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Freedom in the World - Algeria (2007)

Population:
32,500,000

Capital:
Algiers

Political Rights Score: 6

Civil Liberties Score: 5

Status: Not Free

Overview

In 2006, the Algerian government began the implementation of President Abdelaziz Bouteflika's Charter for Peace and Reconciliation that pardons both militants and government agents for crimes committed during the country's bloody civil war. Many victims' groups have criticized the charter, which was adopted by public referendum in 2005, for failing to bring perpetrators of violence to justice. Meanwhile, as Bouteflika continued to consolidate his power during the year, rumors circulated of his plan to hold a referendum allowing him to run for a third term as president.

Algeria's long anticolonial struggle culminated in an eight-year-long war of independence (1954–62) that ended more than a century of French colonial rule. In 1965, the military overthrew the country's first president, Ahmed Ben Bella, and installed Houari Boumedienne. The military has played a key role in Algerian politics ever since. Economic upheaval, spurred in large part by the 1986 oil market collapse, culminated in violent riots in 1988.

Once peace was restored, President Chadli Benjedid legalized political parties after more than 30 years of single-party rule under the nationalist, pro-independence National Liberation Front (FLN). The Islamic Salvation Front (FIS), which was formed in 1989 as an umbrella organization of Islamist opposition groups, quickly enjoyed significant public support. In January 1992, with the FIS poised to win a commanding majority in parliamentary elections, the army forced Bendjedid to resign and canceled the vote. The FIS was banned and its leaders imprisoned. The military declared a state of emergency, which technically remains in effect.

Over the next decade, Algeria was racked by violence on a massive scale as Islamist militants took up arms against the regime. Human rights groups estimate that at least 150,000 people were killed in massacres and acts of terrorism committed by various Islamic groups, the army, and government-supported militias. In addition, more than 6,000 people were "disappeared," mostly at the hands of security forces.

In 1999, Algeria held presidential elections that were marred by allegations of fraud and manipulation. Six of the seven candidates for president withdrew in protest, leaving former foreign minister—and the army's favored candidate—Abdelaziz Bouteflika to run unopposed. After Bouteflika took office, the government introduced a civil harmony law which granted amnesty to Islamists who renounced violence. Although over 5,000 militants surrendered by January 2000, two of the most violent groups—the Armed Islamic Group (GIA) and the

Salafist Group for Preaching and Combat (GSPC)—continued their attacks. While the violence has subsided over the last several years, acts of terror by militant groups still take place, and the government estimates that up to 1,000 militants remain active. Meanwhile, government violations of human rights continue to occur on a regular basis.

During the May 2002 elections to the lower house of Parliament, the National People's Assembly (APN), the FLN secured 199 of 389 seats. The army-backed Rassemblement National Démocratique (RND), which held 155 seats in the previous parliament, captured only 48 seats. Islah, an Islamist "reform" party, won 43 seats, and the Mouvement de la Société pour la Paix (Movement for a Peaceful Society, or MSP, previously known as Hamas), took 38 seats. The remaining seats went to leftist and Islamist parties and independents. Elections to the upper house of parliament, the Conseil de la Nation (CN) were held in December 2003. The FLN won 22 seats; the RND, 17; the MSP, 4; and Islah, 2; one seat went to an independent candidate.

In the April 2004 presidential election, Bouteflika captured 85 percent of the vote against five other candidates. Bouteflika's most serious challenger was former prime minister Ali Benflis, whom he had removed from office in 2002. The army, long at the political helm of the country, announced its neutrality. While voter turnout was low, and some opposition candidates claimed fraud, the Organization for Security and Cooperation in Europe and other international monitors declared the election to have been free of serious problems.

In a September 2005 referendum, more than 97 percent of voters backed the Charter for Peace and National Reconciliation, a government-sponsored general amnesty that pardons militants and government agents alike for crimes committed during Algeria's civil war and provides for victims to receive compensation. According to a government report, about 40,000 people have benefited from the charter, with almost 38,000 applications for compensation having been filed and over 2,000 Islamists released from prison. However, many victims' groups have criticized the charter for not addressing the issue of the disappeared; in September 2006, one Algerian minister claimed that the problem of the disappeared "no longer exists." International human rights groups have denounced the charter for not allowing perpetrators to be brought to justice for their actions. Critics also maintain that the criteria for determining which militants may benefit from the amnesty are far too vague and subject to political considerations. While many FIS leaders have been released from prison, they have not been integrated into the political structure in any meaningful way.

Since his reelection, Bouteflika has taken steps to consolidate his power, while the military's influence over the country's political life has been on the decline. In May 2006, Bouteflika appointed Abdelaziz Belkhadem prime minister. Belkhadem, a politician not favored by the army, is a close political ally of Bouteflika's and supporter of his reconciliation program. In addition, there have been rumors that Bouteflika plans to hold a referendum on a proposal allowing him to run for a third term in office.

Political Rights and Civil Liberties

Algeria is not an electoral democracy. While the 2004 presidential election may have signaled a cautious new start, with opposition parties free to run nationwide campaigns, Bouteflika enjoyed the army's support throughout his first term, and

government control of the broadcast media gave him a clear advantage during the campaign. Although Bouteflika is rumored to be in poor health, throughout 2006 there was widespread speculation that he intended to amend the constitution to allow himself the opportunity to run for office a third time and to extend the presidential term from five to seven years.

