

Flygtningenævnets baggrundsmateriale

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Algeria – Researched and compiled by the Refugee Documentation Centre of Ireland on 29 April 2019

Are there any reports of the general prison conditions in Algeria?

The 2018 US Department of State country report for Algeria, in a section titled “Prison and Detention Center Conditions”, states:

“There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

The penal code prohibits the detention of suspects in any facilities not designated for that purpose and declared to the local prosecutor, who has the right to visit such facilities at any time.” (US Department of State (13 March 2019) *2018 Country Reports on Human Rights Practices*, p.2)

In a section headed “Physical Conditions” this report states:

“There were no major concerns regarding physical conditions in the country’s 48 prisons and detention centers. According to statistics provided in September, the Ministry of Justice’s General Directorate for Prison Administration and Resettlement (DGAPR) had responsibility for approximately 63,000 prisoners. Convicted terrorists had the same rights as other inmates but were held in prisons of varying degrees of security, determined by the danger posed by the prisoners. The DGAPR separates vulnerable persons but provides no consideration for sexual orientation. The DGAPR has no legal protections for LGBTI persons in prison arguing that civil protections extend to all people regardless of gender orientation.

The government used specific facilities for prisoners age 27 and younger. The DGAPR maintained different categories of prisons that separated prisoners according to the lengths of their sentences. The government acknowledged that some detention facilities were overcrowded but said it used alternatives to incarceration such as releasing prisoners with electronic bracelets, conditional release, and replacing prison terms with mandatory community service to reduce overcrowding. The Ministry of Justice said cell sizes exceeded international standards set by the United Nations’ Nelson Mandela Rules. Some observers, including government-appointed human rights officials, attributed overcrowding in pretrial detention facilities to continued overuse of pretrial detention, despite reforms in 2015 that sought to reduce the practice.

Authorities generally transferred pretrial detainees, after presenting them before the prosecutor, to prisons rather than holding them in separate detention facilities. The government said pretrial detainees were normally held in cellblocks separate from those that housed the general prison population.” (ibid, pp.2-3)

A section headed “Administration” states:

“Authorities conducted investigations into allegations of mistreatment and took administrative actions against officers it deemed to have committed abuses. Religious workers reported that they had access to prisoners during the year and authorities allowed detainees access to religious observance.” (ibid, p.3)

A section headed “Independent Monitoring” states:

“The government allowed the International Committee of the Red Cross (ICRC) and local human rights observers to visit prisons and detention centers. ICRC staff visited prisons, and police and gendarme stations under the jurisdiction of the Ministry of Justice, and an administrative detention center operated by the Ministry of Interior. During the year the ICRC hosted training sessions on human rights standards related to arrest, detention, and interrogation procedures for judicial police from the DGSN and National Gendarmerie, as well as for judges.” (ibid, p.3)

See also section headed “Improvements” which states:

“Authorities improved prison conditions to meet international standards. The government said that it closed 11 facilities and opened one new facility to improve prison conditions in the last year but argued that they have alleviated overcrowding by increasing the use of minimum-security centers that permit prisoners to work and by using electronic monitoring. The DGSN’s human rights office, created in July 2017, reported that it was leading seminars and workshops with the National Human Rights Council to provide additional human rights training to its officers.” (ibid, p.4)

A report published by K4D (Evidence and Knowledge for Development), in a section titled “Prisons and prisoner rehabilitation”, states:

“According to Freedom House, prisons in Algeria are generally overcrowded and there is poor nutrition and hygiene (2016). However, according to Abdennouri, modernisation efforts have led to ‘tangible results particularly with regard to alternative sentences, rehabilitation and post-release support’. The aim of the prison modernisation programme was reportedly to improve prisoners’ living conditions and procedures for training and rehabilitating prisoners in order to increase reintegration and prevent repeat offending (Abdennouri, 2014, p. 25). The US

Department of State’s 2017 Country Report on Human Rights Practices also refers to improvements in the system, stating that prison conditions have been improved to meet international standards. The report cites the Ministry of Justice’s Directorate of Penal Affairs and Pardons on the following improvements:

- the government alleviated overcrowding by opening new detention centers during the year, including minimum-security centers that permitted prisoners to work.
- cell sizes exceed international standards set by the United Nations’ Nelson Mandela Rules.

- the Direction Général de Surêté Nationale (DGSN) announced the creation of a new human rights office in July 2017. Among its functions, it will be responsible for ensuring the implementation of measures to improve detention conditions.” (K4D (Evidence and Knowledge for Development (10 June 2018) *The criminal justice system and stability in Algeria*)

A document published on the EU Neighbours website states:

“Europeans and Algerians expressed their satisfaction after 10 years of cooperation in prison reform at the seminar which was held on 8-9 October in Algiers, Algeria.

‘Algeria has started since 2006 the process of reforming its prison system. A lot of progress has been made and the efforts are continuing to reach the modernization and the functioning that meet today’s requirements’, said Ambassador John O’Rourke, head of the EU Delegation to Algeria, who mentioned ‘fruitful’ results and hailed Algeria’s ‘efforts’ in this sector.

The EU contributed to the reforms of the prison system through two programmes: the first, Justice II, lasted from 2008 to 2014 and covered 4 main issues: rehabilitation, human resources training, computer systems and security. The second is a 30-month twinning programme (2016-2018) between the Algerian prison administration and its French and Italian counterparts, in the framework of the implementation of the EU-Algeria Association Agreement.” (EU Neighbours (11 October 2018) *The EU hails the efforts of Algeria in terms of prison reform*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

EU Neighbours (11 October 2018) *The EU hails the efforts of Algeria in terms of prison reform*

<https://www.euneighbours.eu/en/south/stay-informed/news/eu-hails-efforts-algeria-terms-prison-reform>

(Accessed 29 April 2019)

Evidence and Knowledge for Development (10 June 2018) *The criminal justice system and stability in Algeria*

<https://www.ein.org.uk/members/country-report/criminal-justice-system-and-stability-algeria>

(Accessed 29 April 2019)

This is a subscription database

US Department of State (13 March 2019) *2018 Country Reports on Human Rights Practices*

<https://www.state.gov/documents/organization/289443.pdf>

(Accessed 29 April 2019)

Sources Consulted:

Amnesty International
Electronic Immigration Network
European Country of Origin Information Network
Google
Immigration and Refugee Board of Canada
Lexis Nexis
Refugee Documentation Centre Query Database
US Department of State