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ALGERIA

President Liamine Zeroual, a former general, was elected in November 1995 to a 5-year term. Zeroual had previously served as president of a transition government established by the army in 1994, which included a National transition Council (CNT) as a surrogate parliament. The President controls defense and foreign policy, appoints and dismisses the Prime Minister and cabinet ministers, and may dissolve the legislature. The presidential election was competitive. Three opposition candidates had some access to state-controlled television and radio and also received heavy coverage in the independent press. According to government figures, Zeroual received 61 percent of the votes; losing candidates claimed that there were instances of fraud but did not contest Zeroual's victory. The Government does not always respect the independence of the judiciary.

After gaining independence in 1962, Algeria had a single-party state dominated by the country's military leadership and supported by the bureaucracy and the National Liberation Front (FLN). Under the 1989 Constitution, there was to be a transition to a pluralist republic with a strong president. The democratization process was suspended, and the FLN's rule ended in 1992 when the Army forced President Chadli Benjedid to resign, canceled the second round of parliamentary elections which the Islamic Salvation Front (FIS) was poised to win, and installed a ruling five-man High State Committee that banned the FIS and jailed many of its leaders. The cancellation of the elections in 1992 escalated fighting between the security forces and armed Islamist groups seeking to overthrow the Government and impose an Islamic state, which still continues.

In a flawed popular referendum in November 1996, the Government obtained approval of proposed changes to the Constitution, including provision of a second parliamentary chamber and greater presidential authority. In June Algeria held its first parliamentary elections since January 1992, and elected the first multiparty Parliament in Algerian history. Provincial and municipal elections were held in October. Although the election campaigns were marked by an increase in the openness of television and radio to political debate and discourse, international observers and political parties pointed out numerous problems with the conduct of the elections.

The Government's security apparatus is composed of the army, air force, navy, the national gendarmerie, the national police, communal guards (a local police), and local self-defense forces. All of these elements are involved in counterinsurgency and counterterrorism operations and are under the control of the Government. The security forces were responsible for numerous serious human rights abuses.

later, he was dead. In addition, there were credible reports that three citizens were killed by security forces in Beni Mered in February, that two citizens were killed by local self-defense forces in Tablat in March, and that a dozen citizens were killed by communal guards in el-Oumaria in April.

There were also reports that on some occasions security forces failed to intervene to prevent or halt massacres of civilians. Questions have been raised about the security forces indifference to, or complicity in, civilian deaths. Amnesty International (AI) reported that security forces did not intervene to stop the killings in three terrorist massacres near Algiers. In Has Rais on August 28, hundreds of persons were attacked, although an army barracks is about 300 feet away and other security forces were nearby. Security forces neither came to the assistance of the villagers nor apprehended the killers when they left. In Beni Messous on September 5, at least 60 persons were killed. When villagers telephoned the nearby army barracks for help, security forces refused to intervene, saying the matter was under the mandate of the gendarmerie. Telephone calls to the gendarmerie received no reply, and the attackers escaped without any difficulty. In Bentalha on September 22, some 200 persons were killed over the course of several hours. Survivors reported that security forces with armored vehicles were stationed outside the village and stopped some villagers trying to flee. However, the attackers were able to leave. The Government asserts that security forces cannot respond to attacks against civilians because an attack might be a setup for an ambush, because the security forces lack night-fighting equipment, and because terrorists might have mined the area.

The Government maintains that the security forces resort to lethal force only in the context of armed clashes with terrorists. The Government also contends that, as a matter of policy, disciplinary action is taken against soldiers or policemen who are guilty of violating human rights. The government-linked National Observatory for Human Rights (ONDH) reported several instances in which military and security personnel were punished for abuses during the year.

Armed groups targeted both security force members and civilians. Terrorists attacked civilians whom they regarded as instruments of the State or whose lifestyles they considered in conflict with Islamic values. Sometimes they killed in the course of armed robberies or to enforce local protection rackets. Some terrorist bombings seemed intended only to create social disorder by causing a high number of civilian casualties without any apparent concern for the particular target. Increasingly armed groups killed large groups of civilians, including infants, often in apparent retaliation against villages or families that had ceased providing support to them. In September a number of teachers were murdered in front of their students.

