6c] the Algerian Ministry of Justice has kept diverse international human rights organisations informed of criminal prosecution against members of security services and Groupes d'Autodéfense on the grounds of human rights violations since 1992, without however providing detailed information. [12b]

6.17 The head of the security forces told a national newspaper in July 2001 that there was a shortage in the police force and that changes were needed to enlarge the force and improve its training and culture. He said that security forces frequently breach the law and he attributed that to the lack of education and culture within the force and to recruitment without respecting criteria and conditions. This had led to the dismissal of over 1700 policemen in 1997 of whom over 280 were tried. [52a] In September 2002 the head of the Gendarmerie also announced a reorganisation policy, including a purge of those implicated in abuse during the Kabylie riots in 2001. [59c]

6.18 Local militias - patriots/communal guards AI in 1996 and other reports claim that these militias deliberately killed individuals who they believed were terrorists, and that they either act with the security forces, or sometimes abuse their power, and take action on their own initiative. [8t] [7f] The Algerian authorities have said that security forces, including militia group members would be tried for human rights abuses. [6c]

ARMED GROUPS

6.19 Since the cancellation of the elections in 1992 and the banning of the FIS political party which was poised to win it, several Islamic armed groups have been operating in Algeria. [1a] [6a] [6c] [10] [11] [12a] [12b] [24a] [24b] These groups have carried out attacks on various categories of persons and the civilian population, issued death threats and subjected their victims to kidnap, rape and other forms of torture. [1a] [6a] [6c] [24a] [26f] [27c]

6.20 President Bouteflika has said that over 100,000 people were killed in the violence of the 1990s. [6c] About 1980 civilians, terrorists and security force members died during 2001 as a result of terrorist incidents and clashes with the security forces, compared with 2588 in 2000. [6c] There were 313 civilian deaths due to terrorism in the first six months of 2002, compared with 483 civilians killed in the same period in 2001. [6b]

6.21 The main groups operating now in Algeria are the Armed Islamic Group (GIA) (Groupe Islamique Armé) and the Salafist Group for Call and Combat (GSPC) (Groupe Salafite pour la Prédication et le Combat). [1a] [6a] Both are proscribed organisations in the UK under the Terrorism Act 2000. The Islamic Salvation Army (AIS) (Armée Islamique du Salut) no longer exists (see Civil Concord Law below) See Annex C Main Armed Groups

6.22 The motives for the current killings by armed groups are attributed to the Islamic ideological struggle, but some of their activities are criminal rather than political such as "turf wars" between rival groups, revenge banditry, land grabs, committing robberies or operating protection rackets. [6c] [8z] [11]

6.23 In the early and mid-1990s the GIA made specific threats against many categories of people who they considered anti-Islamic such as members of the security forces and women who wore western dress. [24a]

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The types of attacks now committed by the armed groups include apparently indiscriminate killings in massacres and with small bombs. [6c] They also ambush intended victims by mounting fake roadblocks. [8y]

6.24 Armed groups may threaten individuals (such as shopkeepers and entrepreneurs) in dangerous regions. [8z] Government officials and security forces and their families are also targeted. [6c] The GIA kidnap women for servitude and rape. [6c] [7i] [8z] The GSPC armed group targets security force infrastructure and personnel, rather than civilians, but there is no widespread threat to conscripts who have done their national service. [7i] [8z] [12b] See Threat to Military servicemen from Terrorists

6.25 The violence takes place primarily in the countryside and smaller towns as the security forces have largely forced the insurgents out of the cities. [1a] [5a] [6a] [6c] [8w] [8y] [8ac] [11] [12b] [23] except in the strongholds of the armed groups. [8z] Some cities with more than 50,000 inhabitants are affected by terrorist activities e.g. Khemis, Miliana and Ain Delfa. The situation in Algiers and Constantine is relatively calm, although some networks still exist. There are also some networks in Annaba and sporadic attacks in Blida. Oran and Mostaganem are also relatively calm as far as terrorism is concerned. [8z]

6.26 More than 50% of attacks in 2000 were carried out in areas west of Algiers, mainly in the provinces of Medea, Ain Defla and Tipaza (including Tenes), and to a lesser degree, relatively speaking, in the Chlef region. The GIA is active in this region. Residue pockets of the GIA also exist further west in Relizane, Mascara, Tiaret and Saida. [8z] In June 2001 a UNHCR/ACCORD seminar was informed by one of the main speakers that currently the most affected wilaya was Bouira, followed by the wilayas of Boumerdes, Jijel, Ain Defla and Chlef. [41] The GSPC is mainly active in the region east of Algiers between Boumerdes province and part of Kabylie. [7i] For more details see Main Armed Groups Annex C

6.27 Reports about the number of terrorists who remain operational vary from several hundred to several thousand, with more recent reports tending to the lower figures. [6c] [8z] [8am] [26f] [53b] The authorities stated in October 2001 that they had "neutralized" 20,000 terrorists since 1992, without specifying how many had been killed and how many apprehended. [26f] Government forces are reported to be mounting operations against them and regular reports of skirmishes with the security forces and terrorist attacks on the population and military targets continue. [6a] [6c] [7i] In the short term there is nothing to suggest that the armed groups now operating will lay down their arms. [8z]

6.28 Civil Concord Law The Civil Concord Law of 1999, which was endorsed by a referendum of September 1999, led to the offer of an amnesty for terrorists who had not committed atrocities. [1a] [11] [12b] No official account of the response to the Civil Concord Law and presidential decree has been issued. Estimates vary from about 5500 from AI and HRW, quoting government sources, to 7000 by a former defence minister. [12b] [27c] It was estimated by AI that just over 1000 were from the AIS and the Islamic League for the Call and the Combat (LIDD) - groups associated with the 1997 ceasefire. [26a]

6.29 Shortly before the expiry of the amnesty in January 2000 one of the main groups, the AIS, and another smaller group, the LIDD, reached agreement with President Bouteflika and disbanded with amnesty terms. [1a] [6c] [7a] [7b] They had been observing a unilateral cease-fire since October 1997. [1a]

6.30 The GIA and GSPC turned down the plan from the start. [12b] However it was also estimated that between one and four and a half thousand GIA and GSPC members surrendered under the terms of the Civil Concord Law. [7e]

6.31 Members of the AIS who took advantage of the amnesty were reported to be integrated into the army. [7c] Subsequent reports suggested that some had returned to fight with the armed groups [7f] There was also resentment by some victims of the violence and their relatives at the apparent impunity that had been extended to terrorists. [7a]

MISSING PEOPLE

6.32 The government has been criticised for failing to respond adequately to the concerns of relatives and local and international human rights groups about the fate of over 4000 persons reportedly missing after detention by the armed forces during the 1990s, primarily between 1994 and 1996. [6c] [26a] [26f] [27c] Disappearances are still being reported although there were no new cases in 2001 of persons who had been detained by security forces and then remained missing for an extended period. [27c]

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6.33 While there have been no reported prosecutions of security force personnel stemming from these cases, government officials reported in November 2000 that between 350 and 400 security officials had been punished for "human rights abuses." Families of the missing persons, defence attorneys, and local human rights groups insist that the Government could do more to solve the outstanding cases. [6c] [26e] [26f] [27c] Relatives, including members of the National Association for the Families of the Disappeared, who hold peaceful protests about their grievances are sometimes violently dispersed by security forces. [26e] The Government asserts that the majority of reported cases of disappearances either were committed by terrorists disguised as security forces or involved former armed Islamist supporters who went underground to avoid terrorist reprisals. [6c]

FREEDOM OF SPEECH AND THE MEDIA

6.34 **Newspapers and Media** In August 1999 President Bouteflika stated that journalists working for public radio and television should serve the interests of the state. [6c] The state of emergency gives the government broad rights to restrict freedom of speech. However the government does not strictly enforce these regulations and the independent section of the press reports regularly on security matters without penalty. [6c] According to two recent reports, the government-controlled press reports on terrorism in an increasingly straightforward and accurate manner [6c] [11] although it was stated at a seminar in June 2001 that this is not the case. [41]

6.35 There are approximately twenty daily newspapers, forty weekly publications and thirty monthlies on sale in Algeria. [10] Many are openly critical of the government. [11] [27c] Critical comments about government policy are not shunned and corruption scandals are denounced with great regularity in newspapers and magazines. Self-censorship appears to be applied in the field of the political role of the military leadership [12b] [27c]

6.36 The most significant independent newspapers are El Khabar, Le Matin, Liberte, Le Soir d'Algerie, La Tribune and El Watan. [10] Other than El Moujahid, which is the official government newspaper there were no newspapers affiliated with any political parties. However, other parties, including legal Islamist political parties, have access to the independent press, in which they may express their views without government interference. Opposition parties also disseminate information via the Internet and communiqués. [6c]

6.37 The government continued to exercise pressure on the independent press through the state-owned advertising company, which was created in 1996. [6c] However the private press says it has to turn down advertisers for lack of space, which means there are limits to this tool. [11]

6.38 Human rights groups, including HRW, Reporters sans Frontières (RSF) and the Committee for the Protection of Journalists (CPJ) drew attention to a number of cases where journalists have been assaulted by security forces or brought to trial for alleged libel against prominent people. [27c] [31a] [31b] [32a] The CPJ stated that press freedom has improved markedly in recent years. [31a] However, it has also protested at the treatment of journalists who criticise the military. [31b]

6.39 On June 27 2001 the government enacted a series of amendments to the Penal Code that give the government authority to impose high fines and harsh jail sentences in cases in which reporters "defame insult or injure" government officials. [6c] [26f] [27c] No journalist had been charged under the new law by year's end although the government brought several defamation cases against journalists during the year under the old provisions of the Penal Code. [6c] [11] However a journalist from El Watan was charged under the new law in February 2002 for an article accusing the military police of financial misconduct. [31b] In July 2002 a TV journalist was killed in his apartment. [32c]

6.40 **Radio and television** Algerian radio and television are under state control. [6c] [12b] [27c] However, in the past year, government controlled radio and television stations presented a variety of views, including those critical of the government. [6c] The reception of foreign television stations via satellite dishes is permitted and is widespread. [6c] [12b] [11] Algerians thus have access to broadcasting from European and Middle Eastern countries and even further afield. [11] There is also a boom in digital piracy, providing Algerians with access to CD-Roms and software from all over the world. [59e] Television is extremely popular. [59e] There is a Berber television channel based in France. [12b] Foreign programmes are announced in the written press. [10] [12b]

6.41 **Internet** The Internet is freely accessible to Algerian citizens. [12b] There were no reports of sites being

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blocked although service providers are required to monitor constantly the content available to their subscribers to prevent access to information contrary to the public order or morality. [27c] Opposition parties also disseminate information via the Internet and communiqués. [6c]