Constitutional amendments in 1996 introduced the formation of a bicameral Parliament. The lower house (APN) has 389 seats with members serving five-year terms, and the upper house (CN) has 144 members serving six-year terms. Members of the APN are elected by direct universal suffrage. Of the 144 seats in the CN, 96 are chosen through indirect elections by local assemblies within each of the country's 48 *wilayas* (provinces). The president appoints another 48 members. Parliamentary elections have largely been free of systemic fraud. The next elections are slated for May 2007.

Although there are a number of active political opposition parties, new parties must be approved by the Ministry of the Interior before they can operate legally. Most of the Islamist parties that were banned in the early 1990s remain outlawed. Three-fourths of the members of the CN must approve a bill passed by the APN before it can become law. The APN is controlled by the president's party and its coalition members, the RND and MSP, making it difficult for opposition forces to challenge centralized rule.

Algeria continues to experience high levels of corruption in both the government and private sector. Algeria was ranked 84 of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

Although Algerian newspapers are aggressive in their coverage of local affairs, the government uses various methods to punish those critical of the regime. The government enforces strict antidefamation laws and influences content through the state-owned printing press and advertising company. In February 2006, the cabinet approved, as part of a decree implementing the Charter for Peace and National Reconciliation, Article 46, which says, "[A]nyone who, by speech [or] writing, ... exploits the wounds of the National Tragedy ... shall be punished by three to five years in prison and a fine of 250,000 to 500,00 dinars." While television and radio are government controlled, there is little monitoring or restriction of the internet.

Mohamed Benchicou, publisher of the defunct French-language daily *Le Matin*, was released from prison following the completion of his two-year sentence in June 2006. Benchicou was jailed in 2004 after being found guilty of violating currency laws. Algerian journalists and human rights activists believe that the charges against him were politically motivated and the result of the newspaper's harsh criticism of Bouteflika and powerful government ministers. Prior to his imprisonment, Benchicou had written a book titled *Bouteflika, An Algerian Fraud*. Earlier in 2006, a reporter for the independent Arabic-language daily *El-Khabar* spent a month in prison after he was found guilty of defaming public officials. In July, following an original announcement in May on World Press Freedom Day, Bouteflika reiterated an amnesty for journalists who were on trial for defamation.

Like many other Muslim states, Algeria was affected by the fallout from the publication in Denmark in 2006 of cartoons depicting the prophet Muhammad. According to international human rights groups and press reports, two Algerian

publications—the weeklies *Panorama* and *Essafir* —were closed and their editors briefly imprisoned after they ran articles that criticized the Danish publication, but also printed the cartoons. According to press reports, several journalists working for two television stations were dismissed after the stations ran footage with images of the cartoons.

Algeria's population is largely Muslim, though the few non-Muslims residing in the country are generally free to practice their faith. As a result of the civil strife of the 1990s, the government monitors mosques in order to prevent political activity. The authorities generally do not restrict academic freedom.

The country's ongoing state of emergency places restrictions on freedom of assembly and association. Government permits, sometimes difficult to obtain, are required for public meetings. A decree bans demonstrations in Algiers, although a number of groups have violated this ban with little or no consequence. Security forces occasionally disperse peaceful demonstrations, sometimes violently. Permission is needed to establish a nongovernmental organization (NGO), and the government is wary of any organization with Islamist leanings. Algerian workers have the right to form labor unions, which must be approved by the Ministry of Labor. Workers also have the right to strike, which they sometimes do, but technically, a 14-day period of negotiations or arbitration must elapse before a strike can be considered legal.

Local and international human rights groups have long criticized the Algerian judicial system's lack of independence. Illegal searches and seizures and nontransparent trial procedures are prevalent. Algeria's human rights record remains poor. Although the situation is not as dire as it was during the height of the civil war in the 1990s, human rights groups such as Amnesty International have alleged that torture continues to be routinely practiced by the Department for Information and Security, known by its French acronym DRS. With the presidential decree of February 2006 implementing the Charter for Peace and Reconciliation, members of the armed forces and progovernment paramilitary groups have been granted amnesty; virtually all cases of forced "disappearance" that occurred during the civil war remain unresolved. Human rights activists have criticized the country's prison conditions, noting some facilities for their harsh treatment and overcrowding.

Algeria's population is comprised mostly of a mixture of Arabs and Berbers. Over the years, the Berbers of Algeria, particularly in the northern Kabylie region, have fought—sometimes violently—for recognition of their language and culture. Following the Black Spring riots of 2001, which were sparked by the killing of a young Berber man by government forces, the Algerian government began making concessions to the Berbers, including constitutional recognition of the Berber language Tamazight as a national language.

In addition to prominent FIS leaders, whose movements are closely monitored, most Algerians are free to travel within the country and abroad. Men who are of draft age are not permitted to leave Algeria without government consent. Under the state of emergency, the minister of the interior and provincial governors may deny residency in certain districts to persons regarded as threats to public order.

Algerian women continue to face discrimination, at both the legal and societal levels. According to the family code, which is based on Islamic law, women do not

enjoy equal rights in marriage and divorce. There remains considerable room for improvement, particularly in the area of inheritance, where women receive less than men.