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Algeria:

*Entry, residence and
readmission for Palestinians*



This brief report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information available on the topic.

The brief report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of the Danish Immigration Service.

Furthermore, this brief report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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Executive summary

The immigration of foreign nationals to Algeria is regulated in accordance with Law No. 08 – 11 2008 of 25 June relating to the conditions of entry, residence and movement of foreigners in Algeria. Naturalisation and acquisition of Algerian citizenship is regulated in accordance with the Algerian Nationality Law No. 1970-86, which was revised in 2005, and provides the legal framework in relation to obtaining citizenship in Algeria.

The aforementioned laws outline the provisions for legal entry and residency in Algeria, based on studies, work, and family reunification, as well as naturalisation and the acquisition of Algerian citizenship through marriage. The framework applies to all foreign nationals in Algeria, including Palestinians. However, in practice, these provisions may be almost inaccessible to Palestinians due to the securitised approach to migration adopted by the Algerian authorities.

The framework also contains provisions related to the withdrawal and loss of legal residence. Foreign nationals, who have been absent from Algerian territory for a year, lose their residence status. Readmission to Algeria is generally subject to a new basis for entry; however, the Algerian authorities maintain a level of discretion in cases regarding Palestinians who are already legally residing in the country.

Although a party to the 1951 Refugee Convention, Algeria has not established a formal system that enables the requesting or adjudication of claims related to international protection. The Algerian authorities have under the terms of the 2014 agreement between the governments of Algeria and Niger deported significant numbers of migrants to the border of Niger, including Palestinians.

Table of contents

Executive summary 1

Introduction and methodology 3

1. Background 5

2. Legal Framework 6

3. Entry and residence in Algeria for Palestinians 7

 3.1 Entry 7

 3.1.1 Entry with Palestinian documents 7

 3.1.2 Entry with Egyptian, Syrian, Jordanian or Lebanese documents 8

 3.2 Residence and readmission 8

 3.2.1 Legal residence in Algeria..... 8

 3.2.2 Revocation and readmission 9

 3.3 Naturalisation and citizenship..... 10

 3.4 Expulsion and deportation..... 11

BibliographyFejl! Bogmærke er ikke defineret.

Annex 1: UNHCR Query response.....16

Annex 2: UNHCR Query response follow up.....19

Annex 3: Interview minutes20

Annex 4: Terms of reference23

Introduction and methodology

This brief report examines the aspects of entry, residence and readmission for Palestinians in Algeria. It focuses specifically on the legal framework related to Algerian legislation regarding immigration and naturalisation, as well as the practical application of this framework for Palestinians in Algeria.

There is very limited information available on Palestinians' residency rights in Algeria. The Danish Immigration Service (DIS) has reached out to a number of interlocutors with knowledge on Palestinians, but few had knowledge on the subject matter.

Two key sources were identified; namely UNHCR and a legal source in Algeria who were selected on the basis of their legal expertise. Although few, the two sources are considered reliable and credible as they have profound knowledge on legal and practical issues.

The report is a synthesis of information from online open sources, the interview with the legal source as well as the written response and follow-up correspondence with UNHCR.

It should be noted that some of the online available information that is included in the report is in French and Arabic as there is a scarcity of information in English on the subject matter.

The interviewed legal source as well as UNHCR were initially informed about the purpose of this report, and that their statements would be included as annexes in a publicly available report. Both sources have been referenced in the report according to their preferences. The interview with the legal expert was conducted in French on the request of the source in question, and DIS has translated the meeting minutes into English.

The legal source approved the source's statement, which can be found in [Appendix 3](#), whilst [Appendix 1 and 2](#) contain written information from UNHCR. The Terms of Reference (ToR) has been included in the [Annex 4](#) of the report.

To ensure transparency and precision in the syntheses, sequential numbering has been assigned to paragraphs within the minutes of the interview as well as the written response by UNHCR.

The report does not encompass all the details provided by the sources, and the individual sources should not be held accountable for the content within this report. Throughout the interview, the sources may have drawn attention to issues not addressed within the scope of the ToR. As the issues may be relevant for the determination of refugee/protection status, they have been included in the annexes of the report.