6.42 Freedom of Speech The current US State Department country report states that the government continued to restrict freedom of speech in varying degrees in 2001. [6c] In the realm of public freedoms Algeria presented a mixed picture in 2001 according to Human Rights Watch (HRW). [27c]

6.43 However, a country report prepared for the Canadian immigration authorities in 2001 stated that there is a remarkable degree of freedom of speech in Algeria. [11] Individuals who spoke to the author of the report who were critical of the government were not at all hesitant to say so, and many have done so publicly. [11] However, the authorities will remain tolerant up to the point where someone's views begin to cause them problems. [11] In general, criticism of senior military figures is also liable to attract the adverse attention of the authorities. [6c] [11] [12b]

6.44 Many artists, intellectuals, and university educators fled the country after widespread violence began in 1992; however, some continued to return in recent years. A growing number of academic seminars and colloquiums occurred without governmental interference, including a May 2001 forum on Judicial Reform sponsored by the Freedom House, which enjoyed wide press coverage. University students staged numerous small strikes early in the year in support of the protests in Kabylie. In 2002, the government did not interfere in any political or economic seminars, as it had in the past. [6c]

FREEDOM OF RELIGION

6.45 The official religion is Islam and the vast majority of the population is Sunni Muslim. [1a] [1b] [6b] [6c] There are about 25,000 Christians who tend to be Europeans, and are mostly members of the Roman Catholic church. [6b] There is also a very small Jewish population (fewer than 100). [6b] For security reasons both Christians and Jews have concentrated in the cities of Algiers, Constantine and Oran. There is also a small Christian community in Kabylie. [6b]

6.46 Discrimination on the grounds of religion is prohibited by the Constitution, and the government respects this right in practice. [6b] The generally amicable relationship among religions contributes to religious freedom. [6b] A very small number of citizens practise non-mainstream forms of Islam or other religions and there is minimal societal discrimination against them. [6c] Non-Islamic proselytising is illegal. [6b] [6c] There is one Christian missionary group operating full time in the country. [6c] While Christians do not proselytise actively they report that conversions take place without government sanction or interference. [6b] Conversions from Islam are rare because of safety concerns and potential legal and social problems. Individuals who do convert from Islam tend to practice their religion clandestinely. [6b]

6.47 The government appoints preachers to mosques and gives general guidance on sermons. Activities in mosques are monitored for security reasons. [6b] [6c] Amendments to the Penal Code in June 2001 established strict punishments for anyone other than a government designated Imam to preach in a mosque. [6b]

6.48 Religious extremists carried out attacks against both the government and moderate and secular Muslims. [6b] In 1994 the GIA declared its intention to eliminate "infidels", including Jews, Christians and polytheists, from Algeria. [6b] Now, the majority of the country's armed groups do not as a rule differentiate between religious and political killings. [6c]

FREEDOM OF ASSEMBLY AND ASSOCIATION

6.49 Assembly and Association The Constitution provides for the right of assembly, but the 1992 Emergency Law and government practice sharply restrict it. [6c] [12b] Citizens and organizations must obtain a permit from the local governor before holding public meetings. The government frequently grants licences to political parties, NGOs, and other groups to hold indoor rallies. [6c] Meetings and conferences by the national youth organisation have been blocked. [27c] The Government granted a licence to a group of Islamists, including founders of the banned FIS party, to hold a meeting on 9 July 2001. [6c]

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6.50 Some of the demonstrations by Berbers in the Kabylie region and elsewhere have been allowed, while others have been suppressed, often with excessive force. [1a] [6c]

6.51 Some unlicensed groups continue to hold regular demonstrations, including groups dedicated to the cause of persons who have disappeared. Police sometimes disrupt and disperse such demonstrations. [6c] [26e] [27c]

6.52 The government permits some specialised groups to function such as human rights and womens rights groups, social welfare groups, and youth associations and regionally based organizations. [6c] An increasing number of NGOs has become active in the past few years. According to the Algerian government there are now some 50,000 NGOs and associations active at national and local level in Algeria.

6.53 Local NGOs and other organisations are able to criticise the government publicly over its human rights record. [5c] However, human rights groups report occasional harassment by government authorities in the form of obvious surveillance and cutting off of telephone service. [6c] Domestic NGOs must be licenced by the government and are prohibited from receiving funding from abroad. [6c] Some unlicensed groups operate openly. [6c] [27c]

6.54 Human rights activists The most active independent human rights group is the Algerian League for the Defense of Human Rights (LADDH), an independent organization that has members throughout the country. The less-active Algerian League for Human Rights (LADH) is an independent organization based in Constantine. [6c]

6.55 The newly established National Advisory Commission for the Promotion and Protection of Human Rights (Commission nationale consultative de promotion et de protection des droits de l'homme) replaced the official National Observatory for Human Rights (ONDH) in October 2001. [6c] [6f] [27c] At the same time the government appointed a national Human Rights Ombudsman. [6c] The Algerian Association for the Promotion of Citizenship and Human Rights (AAPCDH) was set up in March 2002 with backing from the RND party. [54a]

6.56 Human rights groups report occasional harassment by government authorities in the form of obvious surveillance and cutting off of telephone service. [6f] The International Federation of Human Rights Groups (Federation Internationale des ligues des droits des hommes) (FIDH) stated in July 2002 that human rights defenders have been one of the main targets of repression since the 1990s and that over twenty complaints have been filed against activists over a period of 18 months. [38]

6.57 AI also drew attention to a number of cases where human rights activists have been arrested. [26d] These include Mohamed Swain, the President of the LADDH branch in Relizane who was sentenced in February 2002 to one year in prison on charges of defamation, after raising questions related to the state's involvement in serious human rights violations. [26d]

6.58 Political Activists The Constitution provides for the right of association but the 1992 emergency law and government practice severely restrict this right. [6c] The government must approve all political parties before they can be established. [6c] Law 97-09 of March 1997 prohibits the creation of parties on a basis that is "religious, linguistic, racial, gender-related, corporatist or regional". [1a]

6.59 Thirty political parties were dissolved on 19 May 1998 for failing to abide by the new rules on political parties. The most prominent political parties dissolved were Ettahadia (Arabic acronym for Solidarity, Progress and Democracy), the Democratic Movement for Algerian Renewal, the Union of Democratic Forces, and the Liberal Social Party. [1a]

6.60 A broad range of political parties and movements is currently active in Algeria, both in the parliament and the government. [12b] See Political Organisations Annex B

6.61 FIS Party Membership of the FIS party remains illegal [1a] [6c] [12b] A country report stated however that solidarity with the FIS does not lead to persecution by the government. Several politicians with a "FIS past" are representatives for another party in the parliament. [12a] [12b] Extreme measures taken in the past by the authorities against opponents such as FIS members have now ceased. [11]

6.62 However another report stated that FIS members might still be at risk in Algeria: they can be targeted either by the government or the GIA. Persons who are suspected to be FIS or AIS sympathisers would be detained, probably they would be tortured and requested to work as informers. [8ak] [41]

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6.63 The FIS leader Abbasi Madani remains under house arrest and the party's number two, Ali Belhadj, remains in prison. He is allowed to receive visits. [27c] In November 1999 Abdelkader Hachani, a moderate leader of the FIS, was killed in Algiers. [1a] In December a suspect was arrested. [7a] He was sentenced to death in April 2001. [52b] The FIS party has an organisation in exile. [7v] See also Annex B Political Organisations

6.64 Wafa and Democratic Front Parties In 2000 the government refused to approve the Wafa party. In explanation they stated that this was because it contained large numbers of members who had belonged to the banned FIS party. [1a] [6c] [7a] [7g] [12b] [11] The government closed the Party's offices in November 2000. [6c] The Front Democratique, which is headed by former Prime Minister Sid Ahmed Ghazali, also applied for registration in May 2000, but received no response within the time period specified by law for governmental decision and had not been licensed by the end of 2001. [6c] In both cases the government's actions were widely criticised in Algeria. [11]

EMPLOYMENT RIGHTS

6.65 Workers have the right to establish trade unions of their choice and about two-thirds of the labour force belong to unions. [6c] The General Union of Algerian Workers (UGTA) is an umbrella organisation of unions. [6c] The law prevents unions from associating with political parties. [6c]

6.66 Forced or compulsory labour is incompatible with the Constitution's provisions on individual rights, and the Penal Code prohibits compulsory labour, including forced or bonded labour by children. [6c] While the Government generally enforces the ban effectively, armed terrorist groups reportedly kidnap young women and girls hold them captive for weeks at a time, during which group members rape them and force them into servitude. [6c]

6.67 The law provides for collective bargaining and the government permits this right in practice. [6c]

6.68 Under the state of emergency the government is empowered to require all workers to stay in their jobs in the event of an unauthorised or illegal strike. [6c] The government states that the law is not directed against the rights to strike or organise and has never been used against workers exercising the right to strike peacefully. [6c] Some strikes have been reported in the past year. [6c]

FREEDOM OF MOVEMENT

6.69 The law provides for freedom of internal and foreign travel and freedom to emigrate. However, the government at times restricts these rights. Under the state of emergency the Interior Minister and the provincial governors have the authority to deny residence in certain areas to those regarded as a threat to order. The government also restricts travel into four southern provinces, where much of the hydrocarbon industry and many foreign workers are located, in order to enhance security in those areas. [6c]

6.70 Senior officials from the FIS are not allowed to travel abroad. Young men who are eligible for conscription but have not yet completed their military service are not allowed to leave the country without special authorisation, such as for study or because of family circumstances. Women under the age of 18 are not allowed to travel abroad without their husband's permission but this provision is not generally followed in practice. [6c] [12b]

6.71 Illegal immigration from Algeria is an offence, although it is punished lightly or not at all. [12b] Illegal residence abroad is not punishable under Algerian law. [12b] Controls at airports and ports, as well as at official border crossing points, are strict. [12b] The police and the communal guards operate checkpoints throughout the country. They routinely stop vehicles to inspect identification papers and to search for evidence of terrorist activity. They sometimes detain persons at these checkpoints. [6c]

6.72 Armed groups intercept citizens at false roadblocks in various regions, sometimes using stolen police uniforms and equipment, to rob them of their cash and vehicles or to kill them. [6c]

6.73 There is considerable internal and foreign travel by Algerians. [10] Internally, air travel is the most

reliable form of transport for long distances and for connections to cities located in or near high risk areas.