In September the terrorist Armed Islamic Group (GIA) issued an official communique in which it claimed responsibility for the ongoing violence, terming the massacres "an offering to God" and pledging to continue. Activists from several political parties, including the two legal Islamist opposition parties, were killed in 1997, as were cultural and media personalities such as a popular filmmaker and a television station employee. During the municipal and provincial electoral campaign in October, eight candidates were killed by terrorists. There were also instances throughout the year of terrorists stopping buses and cars and murdering civilian passengers. In some cases the victims apparently were murdered merely because they were young men of draft age eligible for military service. Terrorists also were responsible for the large massacres of civilians in Haouch Boughlef in April, El-Oumaria in May, and Larbaa in August. These collective massacres often resulted in the displacement of large numbers of survivors. The press reported that at least 313 persons were killed by terrorists within a 30 mile radius of greater Algiers during the last 3 months of the year. On December 31, over 300 persons reportedly were killed in the western province of Relizane.

Terrorist bombs also killed hundreds of persons. In some cases, the terrorists targeted government buildings. In others they sought to retaliate against the families of members of the security services by exploding car bombs outside their homes. Terrorists also left bombs at several street markets during the year. In rural areas, terrorists continued to plant bombs and mines, often to prevent security forces from pursuing them following an attack.

In January Algeria's top labor leader, Abdelhak Benhamouda, the Secretary General of the General Union of Algerian Workers (UGTA), was killed in front of UGTA headquarters. Benhamouda was well-known for being anti-Islamist, and he had been at the forefront of the calls for the cancellation of the 1991 legislative elections won by the FIS. Since 1993 at least 59 journalists and 120 foreigners have died in terrorist attacks.

b. *Disappearance*

There continued to be credible reports of disappearances, and security forces appear to have been involved in numerous cases. For example, in April journalist Aziz Bouabdallah was taken forcibly from his apartment by men in civilian clothing. He has not yet reappeared. A university professor was kidnaped as he left the university. His whereabouts also remain unknown. In July a surgeon who had been released from prison in 1995 after 4 years of detention without trial was abducted a few weeks after having been summoned by the police for questioning. In addition, many previously-recorded cases remain unresolved. The Government asserted that terrorists disguised as security forces perpetrated numerous incidents.

Terrorist groups kidnaped hundreds of civilians, including family members of security service members. Sometimes the mutilated corpses of such victims were later found. In many other instances, however, the victims disappeared, and their families could obtain no information about their fate.

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

Both the Constitution and legislation ban torture and other cruel, inhuman, or degrading treatment. However, according to human rights groups and lawyers, the police regularly resort to torture when interrogating persons suspected of being involved with, or of having sympathies for armed Islamists. There were several credible reports of torture at the Algiers police facility called Chateau Neuf.

There were repeated reports that police applied to prisoners a technique called "le chiffon," in which a cloth soaked in noxious fluid was put in the victim's mouth. There were also reports that the police applied electric shocks to sensitive body parts and sexually molested female prisoners. Police beatings of detainees appeared to be common. Many victims of torture hesitate to make public allegations due to fear of government retaliation. The Interior Ministry in 1992 said that it would punish those individuals who violated the law and practiced torture, but it has never revealed whether any of those individuals responsible for torture have been punished. On more than one occasion, however, the police have stated in writing, in response to specific complaints filed by human rights organizations, that they would punish individual policemen found guilty of committing torture. In March the National Observatory for Human Rights (ONDH), which is affiliated with the Government, announced that "over sixty" soldiers, policemen, communal guards, and local self-defense forces members would soon face charges in regular criminal courts of violating individual liberties and committing torture. Specifically, the ONDH mentioned: The case of a group of local self-defense force members who had abused a group of citizens in Bougara; the case of a policeman accused of having killed a civilian in Merouana; and the case of a communal guard who had used his weapons "for his own purposes" in Boufarik. The outcome of these cases is unknown. On December 31, ONDH President Rezzag Bara told the Arabic-language daily newspaper, El-Khabar, that the ONDH registered several dozen individual cases of human rights violations during the year. Judicial proceedings were conducted in courts of military justice for military personnel and members of local self-defense forces and in civil courts for members of the security services. Rezzag Bara said the courts meted out very stiff sentences.

There were unconfirmed reports that security services personnel were responsible for several instances of rape.

Armed groups also committed many abuses such as beheading, mutilating, disemboweling, and dismembering their victims, including infants and pregnant women. There were also credible reports of children being forced to drink the blood of their murdered parents. There were frequent reports of young women being abducted and repeatedly raped, often for weeks at a time. The terrorists sought to justify this sexual abuse by referring to it as "temporary marriage," but all other observers, including Islamic scholars, uniformly condemned the practice as rape.