The report does not contain policy recommendations. It has been drafted and peer-reviewed in accordance with the European Union Agency for Asylum (EUAA) COI Report Methodology.¹

¹ EUAA, *Country of Origin Information (COI) Report Methodology*, 22 February 2023, [url](#)

The research and editing of this report was finalised on March 11 2024.

The report can be accessed from the website of the DIS [us.dk](https://dis.us.dk), and is thus available to all stakeholders in the refugee status determination field and the general public.

1. Background

The Algerian state and the Algerian people have historically shown a strong support for the Palestinian cause.² Since the war of independence against the French colonial rule in 1954-1962, Algerians have seen their country as a model for other countries that historically have been affected by colonialism and imperialism.³

Algeria ratified the Casablanca Protocol in 1965.⁴ The protocol called upon member states of the Arab League to take the necessary measures to guarantee Palestinians full residency rights, freedom of movement within and among Arab countries, and the right to work on par with Algerian citizens.⁵

Palestinians in Algeria have historically been well-integrated into the Algerian society.⁶ The first big wave of Palestinians arrived in the 1960s. They found work in the educational sector during an Arabisation process that followed Algeria's independence from France in 1962. Additional waves followed the 1967 Israeli occupation of the West Bank and Gaza,⁷ where hundreds of thousands of Palestinians were expelled from their homes.⁸ More Palestinians arrived after the evacuation of the Palestine Liberation Organisation (PLO) from Beirut and Lebanon in 1982, and by 1991, up to 10,000 Palestinians lived in Algeria.⁹ That number has since decreased, and according to the Palestinian Community Association in Algeria, there were 6,000 Palestinians living in Algeria in 2018. Among them were around 1,500 students.¹⁰

The government of Algeria has taken a security-oriented approach to migration.¹¹ Security and counterterrorism have remained paramount political concerns ever since the tumultuous so-called Black Decade of the 1990s, where Algeria faced an insurgency in terrorism. Following a cross-border attack on a gas plant in January 2013, border security became a top priority.¹²

² MENAFAIRS, *What makes the Algeria-Palestine relationship unique?*, 29 August 2022, [url](#); TRT, *Algeria is unapologetically pro-Palestinian, and it won't change*, 2021, [url](#)

³ TRT, *Algeria is unapologetically pro-Palestinian, and it won't change*, 2021, [url](#)

⁴ BADIL Resource Center for Palestinian Residency, *Survey of Palestinian Refugees and Internally Displaced Persons, 2019-2021 Vol X*, 2022, [url](#), p. 115

⁵ HRW, *Treatment and Rights in Arab Host States*, 23 April 2002, [url](#)

⁶ UNHCR, *UNHCR Global Appeal 2010-2011 – Algeria*, 2011, [url](#); Migration Policy Centre, *MPC – Migration Profile Algeria*, June 2013, [url](#)

⁷ BADIL Resource Center for Palestinian Residency, *Survey of Palestinian Refugees and Internally Displaced Persons, 2019-2021 Vol X*, 2022, [url](#), p. 114

⁸ Al-Jazeera, *The Naksa: How Israel occupied the whole of Palestine in 1967*, 4 June 2018, [url](#)

⁹ BADIL Resource Center for Palestinian Residency, *Survey of Palestinian Refugees and Internally Displaced Persons, 2019-2021 Vol X*, 2022, [url](#), p. 114

¹⁰ Al-Bilad, *6 آلاف فلسطيني يعيشون في الجزائر* [6 million Palestinians live in Algeria], 17 February 2018, [url](#)

¹¹ UNHCR, *Country Operations, Algeria, Situation Analysis*, 2024, [url](#)

¹² ECDPM, *Protecting migrants and refugees in North Africa: challenges and opportunities for reform*, October 2020, [url](#), p. 14

2. Legal Framework

In Algeria, Palestinians are considered foreign nationals, and are as such subject to law No. 08-11 2008 of 25 June relating to the conditions of entry, residence and movement of foreigners in Algeria.¹³ The law modified the previous law governing foreign nationals from 1966, and contains the current provisions regarding conditions for entry and residence in Algeria.¹⁴

During periods of heightened security considerations in the Occupied Palestinian Territories, Algeria has received Palestinians based on humanitarian grounds, which is a political decision.¹⁵ This was the case in December 2023, when Algeria received 400 wounded Palestinians from Gaza for treatment in Algerian hospitals.¹⁶