[10] Externally, large numbers of Algerians regularly make return trips abroad either by air or sea. [10] [12b] Many Algerians travel to France and neighbouring countries, especially Tunisia, for a short or longer stay. [10] [12b]

6.74 Identity Card Algerians carry an identity card and/or a passport. In Algeria the relevant administrative authorities at provincial (Wilaya) level or exceptionally, district (Daira) level issue these documents. Algerian diplomatic representatives overseas, are in principle only entitled to issue new identity cards if the person concerned has registered with it and can only issue or renew passports under certain conditions, in particular once they have checked the identity of the person concerned using certain documents. [10]

6.75 In principle, all Algerian citizens aged 18 and over are required to carry an identity card on their person. The latter can be obtained using the birth certificates (register extract) of the person concerned, their father or sometimes their grandfather, as well as a certificate of residence from their commune of residence. The issued document comes in the form of a light green book entirely written in Arabic. It is valid for ten years. [10] [8c]

6.76 Birth Certificate An Algerian birth certificate is 21cm by 27cm, or 21cm by 29.7cm, with only a few slight variations, according to the local authorities, which issue these documents. [8as] Individual and family documents are usually 13.5cm by 21cm, with a few slight variations. [8as] Birth certificates and individual and family documents are usually printed on vellum paper in light type. Sometimes if it is impossible to obtain this type of paper in the local authority, another type could be used. [8as]

6.77 Travel documents A passport can be obtained using the following documents - identity card, birth certificate (Register extract) of the person concerned, their father, certificate of residence, work certificate or declaration from their educational or professional establishment. Overseas, a permanent residency permit from the host country and registration at the consulate are required. In the event that an Algerian loses their passport and is not registered or if it is not possible to establish their identity fully, the relevant Consulate shall issue a "Pass" solely designed to allow them to return to Algeria. [10]

6.78 Two standard forms of passports are currently in circulation - one light green and the other dark green - both are valid for five years (renewable). Apart from certain legal or traditional limitations imposed on minors, married women under the age of 18 and certain professional categories, Algerians are required to complete exit or entry formalities at the frontier post. They have to fill in a travel questionnaire and present a certificate of exemption or dispensation from military service. [10]

C. OTHER ISSUES

UNHCR GUIDELINES ON ASYLUM SEEKERS FROM ALGERIA

5.C.1 UNHCR has made various statements on the Algerian human rights situation in Algeria and asylum claims. Guidelines issued by UNHCR Geneva in November 1997 include the following:

- The authorities do not often target members of the more moderate Islamic parties such as Society of Peace (previously Hamas) and En-Nahda.
- Passive members or sympathisers of FIS are unlikely to be at risk of persecution. People who are known to be, or who are perceived as active FIS supporters could be at risk from the authorities.
- Individuals who have distributed radical Islamic literature may face problems, including imprisonment. [24a]

5.C.2 UNHCR London issued further statements in a letter to the Home Office of 19 January 1998. [24c] The most recent authoritative update of UNHCR views is set out in a letter of 13 March 2000 to the Home Office. Following is a summary:

- The security situation in the country based on the fear of becoming the victim of indiscriminate violence is not sufficient to recognise refugee status;

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- UNHCR has never called for a general ban on deportation or for a positive group to be determined on a prima facie basis;
- Claims from Algerian asylum seekers are mainly based on one or more of the following reasons :-
 - Fear of persecution by the Algerian government
 - Fear of persecution by anti-Islamic groups
 - Fear of persecution by radical Islamic groups
 - Insecurity resulting from the situation of violence prevailing in the country;
- Following are examples of categories that may be potential targets for persecution.

A well-founded fear must be established on a case by case basis and there is no automatism that the following should be recognised as refugees. Membership or active support of a political movement that is targeted for persecution will provide good reason for considering a fear of persecution well founded:

- Members and sympathisers of radical armed groups such as GIA and FIJA [FIDA]. Such persons may also be subject to exclusion clauses;
- Members of government, civil servants, members of security forces, members of the judiciary and intellectuals who may be perceived to support a secular form of government;
- Relatives, close friends and close associates of above.

Other categories:

- Draft evasion and desertion. UNHCR cannot conclude that draft evasion and desertion are equated to an expression of political opinion. They do not provide grounds for refugee status, unless grounds of conscience can be established.
- Political involvement. Membership or active support of a political movement that is targeted for persecution will provide good reason for considering a claim to be well founded. A lesser degree of involvement may be sufficient if the applicant can show a likelihood of persecution.
- Women. May be treated as a particular social group within the 1951 UN Convention. May claim persecution due to their unwillingness to conform to the code of conduct of the Islamic fundamentalists. A thorough examination of the applicant's background and personality is required. A woman with an established career as a liberal professional may consider restrictions detrimental to her freedom and dignity. Refer to UNHCR Handbook paragraphs 40-42 and 52. An applicant's fear may be considered well founded if she can establish to a reasonable degree that her continued stay in Algeria would be intolerable for the reasons stated in the definition. [24d]

5.C.3 Treatment of returned rejected asylum seekers. UNHCR has not called for a ban on the return of rejected asylum seekers. [8am] [24d] At seminar in 2001 a UNHCR representative stated that one should seek guarantees of safety and be reluctant to return rejected applicants in the cases where the exclusion clauses have to be applied. [8am]

5.C.4 Two country reports in 2001 stated that European countries returned hundreds of such persons to Algeria either under formal agreements or on a case by case basis. [8am] [11] [12b] One stated that applying for asylum abroad is not regarded by the Algerian authorities as a political act. [12b] An Algerian has no need to fear persecution on return solely on the grounds of submitting an asylum application. [12b] Western countries do not regard the overall situation in Algeria as a reason not to deport rejected non-suited asylum seekers and other, inadmissible, persons to that country. [12b]

5.C.5 The other report stated that while none of the countries concerned appears to have

carried out a formal study of what happens to 'deportees', they all believe they would have heard had persons who were returned to Algeria encountered serious difficulties. 'Deportees' sometimes contact the embassies concerned to sort out administrative matters relating to the time they spent in the other country and none have ever complained of their treatment by Algerian authorities upon their return to Algeria. It could also be expected that relatives of 'deportees' would in some cases make it known if a person had suffered at the hands of the Algerian authorities but there has been no incident of this sort ever brought to the attention of the embassies concerned. The UNHCR office in Algiers and the Algerian Foreign Ministry both reported that persons returned to Algeria do not encounter problems. [8am] [11]

6B. HUMAN RIGHTS - SPECIFIC GROUPS

ETHNIC GROUPS

The Berbers

6.79 The Berbers are the major ethnic minority in Algeria and comprise a little over one quarter of the population. The Berber population is concentrated mainly in the mountainous areas of Kabylia, Chaouia, the Mزاب and the Sahara. They were the original inhabitants of Algeria. [3] [12a] [14h] [14i] [24a] Many citizens claim to have Berber ancestry. [24a] [24d] Through centuries of amalgamation of the original Berber population with the Arabs, a clear dividing line between these two groups can no longer be drawn. [11] [12a]

6.80 Berber Language and Culture The Berbers wish to keep their own language (Tamazight alt. sp. Amazigh) and culture. [3] [14h] [14i] [24a] [49] Other Berber dialects exist, although rarely written, in the rural areas. [13b] [49] The National Charter of 1996 recognised the Berber culture and language as one of the components of Algerian identity. [11] [12a] In April 2002 the constitution was amended to recognise Tamazight as an official national language. [7r]

6.81 Although Amazigh is not currently taught routinely in schools, a pilot has been set up to teach the Berber language in some schools. There are professorships of Amazigh culture at the University of Tizi Ouzou and it is possible to study for a degree in Berber culture and Amazigh. Periodicals appear in the Berber language and the government-owned national television station broadcasts a brief nightly news programme in Amazigh. [12a] [41] In the Kabylie area, many television shows and documentaries are shown in Amazigh. [11] [41]

6.82 In December 1990 the National People's Assembly adopted a law providing that, after 1997, Arabic would be Algeria's only official language and that use of French and Berber in schools and in official transactions would be punished by substantial fines. In response, more than 100,000 people demonstrated in Algiers against political and religious intolerance. The law requires the use of Arabic as the official language in government business and other areas such as medical prescriptions and communications equipment. [6c] [8x]

6.83 Matoub Lounes, a popular Berber singer, was killed, and his wife and 2 sons were wounded, at a false roadblock on 25 June 1998. Rioting in the Berber area of Kabylia developed and led to further demonstrations against the Arabisation law [1a]

6.84 Berber groups The Mouvement Cultural Berbère (Berber Cultural Movement) (MCB) was founded in 1976 and is not so much a political party as a pressure group for Berber issues. [24a] It is associated with the FFS and RCD. It is engaged in efforts to promote the Berber language and identity. Each April the MCB organises demonstrations in Kabylie towns to commemorate the "Berber spring" when a number of students were killed in demonstrations in Tizi Ouzou in 1980. [10] [24a]

6.85 The RCD and FFS parties have largely Berber membership. [6c] [12a] [13b] [13d] [13e] RCD members were part of the government until they withdrew in May 2001 in protest at the government's handling of the Kabylie riots (see below). [1a] The GIA is said to have many Berber members [13a] including the former leader, Mohammed Sa'id. [41] and some GSPC emirs are of Kabyle origin [8z]

6.86 Treatment of Berbers Berbers hold high office in the government, army, business, and journalism. [11]

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[24d] [41] They participate freely and actively in the political process. [6c] The MCB was quite unequivocal in stating in 2001 that Berbers were not persecuted in Algeria and that anyone claiming so is doing it merely to advance his own interests. [11] UNHCR have recognised Berber aspirations for recognition of their identity and culture but stated in 1997 that Algeria's population is ethnically mixed and ethnic minorities seem to fear no more and no less than other Algerians. [24b]

6.87 Events of 2001 - 2002 In 2001 up to eighty people were killed in riots following the death of a young man in police custody in April. [1a] Demonstrations and riots quickly spread in reaction in Kabylie and other parts of the country. [1a] A number of large demonstrations took place in Kabylie and Algiers in 2001. [1a] [1b] [7j] Some were banned by the authorities. [1a] [1b] [7k]

6.88 The demonstrations were seen by observers as having developed from the security forces mishandling of the immediate situation in Kabylie. They ignited further protests over the traditional Berber agitation for language and cultural recognition, and encompassed wider expressions of anger and despair over poverty, unemployment and lack of housing, and against the perceived failure of the regime to deal with these issues. [1a] [6c] [7a] [11] [12b] [27c] See Economy

6.89 Several opposition parties took part in the protests, including the FFS and PAGS, and womens groups, but much of the organisation was provided by village committees, (aarouche) which rejected local officials and police. [1a] [1b] During following months outbreaks of strikes and demonstrations in the Kabylie area continued. [1a] [1b] [6c] [7n] [7q] [7r] [7s]