Armed Islamist terrorists committed hundreds of rapes of female victims, most of whom were subsequently murdered.

Prison conditions are poor, and prisons are very overcrowded. According to human rights activists, cells often contain several times the number of prisoners for which they originally were designed. Medical treatment for prisoners is available but is also severely limited.

The Government does not permit independent monitoring of prisons or detention centers by groups such as the International Committee of the Red Cross (ICRC) or Amnesty International.

d.

Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, the security forces continued arbitrarily to arrest and detain citizens. The Constitution stipulates that incommunicado detention in criminal cases prior to arraignment may not exceed 48 hours, after which the suspect must be charged or released. According to the Antiterrorist Law of 1992, the police may hold suspects in prearraignment detention for up to 12 days; they also must inform suspects of the charges against them. In practice, however, the security forces routinely ignore this 12-day limit.

The most prominent case involving a prisoner held incommunicado is FIS Vice President Ali Benhadj; his family has heard nothing about him since mid-1995 despite repeated approaches to the Justice Ministry by Benhadj's lawyers. In addition, a number of lawyers who had defended suspects in security cases were held in incommunicado detention in 1997. There are credible reports that secret long-term detention facilities exist at certain military bases.

The Antiterrorist Law of 1992 suspended the requirement that the police obtain warrants in order to make an arrest. During the year, the police made a few broad nighttime sweeps of neighborhoods in the Algiers suburbs in search of suspected terrorists and often detained suspects without identifying themselves. In some cases, they purposely arrested close relatives of suspected terrorists in order to force those suspects to surrender.

The authorities released from prison senior FIS official Abdelkader Hachani and lawyer Ali Zouita, both of whom had been held for over 3 years without trial, and FIS President Abassi Madani. Abassi Madani, however, subsequently was placed under house arrest and allowed to receive only his family members.

Persons accused of crimes sometimes did not receive expeditious trials. Hundreds of state enterprise officials arrested on charges of corruption in 1996 remained in detention. Two trials began in July for some defendants, including the Annaba state enterprise employees who staged a hunger strike in 1996 to protest the delay in their trials.

Under the state of emergency, the Minister of Interior is authorized to detain suspects in special camps administered by the army. The Government closed the last camp in November 1995, and announced that it had released the 641 prisoners there, although there were subsequent reports that some were rearrested later. The Government and other sources contended that some persons released from this prison had joined armed groups.

Exile is not a legal form of punishment and is not known to be practiced.

e.

Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, in practice, the Government does not always respect the independence of the judicial system.

The judiciary is composed of the civil courts, which try misdemeanors and felonies, and military courts, which have tried civilians for security and terrorism offenses. There also is a Constitutional Council which reviews the constitutionality of treaties, laws, and regulations. Although the Council is not part of the judiciary, it has the authority to nullify laws found unconstitutional. Regular criminal courts try those individuals accused of security-related offenses, but there have been very few actual trials. Some observers maintain that, as a result of the 1995 abolition of the special security courts, long-term detentions without trial have increased, as the security forces are reluctant to release suspects to ordinary criminal judges.

According to the Constitution, defendants are presumed innocent until proven guilty. They have the right to confront their accusers and may appeal the conviction. Trials are public, and defendants have the right to legal counsel. However, the authorities do not always respect all legal provisions regarding defendants' rights. Legal sources indicated that the judicial authorities violated due process more often in 1997 than they had in the past. For example, defendants were often detained without charge or denied access to a lawyer for longer than the legal limit. Some lawyers would not accept cases of individuals accused of security-related offenses, due to fear of retribution from the security forces. In July, Rachid Mesli, a lawyer known for defending suspects in security cases, was convicted on a charge that had not been revealed previously to his defense team. Neither his family nor independent human rights observers were allowed to attend his trial. Defense lawyers for members of the banned FIS have suffered harassment, death threats, and arrest.

There are no credible estimates of the number of political prisoners. An unknown number of persons who may be considered political prisoners were serving prison sentences because of their Islamist sympathies and membership in the FIS.

f.

Arbitrary Interference With Privacy, Family, Home, or

Correspondence

The Constitution provides for the inviolability of the home, but the state of emergency authorizes provincial governors to issue exceptional warrants at any time. Security forces often entered residences without warrants. The security services also deployed an extensive network of secret informers against both terrorist targets and political opponents. The Government monitors telephones and sometimes disconnects service to political opponents and journalists. Security forces detained relatives of suspects to try to compel the suspects to surrender (see Section 1.d.).