Algeria became state party to the 1951 Refugee Convention in 1963.¹⁷ Although Algerian law does contain provisions for granting asylum and refugee status, the government has not established a formal system that enables asylum seekers to request asylum, or to adjudicate them.¹⁸ A limited number of Palestinians in Algeria are registered with UNHCR; however, this registration does not confer protection status or legal residency in Algeria.¹⁹

In Algeria, refugees and asylum-seekers have access to public education and basic health services. However, they are not granted residency or work permits, and thus rely on support from UNHCR and NGOs.²⁰

Naturalisation and acquisition of Algerian citizenship are regulated according to the Algerian Nationality Law No. 1970-86, which was revised in 2005, and contains provisions for acquisition of citizenship through marriage to an Algerian citizen and through naturalisation by request.²¹

¹³ Legal Source: 1

¹⁴ Migration Policy Centre, *MPC – Migration Profile Algeria*, June 2013, [url](#), p. 5; The People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

¹⁵ Legal Source: 1

¹⁶ TRT Français, *Arrivée des premiers blessés de Gaza pour une prise en charge médicale à Alger [Arrival of the first wounded from Gaza for medical treatment in Algiers]*, 22 December 2022, [url](#); Dzair Tube, *Algeria Welcomes First Group of Injured Palestinians from Gaza for Urgent Medical Treatment*, 22 December 2023, [url](#)

¹⁷ UNHCR, *State parties, including reservations and declarations, to the 1951 Refugee Convention*, 22 April 1954, [url](#)

¹⁸ USDoS, *2022 Country Reports on Human Rights Practices: Algeria*, 21 March 2023, [url](#); UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service: 3*, 26 November 2023

¹⁹ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 3. Registration with UNHCR in Algiers

²⁰ UNHCR, *Country Operations, Algeria, Situation Analysis*, 2024, [url](#)

²¹ the People's Democratic Republic of Algeria, *Nationality Code (2005)*, 27 February 2005, [url](#); UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 5. Naturalization

3. Entry and residence in Algeria for Palestinians

According to the interviewed legal source, Palestinians are equated with other foreign nationals who are required to have a visa to enter Algeria.²² Palestinians are therefore required to apply for a visa at the relevant Algerian diplomatic mission prior to entering the country. As for other nationals, Palestinians are able to apply for a number of different visas depending on the individual's reason for entering Algeria.²³

3.1 Entry

3.1.1 Entry with Palestinian documents

According to UNHCR, since 2015, Palestinians in possession of a valid travel document or passport issued by the Palestinian Authority (PA) have been obliged to obtain a visa through the relevant Algerian diplomatic mission before entering Algeria for purposes such as a short-term visit, work, or study.²⁴ The duration of legal stay in Algeria is contingent upon the visa-type, and visas issued for the purpose of a short-term visit to Algeria (visit visa) require proof of onward travel from Algeria.²⁵ It should be noted that Palestinians, who do not have a Palestinian ID number and live outside the Palestinian areas, can have a so-called zero passport issued by the PA, and not all countries recognise the zero passport as a valid travel document.²⁶

Security clearance from the relevant Algerian authorities is a prerequisite for the granting of a visa on the grounds of work or study.²⁷ The issuance of a visa for a Palestinian to enter Algeria for the purpose of work or studies is contingent upon employment or acceptance to a university in Algeria, and applicants are required to document this in connection with applying for a visa.²⁸ Work or study visas must also be facilitated by the Ministry of Labour or the Ministry of Higher Education in Ramallah in cooperation with the Palestinian diplomatic mission in Algeria, as well as the Algerian Ministry of Foreign Affairs.²⁹

²² Legal source: 1

²³ Legal source: 2; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements a) bullet point 1

²⁴ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements a) bullet point 1

²⁵ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023

²⁶ Dutch Ministry of Foreign Affairs, *General country of origin information report Palestinian Territories*, April 2022, [url](#), pp. 32-33; Migrationsverket, Lifos, *Palestinier i Mellanöstern – uppehållsrätt och dokument*, 31 October 2018, [url](#), p. 32

²⁷ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements a) bullet point 4

²⁸ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements a) bullet point 3

²⁹ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements a) bullet point 3

Upon approval, the visa will be issued by the Algerian diplomatic mission, thus enabling the applicant to enter Algeria via the international airport in Algeria with assistance from the Palestinian Embassy in Algeria.³⁰