6.90 The authorities stated that a gendarme would be prosecuted for the initial death in custody. [1a] In September 2002 the trial was postponed. [59d] An independent enquiry into the riots and surrounding events was commissioned. [1a] However the RCD, the mainly pro-government Berber political party, withdrew from the government in protest in May 2001 at its handling of the riots, especially the excessive use of force by the gendarmerie, including the use of live ammunition against demonstrators. [1a]

6.91 The report by the independent commission chaired by a respected jurist, Mohand Issad, held the gendarmerie mainly responsible for the violence. It concluded that the violent reaction of the people was provoked by the no less violent reaction of the gendarmes, which kept events going for two months. [1a] [6c] Speaking shortly before the report was issued, the head of the security forces acknowledged the need for improvements in the police force and said these would be addressed. [52a]

6.92 In June 2001 the Berber leaders produced a list of demands known as the El Kseur manifesto. [1b] [7l] These included official recognition of the Berber language, and judicial trials for paramilitary policemen involved in killing unarmed civilians in April and May. [1a] [1b] [7l] The government stated they were ready to take steps to meet the Berber concerns. [1a] [6c] [7l]

6.93 President Bouteflika also ordered the withdrawal of gendarme units from two main Kabyle towns, Tizi Ouzou and Bejaia, and stated that several hundred gendarmes had been disciplined as a result of their actions in Kabylie. [7q] The President also agreed in August 2002 to an amnesty for Berber demonstrators arrested last year. [60b]

6.94 The May 2002 legislative elections and the October 2002 local elections were widely boycotted in Kabylie. [7s] [58a] In May 2002 Berber activists called a general strike in protest at official corruption and the dire social conditions in which most Algerians live. [7s] [37b] The village committees (aarchs or aarouch) also called a general strike and boycott for the October local elections. [59g]

6.95 The Tuaregs The Tuaregs (nomadic Berbers) are a group of people who originate from the Berbers. The 12,000 Tuaregs live almost exclusively among the mountainous massifs of Ajjer and Ahaggar in southern Algeria. They are not prominent in politics because they are relatively few in numbers, and live a nomadic existence. [3] [6c]

WOMEN

6.96 Since 1996, Algeria has been a party to the UN Women's Treaty (CEDAW) on the banning of all forms of discrimination against women. [12b] [25] The Constitution outlaws discrimination based on birth, race, sex, belief, or any other personal or social condition. However women face legal and social discrimination. Parts of the law, as well as tradition, discriminate against women. [6c] [10] [11] [12a] [12b] [25] [26f] [27c]

6.97 The 1984 Family Code is based largely on Islamic law, and treats women as minors under the

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guardianship of a husband or male relative. [6b] [6c] [11] [12b] [27c] Divorce is difficult for a wife to obtain except in cases of abandonment or the husband's conviction for serious crime. [6b] [6c] Custody of children is normally granted to women but they remain dependent on the approval of the father for several aspects of their upbringing. [6c] Women also suffer discrimination in inheritance claims. [6b]

6.98 The Family Code also prohibits women from marrying non-Muslims, although this is not always enforced. Muslim men are allowed to marry non-Muslim women. [6b] In 2000 the government withdrew its proposal to amend the Family Code. [12b]

6.99 The husband is legally the head of family and only he can pass his citizenship to their offspring. [6b] He can also turn his wife and children out of the home with impunity, leaving them no legal recourse in relation to his house or income. [6b] There has been an increase in such cases, especially among uneducated and unskilled women from small towns and villages, due to social tensions arising from unemployment and poor housing. [8ao] [11]

6.100 The abuse of wives by their husbands is reported by women's rights groups to be common, especially in rural areas. [6b] [6c] There are no laws to protect women from rape or abuse by their husbands and women need to produce medical certification of the effects of assault before they can lodge a complaint with the police. Women's rights groups claim that less than half of the women attacked visit doctors. They also claim that the police and courts are lenient with men who are accused of spousal abuse. [6c] [8a] [8m] [8ao] Attacks have also been made on women living alone by mobs of men apparently unaffiliated with armed groups. [27c]

6.101 There are numerous humanitarian, political and women's rights organisations. [6c] [10] There are several rape crisis centres run by women's groups but they have few resources. [6c]

6.102 Social and economic conditions have had an impact on women in Algeria. Unemployment and housing shortages have forced more young men unable to support a family to remain unmarried, which means more young women are living at home longer, putting pressure on their families and exacerbating social tensions. [11] [8ao]

6.103 **Employment** The 1990 Labour Act forbids sexual discrimination on the labour market. [6c] Social pressure deters many women from undertaking higher education courses or careers, and women make up only 10% of the workforce. [6c] However, there is a relatively high proportion of women in the more highly qualified positions (lecturers, lawyers, doctors). In the streets of Algeria, many women can be seen wearing western clothing. [6c] [11] [12a] [12b]

6.104 A country report last year stated that a single woman living in Algeria can make her own living without the aid of her family provided she can find work, which depends on her age, occupation and education. [12b] If necessary she can turn to one of the women's aid organisations which run special centres to provide support for poor or abandoned women. These centres are found mainly in the larger cities. [12b] Another report stated that a woman living on her own would face social pressure for either pursuing higher education or a career. [8ao] A further report stated that a distinction has to be made between women in urban and rural areas. A pregnant unmarried woman going back to urban areas might survive, but in rural areas a woman with a child born out of wedlock would face great difficulties. [41]

6.105 **Terrorist Threat** Women are sometimes specifically targeted for killing and mutilation during terrorist attacks. They are also held captive for long periods by the GIA armed group for rape and servitude. [6c] [27c] There is a rape crisis centre that specialises in caring for women who are victims of rape by terrorists. [6c] Women's associations complain that victims of rape by armed groups do not benefit from rehabilitation, including medical and psychiatric care and other post-traumatic counselling, or from the compensation that other victims of armed groups had received. [26f]

6.106 The GIA made death threats in 1995 against the wives of security force members and government officials. [24a] Women who wear western dress or pursue a western lifestyle may also be at risk of persecution from Islamist groups, [24a] particularly in rural areas. [41]. However their situation is less problematic now than it was in the mid-nineties. [41] See UNHCR section

CHILDREN

6.107 The government attempts to protect children. [6c] Children between the ages of 6 to 15 are entitled to free education and receive free medical care. [6b] [6c] Girl children have considerably benefited from

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education opportunities and facilities. [24a]

6.108 Child abuse is a problem. [6c] Hospitals treat numerous child abuse cases each year but many cases go unreported. [6c] Legal experts claim that the Penal and Family Codes do not offer children enough protection. There are laws against child abuse but comparatively few prosecutions. [6c]

6.109 NGOs that specialise in care of children cite an increase in domestic violence aimed at children, which they attribute to the "culture of violence" developed during the years since 1992 and the social dislocation caused by the movement of rural families to the cities to escape terrorist violence. [6c] Children often are the victims of terrorist attacks. [6c] Unicef has set up a special aid programme in collaboration with the Algerian authorities for children traumatised as a result of terrorism. [12b]

6.110 The legal age of majority is nineteen under the penal and civil codes. [12b] However some legal and civil powers are awarded under this age. [12b] The father is the legal guardian of his minor children. [12b]

6.111 Child Labour The minimum age for employment is 16 years. [6c] This law is not enforced effectively in the agricultural and private sectors. [6c] Many children resort to informal employment, such as street vending, from economic necessity. [6c] The government prohibits forced and bonded labour by children. [6c]

6.112 Child Soldiers The minimum age for compulsory recruitment into the armed services and local militia is 19. [39] There are no indications of under-18s in the government armed forces, but there have been reports of child participation in paramilitary 'Legitimate Defence' groups. [39] Children and youth have taken part in fighting on behalf of armed groups. [39] Their motives are assessed as frustration with economic and social problems rather than religious. [39]

6.113 Childcare The fact that a minor has no family in the broad sense of the word to whom he can turn does not occur very often in the Algerian social context. [12b] Nevertheless it is the duty of the state to care for children without family support. The decision to place a child in a home is made by the authorities concerned when they are abandoned at birth, or by the Infants Judge after an investigation into the situation of the infant. [5f]

6.114 Care homes for lone children are set up and run by the Government. They are regulated by the law, namely Executive Decree No 92-182 of 13 October 1992. Such care homes are intended to upkeep nurslings and only children below the upper limit of compulsory school attendance may be placed in such homes. They take boys and girls. A number of charities also run care homes, such as the Association Algérienne Enfance et Familles d'Accueil Benevolés. Algerian families often adopt young children from state and charity homes under the Kafala system of adoption under Islamic law. Kafala is widespread in Algeria. But in nearly all cases it concerns babies. [5f]

6.115 Older children who lack family support are placed in homes by court order or allocated to foster care. The fostering of children is regulated by the law, namely Ordinance No72-103 of 10 February 1972 relating to the Protection of Children and Youth. For the purposes of this law infants are defined as being under 21 years of age. The provisions of Ordinance No72-03 applies to those infants whose health, security, morality or education are in danger. As a consequence they are placed under the protection of the State and the Infants Judge is empowered to take all necessary measures. He may decide, depending on the youth's situation, to place him in a specialised centre, a care home, or a vocational centre. He may also entrust a person with the care of the child. [5f]

6.116 The reception centres necessary for this are provided by the state but also by the private sector. These have limited capacity, but the facilities provided are generally regarded as reasonable by local standards. The state institutions also accommodate young people who have come into contact with the legal system. [12b]

HOMOSEXUALS

6.117 Section 338 of the Penal Code states that homosexual acts between men and between women are punishable with a term of imprisonment of up to three years. [12b] [29] [30] Sodomy upon a male person under 18 years may be punished with a sentence of up to three years and a fine of up to 10,000 dinars. [11] [12b] [29] [30] Homosexuals cannot therefore express their nature openly and homosexuality is barely tolerated in Algerian society. [8b] [8aj] [11] [12b] [29]

6.118 However although in Shar'ia law homosexuality is prohibited, this offence is rarely prosecuted. [41] A homosexual lifestyle is possible provided discretion is exercised. [11] Homosexuality does appear to have

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become discussed more openly. [12b] For example, a public radio debate on the subject was broadcast in 2000. [11] [12b] [41] In Algiers and other large cities there are public meeting places for homosexuals and transvestites, which are tolerated by the authorities. [11] [12b]

6.119 In practice there are no known examples of prosecution of homosexuals in Algeria, except for persons charged with homosexual activities with minors. [12b] UNHCR and other Algerian human rights groups know of no cases of prosecution under Article 338. [11] [12b]