Armed Islamists routinely entered private homes either to kill or kidnap residents or to steal weapons, valuables, or food. After massacres that took place in their villages, numerous civilians fled their homes. Armed Islamist groups consistently used threats of violence to extort money from businesses and families across the country.

Section 2 Respect for Civil Liberties, Including:

a.

Freedom of Speech and Press

The Constitution provides for freedom of speech, but a 1990 law specifies that such speech must respect "individual dignity, the imperatives of foreign policy, and the national defense." The state of emergency decree gave the Government broad authority to restrict these freedoms and to take legal action against what it considered to be threats to the State or public order. In March 1994, the Government issued an interministerial decree that independent newspapers could print security information only from official government bulletins carried by the government press service APS. In January shortly after the independent press printed stories based on hospital sources that provided higher casualty counts than the official sources had provided, the Ministry of Interior reiterated this order. Reporting by government-controlled press organs regularly included deflated numbers of civilians and government forces killed and inflated terrorist casualty counts. In addition, the Ministry of Health forbids medical personnel such as doctors and nurses from speaking to journalists.

Compliance with the government directive varied among independent newspapers, but they rarely reported information about security force losses. In September authorities withdrew the accreditation of an Agence France Presse journalist when he published, after personally visiting the site of a massacre, a number of victims larger than the official figures had indicated.

The Government's definition of security information often extended beyond purely military matters to encompass broader political affairs. In 1995 FIS officials who had been freed from detention in 1994 received direct orders from the Justice Ministry to make no further public statements. This ban remains in force. When FIS president Abassi Madani was placed under house arrest in September, he was specifically banned from talking to the press or making any public statements.

Journalists at independent newspapers often avoided printing stories about the security situation and Islamist groups in order to avoid difficulties with the Government. In September, for example, the police summoned one journalist and questioned him about sources for articles written on the security situation. In one well-publicized case, a court gave a number of journalists suspended sentences for publishing information on the killing of six members of the gendarmerie in 1994. The independent press remained free to criticize economic and social policy broadly; however, in general, journalists exercised self-censorship by not publishing specific criticism of specific officials.

The Government frequently harassed journalists who wrote offending articles by putting them under "judicial control." This practice required them to check in regularly with the local police. It also prevented them from leaving the country. For example, when APS journalist Hadj Benaamane was released in April after serving more than 2 years in prison for having disclosed the place where FIS Vice President Ali Benhadj was imprisoned, he was immediately placed under "judicial control."

During the year, official pressure on the independent press resulted in the suspension of the last few pro-Islamist publications other than the publications of the two legal Islamist political parties. The independent weekly El-Maweed, known for its pro-Islamist stance and for its sharp criticism of the security forces, was suspended indefinitely in January on the pretext of unpaid bills from the government-owned printing press. Also in January, the Government shut down the weekly Ech-Chourouq on charges of unpaid bills shortly after Ech-Chourouq published several strong attacks against the Prime Minister. Ech-Chourouq resumed publication in August. The pro-Islamist weekly El-Kila'a also was suspended in January. In April the Government shut down the independent daily Al-Ouma, allegedly because of a bad check, shortly after the newspaper printed a column criticizing the ruling National Democratic Rally (RND) party.

In January the Government allowed the independent daily La Tribune to reopen. The Government had closed La Tribune in July 1996 after it had carried a cartoon that the Government alleged defamed the Algerian flag. A subsequent court decision in September suspended the newspaper for 6 months. Prior to its suspension, La Tribune was among the foremost newspapers urging faster economic reforms and suggesting a settlement with the political leadership of the FIS; after it resumed publication, La Tribune noticeably reduced its editorial criticism of the Government on economic and other issues.

Along similar lines, the independent daily *El-Alem Es-Siyasi* substantially reduced its editorial criticism of the Government in 1997 after the authorities targeted two of its reporters: The first was detained by the police for a week in March before being released with no explanation; the second, Aziz Bouabdallah, was seized from his apartment by presumed security officials in civilian clothes in April and has not been heard from since (see Section 1.b.).

The Government maintained an effective monopoly over printing companies and newsprint imports. Algeria's first private newspaper printing operation, *Sodipresse*, opened in March, but it was shut down by the Interior Ministry only 2 weeks later after it printed an issue of the independent weekly publication *Ech-Chourouq*. In May *Ech-Chourouq* won a court case ordering *Sia*, one of the two state printing companies, to resume printing the publication, but *Sia* refused to abide by the verdict, and the authorities took no measures to enforce it. *Ech-Chourouq* resumed publication in August following an absence of 7 months, but only because it found a small private company willing to publish it.