3.1.2 Entry with Egyptian, Syrian, Jordanian or Lebanese documents

Palestinians in possession of valid travel documents issued by Syria, Egypt, Lebanon or Jordan are treated as equivalent to citizens of the aforementioned countries, and are thus obliged to obtain a visa to enter Algeria through the relevant Algerian diplomatic mission prior to their arrival in Algeria.³¹ Proof of onward travel is required in connection with the issuance of a visa for a short-term visit, and the application process for a work or study visa to Algeria is similar to the procedure described for Palestinians with documents issued by the PA.³² However, according to UNHCR, in practice, Palestinians with documents from Egypt, Syria, Jordan or Lebanon encounter difficulties in acquiring visas to Algeria, and the interviewed legal source stated that visa applications may be denied due to security concerns.³³

3.2 Residence and readmission

Residence permits in Algeria for foreign nationals are generally contingent upon work or study in Algeria.³⁴ At the same time, Algerian law does contain provisions that enable foreign nationals to benefit from family reunification.³⁵

3.2.1 Legal residence in Algeria

Palestinians, who have entered Algeria on a visit visa, or entered the country irregularly, are unable to obtain a residence permit in Algeria.³⁶

³⁰ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements a) bullet point 4

³¹ Legal source: 5; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements b)

³² UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements b)

³³ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 1. Entry requirements b); Legal source: 6

³⁴ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#); Legal source: 7; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 2. Legal status and residency requirements bullet point 1

³⁵ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

³⁶ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 2. Legal status and residency requirements bullet point 2

Palestinians entering Algeria regularly on a work or study visa are obliged to apply for a residence permit upon arrival.³⁷ According to the consulted sources, the validity of the residence permit initially ranges from one to two years, and is hereafter subject to renewal.³⁸

In Accordance with article 16 of law No. 08 – 11 2008 of 25 June, foreign nationals, who have entered Algeria legally and resided in Algeria for seven years, are eligible to apply for a long-term residence card, which is valid for a period of 10 years.³⁹ According to the legal source, this also applies to Palestinians who have entered Algeria legally.⁴⁰

According to UNHCR, Palestinians do not have access to any type of longer-term or permanent residency, and their legal status in Algeria remains precarious beyond the duration of the one to two year residence permit. In practice, there is no automatic right for the issuance and extension of residence permits granted, and UNHCR is aware that in some cases, Palestinians have not received a residence permit, even when meeting the relevant conditions.⁴¹

Resident foreign nationals may benefit from family reunification under article 19 of the abovementioned law. According to the consulted legal source and the Algerian authorities, family reunification with a Palestinian, legally residing in Algeria, is possible under this law.⁴² There are no specific provisions in the law related to Palestinian individuals applying for family reunification.⁴³

However, UNHCR is not aware of any cases in which Palestinians have been able to access residency on the basis of family reunification.⁴⁴

3.2.2 Revocation and readmission

According to article 22 of law No. 08 – 11 2008 of 25 June, a residence permit may be withdrawn if it is definitively established that the individual in question no longer fulfils one of

³⁷ Legal source: 7; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 2. Legal status and residency requirements bullet point 1

³⁸ Legal source: 8; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 2. Legal status and residency requirements bullet point 1; the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

³⁹ Legal source: 8; The People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁴⁰ Legal source 8

⁴¹ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 2. Legal status and residency requirements bullet point 1

⁴² Legal source 9; the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁴³ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service, Follow up e-mail correspondence*, 2 January 2024

⁴⁴ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service, Follow up e-mail correspondence*, 2 January 2024

the conditions related to the permit being granted.⁴⁵ In these cases, the individual will receive formal notice to leave Algerian territory within 30 days, and the departure deadline can be extended by 15 days under exceptional circumstances.⁴⁶

A residence permit can also be withdrawn from a foreign resident whose activities are judged by the relevant authorities as being contrary to the public morality and peace, detrimental to national interests, or if the individual has been convicted of offences related to these activities.⁴⁷ In these cases, the individual in question is deported immediately after the administrative or legal proceedings have been completed.⁴⁸