6.120 Very little information is available about the treatment of homosexuals by armed groups. However, a 1997 article in a European journal. Al Djamaa stated that the GIA was killing homosexuals. [8a]

C. HUMAN RIGHTS - OTHER ISSUES

UNHCR GUIDELINES ON ASYLUM SEEKERS FROM ALGERIA

6.121 UNHCR has made various statements on the Algerian human rights situation in Algeria and asylum claims. Guidelines issued by UNHCR Geneva in November 1997 include the following:

- The authorities do not often target members of the more moderate Islamic parties such as Society of Peace (previously Hamas) and En-Nahda.
- Passive members or sympathisers of FIS are unlikely to be at risk of persecution. People who are known to be, or who are perceived as active FIS supporters could be at risk from the authorities.
- Individuals who have distributed radical Islamic literature may face problems, including imprisonment. [24a]

6.122 UNHCR London issued further statements in a letter to the Home Office of 19 January 1998. [24c] The most recent authoritative update of UNHCR views is set out in a letter of 13 March 2000 to the Home Office. [24d] Following is a summary:

- The security situation in the country based on the fear of becoming the victim of indiscriminate violence is not sufficient to recognise refugee status;
- UNHCR has never called for a general ban on deportation or for a positive group to be determined on a prima facie basis;
- Claims from Algerian asylum seekers are mainly based on one or more of the following reasons :-
 - Fear of persecution by the Algerian government
 - Fear of persecution by anti-Islamic groups
 - Fear of persecution by radical Islamic groups
 - Insecurity resulting from the situation of violence prevailing in the country;

Following are examples of categories that may be potential targets for persecution. A well-founded fear must be established on a case by case basis and there is no automatism that the following should be recognised as refugees. Membership or active support of a political movement that is targeted for persecution will provide good reason for considering a fear of persecution well founded:

- Members and sympathisers of radical armed groups such as GIA and FIJA [FIDA]. Such persons may also be subject to exclusion clauses;
- Members of government, civil servants, members of security forces, members of the judiciary and intellectuals who may be perceived to support a secular form of government;
- Relatives, close friends and close associates of above.

Other categories:

- Draft evasion and desertion. UNHCR cannot conclude that draft evasion and desertion are equated to an expression of political opinion. They do not provide grounds for refugee status, unless grounds of conscience can be established.
- Political involvement. Membership or active support of a political movement that is targeted for persecution will provide good reason for considering a claim to be well founded. A lesser degree of involvement may be sufficient if the applicant can show a likelihood of persecution.

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- Women. May be treated as a particular social group within the 1951 UN Convention. May claim persecution due to their unwillingness to conform to the code of conduct of the Islamic fundamentalists. A thorough examination of the applicant's background and personality is required. A woman with an established career as a liberal professional may consider restrictions detrimental to her freedom and dignity. Refer to UNHCR Handbook paragraphs 40-42 and 52. An applicant's fear may be considered well founded if she can establish to a reasonable degree that her continued stay in Algeria would be intolerable for the reasons stated in the definition. [24d]

TREATMENT OF RETURNED REJECTED ASYLUM SEEKERS

- 6.123. UNHCR has not called for a ban on the return of rejected asylum seekers. [8am] [24d] At a seminar in 2001 a UNHCR representative stated that one should seek guarantees of safety and be reluctant to return rejected applicants in the cases where the exclusion clauses have to be applied. [8h] [8am] [41]
- 6.124 A 1998 report quoting an academic at the Centre for Middle Eastern and Central Asian Studies at the Australian National University stated the following. [8h] "It is certain that an unsuccessful asylum applicant who has a high profile in opposition or held a high ranking position in government, diplomatic corps or the armed forces would be subject to punitive measures by the state. And in the light of the above, if the unsuccessful applicant is neither known to the regime nor is his asylum application, he or she categorically faces no threat to their life or freedom. Algeria is a country of hundreds of thousands of migrants and expatriates, and movement by its citizens is not in itself cause for concern or for state suspicion. Should the state have information on returning asylum seekers, especially those with no history of political opposition, Islamic affiliation, or criminal activities, some irritations, I should imagine be expected. Asylum is not always about politics; it has economic motivations. This latter category does not necessarily invite state suspicion or retaliation. I see no problem with Algerian seekers of asylum, which more often than not are motivated by economic concerns, returning home without being retaliated against by the state." [8h]
- 6.125 Two country reports in 2001 stated that European countries returned hundreds of such persons to Algeria either under formal agreements or on a case by case basis. [8am] [11] [12b] One stated that applying for asylum abroad is not regarded by the Algerian authorities as a political act. [12b] An Algerian has no need to fear persecution on return solely on the grounds of submitting an asylum application. [12b] Western countries do not regard the overall situation in Algeria as a reason not to deport rejected non-suited asylum seekers and other, inadmissible, persons to that country. [12b]
- 6.126 The other report stated that while none of the countries concerned appears to have carried out a formal study of what happens to 'deportees', they all believe they would have heard had persons who were returned to Algeria encountered serious difficulties. 'Deportees' sometimes contact the embassies concerned to sort out administrative matters relating to the time they spent in the other country and none have ever complained of their treatment by Algerian authorities upon their return to Algeria. It could also be expected that relatives of 'deportees' would in some cases make it known if a person had suffered at the hands of the Algerian authorities but there has been no incident of this sort ever brought to the attention of the embassies concerned. The UNHCR office in Algiers and the Algerian Foreign Ministry both reported that persons returned to Algeria do not encounter problems. [8am] [11]
- SAHRAWI REFUGEES FROM WESTERN SAHARA
- 6.127 The Government provides first asylum to approximately 165,000 refugee Sahrawis, former residents of the Western Sahara who left that territory after Morocco took control of it in the 1970's. UNHCR, the World Food Program (WFP), the Algerian Red Crescent, and other organizations are assisting Sahrawi refugees. [6c]
- 6.128 They are living in four camps near Tindouf, Algeria. The food, shelter and medical care needs of the camp residents are provided, almost exclusively, by foreign governments, notably Algeria, and international humanitarian aid organizations. [40]
- 6.129 The Polisario is a movement based mainly at the Tindouf camps, which in 1976 declared Western Sahara in southern Morocco as an independent state to be known as the Sahrawi Arab Democratic Republic (SADR). The Algerian government supports the Polisario in its resistance to the Moroccan claim on the Western Sahara. [40]
- 6.130 Approximately 1400 Moroccan prisoners are still held by the Polisario as a result of the fighting in Western Sahara. [33a] Most have been imprisoned for at least 20 years. [33a]

ANNEX A - CHRONOLOGY OF MAJOR EVENTS

1962 Algeria gained independence after a war with France. Ben Bella was elected President.

1965 Ben Bella deposed in a bloodless coup by Colonel Houari Boumedienne

1976 November: A new constitution was approved by a referendum, maintaining Islam as the state religion and formulating plans to create a socialist system.

1978 December: President Boumedienne died.

1979 Colonel Ben Djedid Chadli inaugurated as President

1986 Referendum approved a new National Charter. The constitution was amended to take account of Muslim interests.

1987 The government introduced austerity measures to cope with the decline in petrol prices and the increase in Algeria's national debt.

1988 The austerity measures provoked a series of strikes. In October there were riots in Algiers, spreading to Oran and Annaba. A six-day state of emergency was imposed, and according official sources 159 people were killed in confrontations with government forces, and more than 1,500 were arrested.

November: A referendum approved the proposal for non-FLN candidates to participate in elections.

December: Chadli elected President for a third term.

1989 February: A new constitution ending the one party state was approved by referendum.

FIS founded and over twenty parties licensed.

1990

Widespread strikes and demonstrations occurred, caused in part by the Islamic fundamentalists.

June: In the local elections the FIS received 55% of the votes cast.

August: A general amnesty was announced and thousands of political prisoners were released.

December: Demonstrations followed the announcement that Arabic was the official language, and the use of French and Berber in schools and official translations would be punished by fines.

1991

May: FIS organised general strikes to protest about the organisation of the forthcoming elections.

June: Violent clashes between Islamic fundamentalists and security forces resulted in between 20 and 50 deaths.

July: Army units arrested about 700 Islamists and occupied the headquarters of the FIS. The President of FIS - Abbasi Madani and the Vice President Ali Belhadj arrested.

December: First round of the general election - FIS were the largest party with 47.5% of the votes cast.

1992

January: The National People's Assembly dissolved, and President Chadli resigned. The second round of

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voting was cancelled. A five member High Council of State (HCS) was appointed to act as a collective presidency until the expiry of Chadli's term of office in December 1993. The chairman was Muhammad Boudiaf.

February: HCS declared a state of emergency.

March: FIS dissolved by the government.

June: President Boudiaf assassinated. Violence increases and the GIA emerges as the main group behind these operations.

July: Madani and Belhadj were sentenced to 12 years imprisonment.

1993

February: State of emergency renewed for an indefinite period.

May: Large demonstrations took place, mainly organised by the UGTA.

July: Kasdi Merbah, former Prime Minister was assassinated.

1994

January: Lamine Zeroual appointed Head of State for a three-year term. A three year transition period culminating in a presidential election was announced.

September: Madani and Belhadj released from prison and placed under house arrest. The GIA threatened reprisals if FIS entered into dialogue with the regime, and it increased its number of violent attacks. The Berber RCD announced a boycott of the school year, and Berber activists staged a general strike in Kabylie, protesting about the exclusion of the Berber language from the school syllabus, and the possibility of FIS entering into dialogue with the government.

1995

November: Presidential election. There were four candidates, and President Zeroual won 61% of the valid votes. The FLN, FFS and FIS urged people to boycott the elections.

1996

November: A referendum approved changes to the constitution which included changing the law regulating political parties, banning those based on religion, language, gender or regional differences.

1997

January: The Secretary General of the UGTA, Abd al-Hak Benhamouda was assassinated.

March: supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative election.

April: FIS called for a boycott of the elections. Hamas changed its name to Movement of a Peaceful Society, to conform with the new laws regulating political parties.

June: Elections - the turnout was officially recorded as 65%. The RND won 155 seats and became the largest party in the National Assembly. They formed a coalition with the Islamist Movement for a Peaceful society (MSP), and the National Liberation Front.

September: FIS chief Madani released, but then placed under house arrest.

October: A major split occurred in FIS, when supporters of Madani denounced other FIS leaders for declaring

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a cease-fire of its military wing, the Islamic Salvation Army (AIS). Local elections were won by the RND. In October and November the main legal opposition groups organised demonstrations against what they saw as fraud in the elections. Demonstrators were beaten with batons.

December: Members of Algeria's local councils chose representatives to sit in the upper house of parliament. The National Democratic Rally gained 35 of the first 42 seats decided.