The Government continued to exercise pressure on the independent press through the state-owned advertising company, ANEP, which was created in 1996. All state-owned companies that wish to place advertisements in a newspaper must submit the item to ANEP, which then decides in which newspapers to place it. As it had done in 1996, ANEP provided significant amounts of advertising to particular publications with an anti-Islamist editorial line and that did not undertake investigations of corruption. Other newspapers with different editorial policies received very little or no advertising, even though they had a larger national readership and sometimes offered cheaper advertising prices. This advertising is crucial in an economy in which state companies' output and government services still represent approximately two-thirds of national income. For example, *El-Watan* and *El-Khabar*, two major independent dailies, received little or no advertising from ANEP in the latter part of the year.

Since 1995 a Brussels-based nongovernmental organization (NGO) concerned with press freedom, the International Federation of Journalists (FIJ), has maintained an office in Algiers. The FIJ office is allowed to function but has yet to receive the required authorization from the Government.

Radio and television remained under government control, with coverage biased in favor of the Government's policies. During the campaigns for both the June legislative elections and the October municipal and provincial elections it became easier for opposition political parties to present their views, but these appearances represented only a small fraction of the total radio and television broadcast time. Much more coverage focused on the new government party created in 1997, the National Democratic Rally (RND). Opposition members of Parliament, as well as progovernment deputies, received coverage in live televised parliamentary debates. Satellite dish antennas are widespread, and millions of citizens have access to European and Middle Eastern broadcasting.

Many artists, intellectuals, and university educators fled Algeria after widespread violence began in 1992. Few returned during the year. As a result, there were few academic seminars and colloquiums, although there appeared to be more in 1997 than in 1996. The Government did not interfere with nonpolitical seminars; it did sometimes interfere with seminars that were more political in content. For example, in September at an international seminar on violence sponsored by the government-linked National Observatory for Human Rights in Algiers, the Government forbade the participants from discussing the ongoing violence in Algeria.

b.

Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly, but the 1992 Emergency Law and government practice sharply curtail it. Citizens and organizations must obtain a permit from the appointed local governor before holding public meetings. During the last week of October, opposition party supporters staged two protest

marches peacefully although these had not been sanctioned by the Government. The following week, the Interior Ministry announced it would no longer permit unauthorized protest marches and would use force if necessary to prevent them.

While it was generally easier for groups to hold meetings in 1997 than it had been in 1996, the Government nonetheless refused to grant permits on various occasions. The group Call for Peace, which is composed of political figures, lawyers, and journalists, was denied permission to hold public gatherings on numerous occasions. The Government also blocked meeting requests by the Association of Victims of Terrorism, the National Syndicate of Magistrates, and the Independent Syndicate of University Professors. In February, however, the Government authorized a meeting by the opposition Workers' Party. In September the Interior Ministry prohibited one of the large youth associations from holding a national conference. Also in September, the Government rejected an application by one of the two Berber-based political parties, the Socialist Forces Front (FFS), to hold a march against terrorism, although the Government had authorized a similar march sponsored by the General Union of Algerian Workers (UGTA) in August. In November antiriot police prevented marches in Algiers by students and by parliamentarians protesting fraud in the October municipal and provincial elections.

The Constitution provides for the right of association, but the 1992 Emergency Law and government practice severely restrict it. The Interior Ministry licenses all nongovernmental associations and regards all associations as illegal unless they have licenses. It may deny a license to, or dissolve, any group regarded as a threat to the existing political order. After the Government suspended the parliamentary election in 1992, it banned the FIS as a political party, and the social and charitable groups connected to it. Membership in the FIS is illegal. In their September call for a truce, FIS representatives proposed that the FIS be permitted to resume functioning as a legal party, but the Government rejected this request, with President Zeroual stating that the "FIS dossier is definitively closed" in an October 1 speech.

According to a 1989 law, all citizens except judges, army and security service personnel, and members of the Constitutional Council have the right to join political organizations. In February the appointed legislature changed the law regulating political parties, banning political party ties to nonpolitical associations. There were several political groups, including some centrist Islamist parties, such as the Movement for Social Peace (MSP) and An-Nahdah, which were able to conduct political activities, though not with complete freedom. In mid-1997 the Interior Ministry dissolved a political party called the Movement for Democracy in Algeria (MDA), led by former president Ahmad Ben Bella, when the MDA refused to submit the names of its founding members in accordance with the new law on political parties. The Government permits some specialized groups to function such as human rights and women's rights groups, social welfare groups, youth associations, and regionally-based cultural organizations.

c.