Resident foreign nationals, who are absent from Algerian territory for an uninterrupted period of one year, lose their status as residents under article 21 of the abovementioned law.⁴⁹ The consulted sources stated that Palestinians cannot be readmitted to Algeria, unless the individual in question has obtained a new basis for entry, such as acquiring a new work or study visa, regardless of their legal status prior to departure.⁵⁰ Even Palestinians who hold a valid residence permit in Algeria are not entitled to leave and re-enter the country. However, according to UNHCR, the Algerian Ministry of Foreign Affairs maintains some discretion in cases related to Palestinians with legal residence, who wish to exit or re-enter the country.⁵¹ Furthermore, the IOM office based in Algeria stated that they have not received any requests or registrations from Palestinians in recent years.⁵²

3.3 Naturalisation and citizenship

According to article 9 of the Algerian Nationality Law, Algerian nationality can be acquired through marriage to an Algerian man or woman under the conditions that the marriage is legal, and that it has been in effect for three years when the application for Algerian citizenship is submitted.⁵³

⁴⁵ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁴⁶ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁴⁷ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁴⁸ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁴⁹ the People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁵⁰ Legal source: 4; UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 6. Readmission to Algeria

⁵¹ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 6. Readmission to Algeria

⁵² In an e-mail correspondence with the Danish Immigration Service (DIS), IOM informed DIS about the following on 12 February 2024:

"In recent years, IOM Algeria has not received any requests/registrations from Palestinians."

⁵³ the People's Democratic Republic of Algeria, *Nationality Code (2005)*, 27 February 2005, [url](#); Legal source: 10

The person in question must also have been habitually resident in Algeria for at least two years, and be of good character and conduct, as well as able to sustain himself or herself financially.⁵⁴ In principle, this provision also applies to Palestinians with legal residence in Algeria.⁵⁵

Article 10 of the Algerian Nationality Code of 2005 contains provisions for the acquisition of Algerian citizenship through naturalisation by request, which may be granted if certain requirements are met, including, but not limited to, habitual residence in Algeria for at least seven years at the time of the submission of the application.⁵⁶

Nevertheless, the process of naturalisation for Palestinians is a prolonged and intricate process, which in practice is not available for many.⁵⁷ According to the Palestinian Return Centre, the naturalisation process for Algerian-born Palestinians was suspended in 2021.⁵⁸

UNHCR was not aware of any Palestinians, who had been naturalised in accordance with article 10 of the Algerian Nationality Code, and stated that very few applications of this type received favourable decisions in general.⁵⁹ The complexity and prolonged nature of the citizenship process was ascribed to concerns related to terrorism and security by the legal source who elaborated that the Algerian authorities were very cautious when a foreign national from the Middle East or Mali applied for Algerian citizenship.⁶⁰

3.4 Expulsion and deportation

Algeria has traditionally served as a transit destination in relation to irregular migration; however, recently it has also become a destination country for various types of irregular migrants.⁶¹ Algerian legislation imposes penalties for irregular entry, presence and departure from Algeria. In 2009, the Algerian penal code underwent revision to include irregular departure from the country for both citizens and foreign residents as a violation.⁶² Individuals expelled from Algerian territory may incur a re-entry ban extending for a duration of 10 years.⁶³

In addition, under the terms of the 2014 agreement between the governments of Niger and Algeria, a large number of migrants, with the majority originating from Niger, are deported

⁵⁴ the People's Democratic Republic of Algeria, *Nationality Code (2005)*, 27 February 2005, [url](#)

⁵⁵ Legal source: 9

⁵⁶ the People's Democratic Republic of Algeria, *Nationality Code (2005)*, 27 February 2005, [url](#)

⁵⁷ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 5. Naturalization

⁵⁸ Palestinian Return Centre, *Palestinian Refugees Launch Cry for Help from Algeria Displacement Camp*, 13 September 2021, [url](#)

⁵⁹ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service, Follow up e-mail correspondence*, 2 January 2024

⁶⁰ Legal source: 11

⁶¹ IOM, *Algeria*, n.d., [url](#); The People's Democratic Republic of Algeria, *Law No. 08 – 11 2008 of 25 June*, 2 July 2008, [url](#)

⁶² IOM, *Algeria*, n.d., [url](#)