1998

February: Four other armed Algerian fundamentalist organisations, the Ansar Battalion, the Al-Sharq al-Awsat, the Rahman Battalion and the Islamic League for the Call and the Jihad had joined the truce announced by the armed wing of the FIS in October 1997.

The violence continued in the early part of 1998, and 400 were killed in one massacre.

May: An executive decree was signed by Algeria's Health Minister on 5 May allowing women who have been raped by suspected Muslim rebels to have abortions.

Thirty political parties were dissolved for failing to abide to the new rules on political parties.

June: On 25 June Matoub Lounes, a popular Berber singer, was killed, and his wife and 2 sons were wounded, at a false roadblock by an armed group. Rioting and demonstrations in Berber towns followed.

July: Implementation of a law generalising the use of Arabic in enterprises and public departments.

Visit to Algeria by Eminent Panel appointed by the Secretary General of the United Nations.

September: President Zeroual announced that he would leave office before the end of his term ends and hand over power after presidential elections in early 1999.

1999

April: On 15 April six of the seven presidential candidates withdrew from the elections claiming fraud. The election went ahead on 16 April. Abdelaziz Bouteflika announced as the winner.

June: The Islamic Salvation Army declared an end to their guerrilla struggle against the government on 6 June.

President Bouteflika promised an amnesty for the AIS and its supporters and submitted an amnesty law as part of the Civil Concord Law.

July: Approximately two thousand prisoners imprisoned for terrorist and subversive acts were released.

September: Referendum on the question of "Do you agree with the Presidents approach to restoring peace and civil accord?" was won by the Yes votes.

November: Abdelkader Hachani, a leader of the FIS, was killed in Algiers. In December a suspect was arrested [7a] who was sentenced to death in April 2001. [52b]

December: A new Prime Minister, Ahmed Benbitour, and cabinet were appointed. [1a]

Over 2500 people were killed during 1999 in the ongoing violence. [6c]

2000

January: About 180 people were killed during Ramadan. [7d].

The AIS and LIDD armed Islamist opposition groups disbanded just before the expiry of the amnesty for armed groups.

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It was reported that many AIS members would join the national army to fight the remaining armed groups, mainly the GIA and GSPC groups.

According to official estimates some fifteen hundred Islamists had surrendered during the amnesty period.

The security forces deployed in operations against the GIA in their strongholds in the north-east and south-west of the country.

Local media reported a number of killings of rebels, civilians and members of the security forces following the expiry of the amnesty. [7d]

April: Four international human rights groups, including AI, were allowed to visit Algeria. [1a] [6c]

August: Ali Benflis was appointed Prime Minister. Described as a reformer and close collaborator of President Bouteflika. [1a] [7d] [7f]

November: The government refused to legalise the Wafa party on the grounds that many of its members were ex-FIS members. [7g]

December: Over 300 people were killed in terrorist incidents during the month of Ramadan. [7h] [54c] Killings had increased over the year by 20% compared to 1999. [6c]

2001

Terrorist incidents and clashes with the security forces continued to be reported. Over sixty six terrorist acts were reported in the first three months and about three hundred people were killed. [54c]

Up to eighty people were killed in riots in the Kabylie region between April and June. This followed the killing of a man in police custody during the annual "Berber Spring" demonstrations. The RCD party withdrew from the government in protest at its handling of the situation. [1a]

November: Over seven hundred people were killed in Algiers when floods engulfed the working class district of Bab el Oued following a torrential downpour. [1b]

December: About one hundred people were killed during Ramadan. A total of between 1500 and 2000 people were killed in 2001 in the ongoing violence involving the security forces and armed groups. [6c] This was a decrease from the previous years total of over 2500 deaths. [6c]

2002

February: GIA leader Anton Zouabri was killed by security forces. [7p] According to unconfirmed reports Rachid Oukali alias Abou Tourab Errachid, his reported successor, was killed by security forces in June. [7t]

March: The government agreed a number of concessions in response to the Berber complaints. These included amending the constitution to give official status to the Berber language, and compensation for relatives of victims of the violence. [7q]

June: The FLN party won majority control in elections for a new legislative assembly. [7t] The elections were described in reports as marred by violence and a boycott by the two main Berber parties. [7t] The current prime minister, Ali Benflis, formed a new government. [7t]

October: The FLN party won the majority in local elections. [59h]

ANNEX B - POLITICAL ORGANISATIONS

Sources 1, 2, 10, 13, 24a, 48 contain more information about Algerian political parties of the past 10 years. Source 36b analyses the implications of the June 2002 legislative elections for various parties and movements.

Algeria, Country Information

Ettahadi / Challenge - see MDS

Front Islamique du Salut (FIS) / Islamic Salvation Front / al-Jibhat al-Inqath

Leadership Abassi Madani (President); Ali Belhadj (vice-president); Annouar Haddam (spokesman in exile)
 [2] The FIS was founded on 10 March 1989 as an umbrella organisation for Islamist groups. It may have existed in some form prior to this. The FIS was banned on 4 March 1992 and remains illegal.

The two main founders were Abbasi Madani and Ali Belhadj. They were arrested on 30 June 1991 and charged with conspiring to overthrow the government. [1a] In July 1992 they were sentenced to 12 years imprisonment. [1a] They were put under house arrest in September 1994, but Belhadj was later returned to prison and is still there. [1a]

Other leaders include Abdelkader Hachani, who was killed in Algiers in November 1999, and Rabeh Kabir. [2] However in August 2002 a FIS Congress in Belgium ousted Rabeh Kebir from party management. [7v] At a further meeting in Switzerland in October 2002 Mourad Dhina was named as interim head of the party's executive. [59f] The aims of the FIS are to take power after reclaiming a place in the political process and create an Islamic state based on the Sharia. The FIS claimed to be the only true Islamic party and drew its support from all sections of society. [2] [13c]

Many ex-FIS members joined the Wafa party (see below) [2]

Front de Liberation Nationale (FLN) / National Liberation Front / Jabha al-Watani

Secretary-General Boualem Benhamouda. Until February 1989 this was the only legal party in Algeria. This party led the seven year war of independence with France, which ended in 1962. It has a basically socialist philosophy. [1a] [24a] The FLN gained a majority in the June 2002 legislative elections. [48] and the October 2002 local elections. [59h]

Front des Forces Socialistes (FFS) / Socialist Forces Front

This party was originally set up in 1963, and was revived and legalised in 1989. The President is Hocine Ait-Ahmed, who returned to Algeria in 1999 to participate in Presidential elections following self-exile in Europe. The party believes in democratic socialist principles, and dialogue with the FIS. It obtains most of its support from Berbers and middle-class urban residents in Algiers and some other cities. [1a] [2] [13d] [24a] The FFS boycotted the June 2002 legislative elections [48] but took part in the October 2002 local elections. [58a] [59g]

Front National de renouvellement (FNR) / Algerian National Front

Leader: Zenidine Cherifi. [1a] Won 8 seats in the June 2002 legislative elections. [48]

Hamas - see MSP

Mouvement Cultural Berbère (MCB) / Berber Cultural Movement

Founded in 1976 and is not so much a political party as a pressure group associated with the Berber FFS and RCD parties. It is engaged in efforts to promote the Berber language and identity. Each April the MCB organises demonstrations in Kabylie towns to commemorate the "Berber spring" when a number of students were killed in demonstrations in Tizi Ouzou in 1980. [10] [11] [24a]

Mouvement Democratique et Social (MDS) / Democratic Social Movement Formerly Ettahadi.

Secretary-General Al-Hashemi Cherif. Left wing. Launched in October 1999 as successor to Ettahadi, itself created as successor to the Socialist Vanguard Party (Parti de l'Avant-Garde Socialiste - PAGS) itself descended from the Communist Party (CPA) founded in the 1930s. Ettahadi boycotted the 1997 and 1999 elections. Its conversion into the MDS signified a renewed commitment to the democratic process and the mixed economy, as well as opposition to any compromise with Islamic extremism. [2] [24a]

Mouvement pour la démocratie en Algérie (MDA) / Movement for Democracy in Algeria

Algeria, Country Information

Led by former president Ben Bella. Mostly active in exile. Moderate Islamist. Supports the relegalisation of FIS. [8ak] [24a]

Mouvement de la Société pour la paix (MSP) / Movement of a Peaceful Society / Harakat Moudjtamaa As-Silm Formerly Hamas

This party used to be known by its Arabic acronym Hamas. The name was changed in April 1997 in order to meet the criteria of the law banning political parties based on religious or ethnic issues. It is a moderate Islamic party led by Mahfoud Nahnah and condemns violence and intolerance in the name of religion. It promotes respect for human rights, including women's rights in the workplace. [1a] [2] [24a]

Mouvement de la Renaissance (MR) / Renaissance Movement / Harakat al-Nahda al-Islamiyya

Moderate Islamist. [1a] [2] [48]

National Party of Unity and Action

Founded in December 1999 by supporters of President Bouteflika. [7a]

Parti du renouveau algérien (PRA) / Algerian Renewal Party

Secretary-General Yacine Terkmane Leader Nourreddine Boukrouh. Moderate Islamist. [1a]

Parti du Travail (PT) / Parti des travailleurs / Workers Party

Leader: Louisa Hanoune. Left wing. [1a] [2]

Rassemblement pour la Culture et la Démocratie (RCD) / Rally for Culture and Democracy

President: Said Saidi This party was set up in 1989 by former FFS members. It is largely made up of Berbers. It advocates recognition of the Berber language, Tamazight, as a national language. It is secular and anti-Islamic and supports the government in its campaign against the Muslim fundamentalist rebels. It is against legalisation of the FIS. [1a] [2] [13e] [24a] The RCD boycotted the June 2002 legislative elections [48] and the October 2002 local elections. [58a] [59g]

Rassemblement national démocratique (RND) / National Democratic Rally

In March 1997 supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative election. In the June 1997 elections it won 156 seats [1a] It was the largest party in the National Assembly prior to the June 2002 legislative elections. [48] The leader is the former Prime Minister Ahmed Ouyahia who was elected secretary-general in January 1999. [1a] [2]

Wafa wa al-adiAdl (Wafa) / Movement for Fidelity and Justice

Leader Ahmed Taleb Ibrahim (former foreign minister and 1999 presidential candidate) Founded in 1999 but refused government recognition as a political party in 2000 on the grounds that it contained large numbers of FIS supporters. [1a] [2] [6c] [7g]

ANNEX C - MAIN ARMED GROUPS

NB A number of smaller armed groups are also listed in sources 10 and 24a. See also -

Section 6 Armed Groups and Military Servicemen Threat from Terrorists

1. The two main remaining armed groups operating in Algeria now are the GSPC and the GIA. Both are proscribed organisations in the UK under the Terrorism Act 2000.