Freedom of Religion

The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief. The Government respects this right in practice. It permits the small Christian and Jewish populations to practice their faiths without interference.

The Government appoints preachers to mosques and gives general guidance on sermons. The Government monitors activities in mosques for possible security-related offenses. The Ministry of Religious Affairs provides some financial support to mosques and has limited control over the training of imams.

Conversions from Islam to other religions are rare. Because of security worries and potential legal and social problems, Muslim converts practice their new faith clandestinely. The Shari'a-based Family Code prohibits Muslim women from marrying non-Muslims, although this regulation is not always enforced. The Code does not restrict Muslim men from marrying non-Muslim women.

In 1994 the GIA declared its intention to eliminate Jews, Christians, and polytheists from Algeria. The Christian community, composed mostly of foreigners, curtailed its activities. No Christian religious figures were killed during the year, unlike 1996, when seven French monks and the Catholic bishop of Oran were killed.

d. **Freedom of Movement Within the Country, Foreign Travel,
Emigration, and Repatriation**

The law provides for freedom of domestic and foreign travel and freedom to emigrate. The Government generally respects these provisions. It has, however, placed some journalists under "judicial control," which prevents them from leaving the country (see Section 2.a.).

In addition, the Government does not allow foreign travel by senior officials from the banned FIS. In September the Government placed recently-released FIS president Abassi Madani under house arrest (see Section 1.d.). The Government also does not permit young men who are eligible for the draft and who have not yet completed their military service to leave the country if they do not have special authorization; this authorization can be granted to students and to those individuals with special family circumstances. The Family Code does not permit females under 19 years of age and males under the age of 18 to travel abroad without their husband's or father's permission.

In July authorities suspended without pay a judge who had recently returned from a trip abroad to study judicial independence and the rule of law. Despite the fact that she had notified her superiors well in advance of her intent to participate in the program, she was charged with "unjustified absence" and her pay ceased as of the day she departed. In October the Justice Ministry allowed her to begin working at the Supreme Court but informed her that she would not be permitted to judge cases again for 2 years.

Under the state of emergency, the Interior Minister and the provincial governors may deny residency in certain districts to persons regarded as threats to public 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.

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.

The GIA in February 1996 warned young Algerians of draft age not to travel across the country on pain of death for collaboration with the Government; this warning remained in effect in 1997. Armed groups establish temporary roadblocks in various regions, including in the capital, to rob travelers of cash and vehicles or to kill them. According to credible reports, armed groups sometimes massacred groups of civilian passengers at these roadblocks (see Section 1.a.).

The Constitution provides for the right of political asylum, and the Government occasionally grants asylum. The Government cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. It also provided first asylum. For example, it cooperates with the UNHCR on programs to help refugee Sahrawis, the former residents of the Western Sahara who left that territory after Morocco took control of it in the 1970's. The Government also has worked with international organizations that help the Tuaregs, a nomadic people of southern Algeria and neighboring countries. There were no reports of forced expulsion of persons to a country where they feared persecution.

**Section 3 Respect for Political Rights: The Right of Citizens to
Change Their Government**

Despite recent democratic improvements, citizens do not have the effective ability to change their government peacefully. The strong prerogatives of the executive branch, supported by the entrenched power of the military and the bureaucracy, prevent the exercise of citizen rights at local, regional, and national levels.

President Zeroual was elected in a November 1995 presidential election, officially winning 61 percent of the votes cast. The Presidential campaign was generally freely contested. Three opposition candidates representing a spectrum of viewpoints had access to both the independent press and the government-controlled media, including radio and television. Their parties were permitted to hold rallies across the country, and they had authorization to send observers to polling stations. There was an independent election commission to supervise the election process, but the opposition parties complained that it did not carefully review complaints that it received about the conduct of the election.

The President called a popular referendum in November 1996 to amend the Constitution, and 79 percent of the voters approved the changes, according to the Government. There were no independent observers at the polling stations during the vote or the ballot counting. Political parties opposing the constitutional amendments suffered occasional harassment by local government officials and could not obtain access to the electronic media, which is government controlled.