Armed Islamic Group (GIA)

2. This group emerged in 1993 and claimed to be involved in a Jihad or holy war. Its stated aim was to overthrow the current regime and set up a fundamentalist Islamic state. [13a] [27b] Many of its members were former fighters in Afghanistan, also Pakistan, Yemen, Syria, Sudan, Bosnia and Chechnya. [41] The GIA has been responsible for some of the worst atrocities since the outbreak of violence in 1992, including the killing and abduction and rape of women. They have targeted families of members of the security forces, schoolgirls, intellectuals, artists, journalists and women not wearing the veil (hejab). They have also been responsible for numerous bombings. [6c] [24a]

3. The GIA is composed of semi-autonomous groups each controlled by local emirs (although a single command unit exists). [8an] In July 1995 one of its leaders Zitouni, who had been in charge since October 1994, was assassinated. Antar Zouabri emerged as the leader of the main faction. [1a] [8z] [8an] [13a] [24a] Zouabri was killed by security forces in February 2002. [7t] According to unconfirmed reports his replacement Abou Tourab Errachid was killed by security forces in June 2002. [7t]

4. In 1996 there were splits in the GIA that led to a number of smaller groups being formed. [8z] The GIA have recruits among former Algerian volunteers trained in guerrilla tactics by Afghan guerillas and others who fought in Bosnia. Many of these have been killed in combat or are still fighting with the GIA, and some are in Europe. They are considered to be the harshest faction. [8z] Many members of the banned FIS joined its ranks. [13a] The GIA also recruits young men from the most disadvantaged social groups. [8z] [13a]

5. According to two specialists on Algeria in September 1999, the GIA do not use force to recruit members because this would lead to a high rate of desertion and adversely affect combat effectiveness. GIA and other armed Islamic groups must be ideologically committed to the cause. [8r] However, according to newspaper reports unemployed youth are easy prey for Islamic recruiters: Twenty five GIA recruiters were arrested in the poor suburbs of Algiers and in Blida in December 1997. Another Algerian specialist in the country stated in 1997 that a typical member of the GIA is in his twenties, single, unemployed, with little education and a poor knowledge of French and Arabic. [8r]

6. An expert on Algerian armed groups commented in July 2000 that the armed groups are still recruiting among young people. [8z] He also stated that the profile of GIA members is of young people on the fringes of society, unemployed youths or former delinquents, and that the majority of them have no political culture and do not come from the FIS. [8z] Several members of the GIA and GSPC are also involved in racketeering and criminal activities. [8r]

7. Regular reports of terrorist attacks on the population by the GIA occur. Many incidents are killings of ordinary people in rural areas said to be because they had not provided support to the terrorists, and to steal food and goods. Others are false roadblocks set up by the GIA posing as soldiers for the purpose of extortion, robbery and murder. [6c] [8r] [8z] [11] [12b]

8. The total number of members of the GIA is unknown. Estimates vary between two hundred [6a] and several thousand. [8r] [8an] [13a] [53b] The GIA is no longer a nation-wide force. [8r] It is split into semi-autonomous groups or brigades. [8an]

9. The GIA is mainly active in the central and western parts of the country, in the Algiers region [8z] especially Mitidja and Medea. [8r] In the second half of 2000 the GIA was mainly active in areas west of Algiers in the wilayas of Ain Delfa, Chlef and Medea. [7i] [8z] [41] These three wilayas have the greatest number of victims. [7i] [8z] The GIA is very aggressive in the areas of Tipaza and Bouira where many cases of racketeering and extorting money from villagers can be ascribed to them. [41] The GIA also attacks members of the police and steals their uniform to dress up as policemen. [41] The GIA does not now have a presence in Kabylia [8z] (although other reports state that a large part of its membership was of Kabyle (Berber) origin. [13a] [41] See Ethnic Groups) There are also GIA residue pockets further west in Relizane, Mascara, Tiaret and Saida. [7i]

10. An estimated 1000 GIA members surrendered to the Algerian authorities within the framework of the measures provided by the law on restoring civil accord. [7e]

The Salafist Group for Call and Combat (GSPC)

11. The Salafist Group for Call and Combat was a former faction of the GIA but split from the group in mid 1998 [8r] and is linked to the radical wing of the FIS. [7i] The leader is Hassan Hattab. [8r] It is assessed as the most effective remaining armed group in Algeria. [6a] It has gained popular support through its pledge to avoid civilian attacks (although, in fact, civilians have been attacked. [6a]

Algeria, Country Information

12. However, it concentrates its operations mainly on the security forces, including conscripts and is often behind the ambushes and killing of soldiers and municipal guards in roads and mountainous areas. [7h] It carries out fewer operations than the GIA but they are more deadly. [8z] It finances its operations by racketeering, cross border smuggling in western Algeria, real estate investments, money laundering activities and Algerian support networks, particularly those outside Algeria. [8z]

13. The GSPC began in the region east of Algiers and Kabylie [8r] and is mainly active in the region between Boumerdes province and part of Kabylie. [7i] Some of its emirs are of Kabyle (Berber) origin. [8z] It is now also reported to have groups in eastern Algeria [8z] notably Jijel, Tizi Ouzou, Setif and the area around Constantine. [8z] [41] A GSPC group also operates in the Lakhdaria-Kadiria region (70 km south of Algiers). [57a] The local emir of this El-Farouk phalanx is reportedly Ahmed Djebri. [57] The GSPC operates in some cities, such as Boghni [8z]

14. The strength of the GSPC is unknown. [6a] Estimates are several hundred to several thousand inside Algeria. [6a] About 90 GSPC members reportedly surrendered under the amnesty law. [7e] [8z]

Islamic Salvation Army (AIS)

15. The AIS was created in mid-1994 as the armed wing of the FIS. Exact numbers of members are unknown, but in 1995 it was estimated at approximately 6,000. Although the exact relationship with the leaders of FIS is not clear, it may be that the leaders of the AIS acted with a certain amount of autonomy and were not directly controlled by the FIS. [27b] They merged with the Armed Islamic Movement (MIA). The main leader was Medani Mezrag. [24a]

16. Following a ceasefire in October 1997, the AIS declared an end to their guerrilla struggle against the government on June 6 1999. The AIS took advantage of the amnesty under the Civil Concord Law and disbanded in January 2000. Some of its members were integrated into the national army in operations against the GIA. [7c] [8z]

17. In February 1998 four other armed Islamist groups, the Ansar Battalion, the Mawt Battalion, the Rahman Battalion and the Islamic League for the Call and the Jihad [LIDD] joined the truce announced by the AIS in October 1997. [1a]

Al-Rahman Battalion

18. This is led by Mustapha Kertali. It joined the cease-fire announced by the AIS in October 1997. [10] [24a] [24c]

Islamic Front of the Armed Jihad (FIDA/FIJA)

19. The leader is Omar el-Fidai. This group has assassinated celebrities, intellectuals and politicians. [10] [24c]

Katibat El Ahoual

20. This is reported as a recent dissident splinter group of the GIA and one of the most active and dangerous armed groups in the centre-west of the country. Within this area it is said to operate mainly in El Ouenis in the east, Remka and Relizane in the west and Chief in the north. [8u] [8r]

Islamic League for Call and Jihad (LIDD)

21. This was led by Ali Benhadjar. Part of the LIDD joined the cease-fire announced by the AIS in October 1997 and also dissolved itself in January 2000. [7i] However, a dissident splinter group of the LIDD continued fighting in eastern Algeria. [41]

Ansar Battalion and Mawt Battalion

22. These two groups declared a cease-fire in line with the AIS in 1997. [1a]

ANNEX G

Algeria, Country Information

ALGERIAN NEWSPAPERS/NEWS SOURCES [10]

(THIS LIST IS NOT EXHAUSTIVE)

Daily Newspapers**Arabic**

An Nasr (Victory) Constantine	El Acil	El Heddaf	El Khabar	El Youm
El Massa independent, Algiers	Ech-chaab (The People) pro- government	Al Badit MDA newspaper	Al Joumaria (The Republic) pro- government, Oran	

French

El Watan Independent, Algiers	Horizons pro-government	La Tribune Independent, Algiers	Liberte	Le Matin Independent, Algiers
El Moudjahid (The Combatant) pro- government, Algiers Also Arabic	Le Jeune Independent	Le Soir d'Algerie Independent, Algiers	Liberte	Le Quotidien d'Oran
Le Petit Tlemcenien	La Nation Independent, Algiers			

Weekly Newspapers and Other publications

Ach-Chabab (Youth) National Union of Algerian Youth, Algiers Bi-monthly	Algerie Actualite pro- government, Algiers	Al-Djeich (The Army) Organ of the ANP	Revolution Africaine Socialist sympathies, Algiers	La Grande Kechfa Satire
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Press Agencies

Agence Algerienne d'Information	Algerie Presse Service	Al-Fadjr	An Nasr	Journal Officiel
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Former Publications

La Nation - banned in late 1996	El-Maweed - weekly Islamist publication - currently banned	El-Kila'a - Islamist publication -currently banned	Ech Chourouq - Islamist publication - banned in 1997, since resumed publication	El-Hiwar -Banned in 1996
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ANNEX D - PROMINENT PEOPLE

Hocine Ait Ahmed – Socialist Forces Front leader (FFS) who returned to Algeria to participate in the 1999 presidential elections following self-exile. [1a]

Algeria, Country Information

Ali Belhadj – FIS vice president. Has been detained since mid-1995. Currently in prison. [1a]

Ahmad Ben Bella – First President of Algeria after independence. Leader of the now banned MDA. [1a]
[8ak]

Ahmed Benbitour – former Prime Minister of cabinet appointed in December 1999. [1a]

Cheikh Ali Benhadjar – Leader of the Islamic League for the call and the Combat (LIDD) - a fundamentalist Islamic militia which disbanded in January 2000.

Abdelhak Benhamouda – Former Secretary General of the General Union of Algerian Workers (UGTA). He was killed in January 1997. [1a]

Ali Benflis – Current Prime Minister. Appointed in May 2000. [1a]

Mohammed Boudiaf – President of Algeria from January 1992 until January 1994. Assassinated. [1a]

Abdelaziz Bouteflika – President of Algeria from April 1999 to date. Formerly the Tourist Minister (1963) and then Foreign Minister. [1a]

Ahmed Taleb Brahini – presidential candidate in April 1999. Leader of Wafa party, which was refused recognition in 2000. [7g]

Ben Djedid Chadli – President 1979 until 1992. [1a]

Liamine Cheikh – One of the leading figures in the Rally for Culture and Democracy (RCD)

Abdallah Djaballah – Former leader of Ennahda. Present leader of MRN party. He was an Independent candidate in the 1999 Presidential elections.

Salima Ghezali – Editor of the banned Algerian newspaper- La Nation. She was awarded the Sakharov prize for freedom of thought.

Abdelkader Hachani – Senior FIS official. Led FIS election campaign in 1991. Murdered in Algiers in November 1999. [1a]

Anouar Haddam – Head of the self-declared FIS Parliamentary Mission Abroad.

Hassan Hattab – Leader of GSPC armed group. [8z]

Louisa Hanoune - leader of PT party

Abdelhal Layada – Former GIA leader-currently in jail

Abbassi Madani – One of the main FIS leaders. Sentenced to 12 years in prison in July 1992. Released in 1997 - now under house arrest.

Madani Mezrag – AIS Commander

Khalida Messaoudi – Member of the RCD party. She campaigns for women's rights. Hard-line anti-Islamist.

Sheikh Mahfoud Nahnah – Leader of MPS - formerly Hamas. Came second in the Presidential elections in 1995.

Ahmed Ouyahia – former Prime Minister. Present Justice Minister. [1a]

Ahmed Zaoui – Former member of the FIS consultative committee and acting official spokesman for the new FIS coordination council abroad. Sought asylum in Switzerland in 1999.

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Ali Zoulta – Prominent lawyer- was held in detention from 1993 until 1997 despite being acquitted by a court of aiding a terrorist group

Antar Zouabri – GIA leader [8z] Killed by security forces in February 2002. [7t]

President Liamine Zeroual – President of Algeria from 1995 until he resigned in April 1999. Previously served as president of a transition government established in 1994. [1a]

ANNEX E - GLOSSARY

AIS Islamic Salvation Army (Armed wing of the FIS)

FFS Front des Forces Socialistes / Socialist Forces Front (political party)

FIDA/FIJA Islamic Front for Holy War (armed group)

FIS Front Islamic de Salut / al-Jibhat al-Inqath - Islamic Salvation Front (banned political party)

FFS Socialist Forces Front / Front des Forces Socialistes (Berber political party)

FLN Front de Liberation Nationale / National Liberation Front / Jabha al-Watani (political party)

GIA Group Islamic Armé / Armed Islamic Group (armed group)

GSPC Groupe Salafite pour la Prédication et le Combat Salafist Call and Combat Party (armed group)

LADDH Ligue Algerienne de Defense des Droits de l'homme (Algerian League for the Defence of Human Rights)

LIDD Islamic League for Call and Combat (armed group)

MCB Mouvement Cultural Berbere / Berber Cultural Movement (Berber cultural pressure group)

MDA Mouvement pour la Democratie en Algerie - Algerian Movement for Democracy (Political Party)

MDS Mouvement Democratique et Social / Social Democratic Movement (formerly Ettahadi) (political party)

MIA Armed Islamic Movement (Former armed group)

MPS Movement of a Peaceful Society (formerly Hamas) (Political Party)

NCC National Consultative Council

NPA National People's Assembly

OJAL Organisation of Young Free Algerians

ONDH Observatoire national des droits de l'homme (National Observatory for Human Rights)

PRA Parti de Renouveau Algerian - Algerian Renewal Party (political party)

RCD Rassemblement pour la Culture et la Democratie - Rally for Democracy and Culture (political party)

RND Rassemblement national démocratique National Democratic Rally (political party)

UGTA Union Générale des Travailleurs Algériens / General Union of Algerian Workers

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UNEA Union Nationale des Etudiants Algeriens / National Union of Algerian Students

UNFA Union Nationale des Femmes Algerien / National Union of Algerian Women

ANNEX H**SOURCE MATERIAL****Books****[1] Europa Publications:**

- a. Regional Surveys of the World: The Middle East and North Africa 2001
- b. World Yearbook 2001

[2] Political Parties of the World 4th Edition. Compiled/Edited by Alan J Day, Richard German and John Campbell updated 1996

[3] World Directory of Minorities. Minorities Rights Groups International. 1997

[4] World Encyclopaedia of Police Forces and Penal Systems 1989

Country Information Reports**[5] Foreign & Commonwealth Office.**

- a. Travel Advice for British Citizens (last updated 21 December 2001)
- b. Letter dated 10 September 2001
- c. Country Brief March 2002

[6] US State Department

- a. Reports on Global Terrorism-2000 Middle East Overview dated April 2001
- b. International Religious Freedom Report dated October 2001
- c. Report on Human Rights Practices: report for 2001 dated 4 March 2002

[7] Africa Research Bulletin

- a. July 99
- b. November 1999
- c. December 1999
- d. January 2000

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- e. March 2000
- f. May 2000
- g. August 2000
- h. September 2000
- i. October 2000
- j. November 2000
- k. December 2000
- l. January 2001
- m. May 2001
- n. June 2001
- o. July 2001
- p. August 2001
- q. September 2001
- r. October 2001
- s. November 2001
- t. December 2001
- u. January 2002

[8] Research Directorate, Immigration and Refugee Board, Canada:

- a. Information on penalties and/or procedure for resigning from the police force. 1 November 1994
- b. Situation of Homosexuals in Algeria. 10 July 1995
- c. Algeria: Islamism, The State and Armed Conflict. June 1995
- d. Algeria: Political and Human Rights Update. November 1996
- e. DZA27837.E Information on whether there was a Recall of Army Reservists in January 1997. 14 October 1997
- f. DZA28538.FE Information on the Ninjas, their number, organisation, training, recruitment and modes of intervention and the excesses imputed to them. 6 January 1998
- g. DZA28455.E Information on a document issued by the Military Recruitment Office called "Ordre de Route". 14 January 1998

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- h. DZA28521.E Whether recall notices were issued in 1988 and penalty for those who had avoided it, left the country and remained outside until 1997/8. 14 January 1998
- i. DZA30907.FE. Whether a person exempted from Military Service by reason of family support obligations can be subsequently compelled to do his Military Service. 5 January 1999
- j. DZA30914.E Description of the Conscription Notice Served by the Military. 12 January 1999
- k. DZA30915E. Information on call up and whether there was an important conscription in October 1997. 12 January 1999
- l. DZA30912.E Exemption from military service for students. 12 January 1999
- m. DZA31577.E. Information on the format of a call up order. 12 March 1999
- n. DZA31268.FEX. Algeria: National Service. 9 April 1999
- o. DZA32148.E Regularisation of the National Service Status of Students born between 2 November 1959 and 31 December 1961. 14 June 1999
- p. DZA32218E Exemption from military service for eldest sons. 7 July 1999
- q. DZA327700.E Process for the selection of police officers etc; applicants who are selected but fail to report for duty. 30 September 1999
- r. DZA32813.FE Use of Force by armed Islamic groups such as the GIA in the recruitment of new members. 12 October 1999
- s. DZA33385.E. summary of an Interview about National service regularisation and amnesty, and military service documents. 6 December 1999
- t. DZA33334.F self defence groups 7 December 1999
- u. DZA33280FEX. Recent Political developments and National Service Regularisation Measures. 24 January 2000
- v. DZA34037.E Changes in the format of Military Call-up notices/orders (March 1999 to March 2000). 27 March 2000
- w. DZA34363.F. Application of regularisation measures to absentees without leave who did not answer commands of recall in 1997; dates etc of recall on 1997 etc. 29 June 2000
- x. DZA34698.FE Legislation on Arabization, practical manifestations of its application with respect to documents issued for use abroad; whether the policy is applied uniformly in ministries, state organisations and society in general. 29 June 2000
- y. DZA 34699.E Information on location of Militant Activity; feasibility of relocation to an urban centre. 7 July 2000
- z. DZA35018.FE Interview with Jean-Michel Salgon, specialist on Algerian armed groups. 24 July 2000

aa. DZA35074.F Procedures followed in desertion cases; if there was a recall in 1997; if they benefit from the amnesty given by President Bouteflika. 26 July 2000.

ab. DZA34697.F. Military Card Given to Conscripts, description. 22 September 2000

ac. DZA35700.E Current situation in Algiers; whether terrorist groups are present; whether there is state corruption; whether policemen are acting with impunity; whether members of police or army are corrupted. 19 December 2000

ad. DZA35729.FE Update on National Service - second phase of regularisation measures. 2 February 2001

ae. DZA36859.E Follow up to DZA33385.E of 6 December 1999 on desertion in the context of the national service amnesty measures; meaning of the "complaint" for desertion. 26 March 2001.

af. Update to DZA36717 of 13 March 2001 about national service documents. 28 March 2001

ag. DZA37804.F The possibility of a young Algerian whose situation regarding military service has not been regularized, obtaining an Algerian passport during 1999, 2000 and 2001; the possibility for a young Algerian living abroad to regularize his position, in accordance with statement No 12 from the Ministry of National Defence, if he was born between 1 October and 31 December 1975. 10 September 2001

ah. DZA37714.F Information regarding whether an Algerian citizen who has not responded to an order recalling him to military service is considered to be a draft dodger or deserter and whether an Algerian citizen who has left Algeria after having received a recall order has the right to an amnesty. 10 September 2001

ai. DZA 37601.F The existence of a presidential decree to recall reservists to military service in 2001; classes of reservist if need be. 3 October 2001

aj. DZA338124.F Update to DZA22087.F on the treatment of homosexuals by Islamists. 7 January 2002

ak. DZA38275.E Treatment of political opponents, whether they are being sought by the secret services; information on Mouvement pour la democratie d'Algerie (MDA) 15 January 2002

al. DZA38351.E Update to DZA25662.E of 6 December 1996 On military recalls and whether there was a military recall early 1995. 24 January 2002

am. DZA38350.E Treatment of failed refugee claimants 24 January 2002

an. DZA3823.E Letters and releases from the GIA; their logo and stamp; whether there is a section called "Troisieme region ouest, Brigade Itisam"; their relationship with Antar Zouabri 4 February 2002

ao. DZA38325.E Societal attitudes towards men physically abusing their unmarried adult daughters; state intervention in such cases; ability of adult women to live on their own. 5 February 2002

Algeria, Country Information

[9] Military Service - Reservists Non Compliance And Curfew Document CX26899
Extracted from CIS Online Information Services Document date 18 February 1996

[10] Country Information Report - Algeria - May 1999. Federal Office of Refugees, Switzerland.

[11] Report on Algeria. Counsellor (Immigration Embassy of Canada Paris May 2001

[12] Situation in Algeria. Netherlands Immigration Department

a. March 2000

b. July 2001

[13] MEDEA (European Institute for Research on Mediterranean and Euro-Arab Culture) Database:

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