Under the Constitution, the President has the authority to rule by decree in special circumstances. The President must subsequently submit to the Parliament for approval decrees issued while the Parliament was not in session. The Parliament now has a popularly-elected lower chamber, the National Popular Assembly (APN) and a senate (the National Council), two-thirds of whose members are elected by municipal and provincial councils. The President appoints the remaining one-third of the Senate's members. Legislation must have the approval of three-quarters of both the upper and lower chambers' members. Laws must originate in the lower house.

In June Algeria held its first elections to the APN since the January 1992 elections were canceled and elected the first multiparty parliament in the country's history. Candidates representing 39 political parties participated, along with several independent candidates. All competing parties and candidates were allowed to campaign actively and had access to radio and television, although there was some government manipulation of the broadcasts. Under a system of proportional representation, the government party won 154 seats, followed by the Islamist party MSP with 69 seats, the National Liberation Front with 64 seats, the Islamist party An-Nahdah with 34 seats, the Berber-based Socialist Forces Front with 20 seats, and the Berber-based Rally for Culture and Democracy with 19 seats. Independent candidates won 11 seats, the Workers' Party won 4 seats, and three other small parties won a combined total of 5 seats. Hundreds of international observers were present throughout the country. Some observers were refused access to certain provincial electoral commissions. Most observers felt that mobile polling stations, about 5 percent of all polling stations, did not furnish adequate guarantees of neutrality and transparency. In their final report, neutral observers stated that, of 1,258 (of the country's 35,000) voting stations that they assessed, 1,169 were satisfactory, 95 were problematic, and 11 unsatisfactory. On November 8, the provincial election commissions announced the results of their adjudication of the appeals filed by various political parties. The RND lost some seats but remained the overall victor in the June Assembly elections.

In February the appointed previous legislature, the National Transition Council (CNT), changed the law regulating political parties. Under the controversial new law, parties require official approval from the Interior Ministry before they can be established. To obtain this approval, they must have 25 founders from across the country, whose names must be registered with the Interior Ministry. No party may seek to utilize religion, Berberism, or Arabism for political purposes. The law also banned political party ties to nonpolitical associations and tightened party finance regulations and reporting requirements.

The existing political parties represent a wide spectrum of viewpoints and engage in activities ranging from holding rallies to printing newspapers. In late February, the Government announced the creation of its own party, the National Democratic Rally. With the exception of the RND, the political parties sometimes en-

counter difficulties when dealing with local officials, who hinder their organizational efforts. Parties' complaints, particularly claims of official favoritism toward the RND, increased during the period leading up to the June APN elections and the October municipal and provincial elections. The Government monitored private telephone communications and sometimes disconnected telephone service to political opponents for extended periods (see Section 1.f.). Opposition parties have very limited access to state-controlled television and radio, but the independent press publicizes their views without difficulty. During the June and October elections, however, opposition parties were given much more access to the state media. Following the June elections, the state television transmitted the Popular Assembly debates live and uncensored.

Women are underrepresented in government and politics. There are only 2 women in the Cabinet, and there are few others in senior government positions. Eleven of the 380 members of the lower house of Parliament are women. About 25 percent of the judges are women, and this percentage has been growing in recent years. None of the four candidates in the 1995 presidential election was a woman. However, a woman heads a workers' party. The major political parties all have women's divisions. The Government changed the electoral law in 1995 to ensure that women cast their own ballots, rather than permit their husbands or fathers to vote for them, as frequently happened in previous elections.

The Government does not ban political participation by any ethnic minority group. The Berbers, an ethnic minority centered in the Kabylie region of Algeria, participate freely and actively in the political process. Two political parties originated in the Berber-populated region of the country, the Socialist Forces Front and the Rally for Culture and Democracy. These two Berber-based parties had to conform with changes in the new party law that stipulate that political parties have 25 founders from across Algeria.

The Tuaregs, a people of Berber origin, do not play an important role in politics, due in large part to their small numbers, estimated in the tens of thousands, and their nomadic existence.

Section 4 Governmental Attitude Regarding International and

Nongovernmental Investigation of Alleged Violations of Human Rights

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 Algeria. The LADDH president is a lawyer who speaks out publicly about the general human rights situation. The LADDH is not allowed access to the authorities or to prisons beyond the normal consultations allowed between a lawyer and a client. Members of the LADDH have suffered harassment. Telephone service of their president, for example, was intermittently disrupted, and he and other LADDH activists received death threats from unidentified callers.

There are two other human rights groups in Algeria. The Algerian League for Human Rights (LADH), an independent organization based in Constantine, is less active. The LADH has members throughout Algeria who follow individual cases. The other organization, the National Observatory for Human Rights (ONDH), is a government-affiliated body, which was established by the Government in 1992. The ONDH is mandated to report human rights violations to the authorities. It prepares an annual report with recommendations to the Government.

There is an Amnesty International chapter in Algeria, but it does not work on cases in Algeria.

In the spring the Government permitted teams of human rights activists from Human Rights Watch (HRW) as well as from the International Federation of Human Rights (IFHR) to visit Algeria. During the June legislative elections, the Government invited hundreds of international observers to monitor the elections. In July, however, the Government refused to grant visas to observers from either Amnesty International or the IFHR to attend the allegedly public trial of lawyer Rachid Mesli, who was known for defending security case suspects. In September four human rights groups called for the United Nations Human Rights Commission (UNHRC) to investigate human rights abuses in Algeria, particularly the allegation of government complicity in recent massacres. The Government rejected their call for an international investigation.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on birth, race, sex, belief, or any other personal or social condition. The Government named a national ombudsman in 1995. Provincial representatives were designated in 1996 and 1997. They have a mandate to accept individual grievances and to make them known to the authorities. The ombudsman presents an annual report to the President. The 1997 report indicated that most complaints were about allocation of public housing. The bureaucracy's unresponsiveness was a common complaint. Women continue to face legal and social discrimination.

Women

Women's rights advocates assert that spousal abuse is common, but there are no reliable studies regarding its extent. Spousal abuse is more frequent in rural than urban areas, especially among less-educated people. There are no laws to protect women from spousal rape or abuse. Battered women must obtain medical certification of the physical effects of the attack before they lodge a complaint with the police. According to women's rights advocates, fewer than half of the women attacked visit doctors for such certification. They also assert that the police and courts are lenient with men accused of beating their wives. Women's rights groups had great difficulty drawing attention to spousal abuse as an important social problem.

Some aspects of the law, and many traditional social practices, discriminate against women. The 1984 Family Code, based in large part on Islamic law (Shari'a), treats women as minors under the legal guardianship of a husband or male relative. A woman must obtain a father's approval to marry, for example. Divorce is difficult to obtain except in cases of abandonment or the husband's conviction for a serious crime. Husbands generally obtain the right to the family home in the case of divorce. Custody of the children normally goes to the mother, but she cannot enroll them in a particular school or take them out of the country without the father's authorization.

The Family Code also confirms the Islamic practice of allowing a man to marry four wives—a rare occurrence. However, a wife may sue for divorce if her husband does not inform her of his intent to marry another wife prior to the marriage. Only males are able to confer citizenship on their children. Muslim women are prohibited from marrying non-Muslims; Muslim men can marry non-Muslim women (see Section 2.d.).

Women suffer from discrimination in inheritance laws; in accordance with Shari'a they are entitled to a smaller portion of an estate than are male children or even a deceased husband's brothers. Females under 19 years of age cannot travel abroad without their husband's or father's permission (see Section 2.d.).

While social pressure against women pursuing higher education or a career exists throughout the country, it is much stronger in rural areas than in major urban areas. Women constitute only 8 percent of the work force. Nonetheless, women may own businesses and enter into contracts; they pursue opportunities in government, medicine, law, education, the media, and even the armed forces. The 1990 Labor Law bans sexual discrimination in the workplace, but Labor Ministry inspectors do little to enforce this law.

During the year, Islamic extremists often specifically targeted women. For example, there were numerous instances of women being killed and mutilated in massacres. As many as 80 percent of the victims of massacres were women and children. Armed Islamist groups reportedly kidnaped young women and kept them as sex slaves for group leaders and members (see Section 1.c.).

There are numerous small women's rights groups. Their main goals are to foster women's economic welfare and to amend aspects of the Family Law, although no such amendments have yet been passed. In March the Government established a National Committee for the Preservation and Promotion of Women.

(4,800 dinars) per month; it was scheduled to increase to \$93 (5,400 dinars) on January 1, 1998. Ministry of Labor inspectors are responsible for ensuring compliance with the minimum wage regulations, although their enforcement is inconsistent.

In 1997 the standard workweek changed from 44 hours to 40 hours, but with the same total monthly salary. There are well-developed occupation and health regulations codified in a 1991 decree, but government inspectors do not enforce these regulations effectively. There were no reports of workers being dismissed for removing themselves from hazardous working conditions.

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