⁶³ UNHCR, *Palestinians in Algeria, Query response to the Danish Immigration Service*, 26 November 2023, 6. Readmission to Algeria

from Algeria to Niger annually.⁶⁴ According to the legal source, the authorities' main focus regarding deportation of undocumented foreign nationals from Algeria is centred on migrants from sub-Saharan Africa who have not been recognised as refugees by UNHCR.⁶⁵ The same source elaborated that Palestinians would not be deported in this manner because the Palestinian community in Algeria is fairly limited, and does not constitute an irregular migrant population in the same manner as the migratory flow from sub-Saharan Africa through Algeria to Europe.⁶⁶

However, according to UNHCR, Palestinians, including individuals officially registered by UNHCR and in possession of UNHCR documentation, have been subject to deportation from Algeria to Niger, and UNHCR has been informed of the deportation of Palestinians registered with UNHCR in 2022 and 2023.⁶⁷ Similarly, the Middle East Monitor and the Euro-Med Human Rights Monitor have reported that the Algerian authorities have detained groups of around 50 to 60 Palestinians, who entered Algeria irregularly in 2018, with the intention to deport them to Gaza through Egypt.⁶⁸

In 2019, there were also reports of the detention and non-voluntary deportation of some 50 refugees from Syria and Palestine to Niger by the Algerian authorities.⁶⁹ The North Africa Post reported on a similar case in 2022, where 60 refugees from Palestine and Syria were deported from Oran to the border of Niger, where they were abandoned.⁷⁰

In 2019, a PA official in Algeria maintained that the Algerian authorities granted a so-called private status to Palestinians who entered Algeria irregularly, which provided them with the opportunity to leave Algeria voluntarily, or to get their affairs in order.⁷¹

⁶⁴ IOM, *Algeria*, n.d., [url](#); UNHCR, *Palestinians in Algeria*, Query response to the Danish Immigration Service, 26 November 2023, 4. Deportations from Algeria; Euro-Med Human Rights Monitor, *Euro-Med Monitor: Algeria should stop detaining Palestinian Refugees, treat them as asylum seekers*, 6 December 2018, [url](#)

⁶⁵ Legal source: 13

⁶⁶ Legal source: 13

⁶⁷ UNHCR, *Palestinians in Algeria*, Query response to the Danish Immigration Service, 26 November 2023, 4. Deportations from Algeria

⁶⁸ Middle East Monitor, *Euro-Med HRM: 'Dozens of Palestinian refugees detained by Algerian authorities*, 7 December 2018, [url](#); Middle East Monitor, *After 2 month detention, Algeria to deport Palestinians to Cairo*, 28 November 2018, [url](#); Euro-Med Human Rights Monitor, *EURO-MED Monitor: Algeria should stop detaining Palestinian Refugees, treat them as asylum seekers*, 6 December 2018, [url](#)

⁶⁹ Middle East Monitor, *Algeria departs Syrian, Palestinian refugees to Niger*, 2 January 2019, [url](#)

⁷⁰ The North African Post, *Algeria abandons Syrian and Palestinian refugees in Niger border desert*, 1 November 2022, [url](#)

⁷¹ Middle East Monitor, *Official: Illegal Palestinian Migrants have special status in Algeria*, 7 February 2019, [url](#)

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Annex 1: UNHCR Query response

UNCHR, Palestinians in Algeria, Query response to the Danish Immigration Service, 26 November 2023

Palestinians in Algeria

Query response to the Danish Immigration Service

The following information was provided by UNHCR in response to a query received from the Danish Immigration Service. The information is valid as at 26 November 2023. It is advised that concerned Algerian government authorities are also consulted regarding applicable entry and residency requirements.

1. Entry requirements

a) Entry requirements for Palestinians with a Palestinian Authority travel document:

- Since 2015, Palestinians with a passport/travel document from the Palestinian Authority (PA) have been required to obtain a visa, which needs to be obtained from the concerned Algerian diplomatic mission prior to arrival (visit, work or study visa).
- Visit visas are only valid for short-term visits and proof of onward travel is required.
- In order to obtain a work or study visa, individuals are required to show proof of employment or university acceptance, and their visa application must be facilitated by the competent Palestinian authorities (i.e. Ministry of Labour or Ministry of Higher Education in Ramallah), who then liaise via the Palestine Embassy in Algiers with the Algerian Ministry of Foreign Affairs.
- The granting of a work or study visa is subject to security clearance by the competent Algerian authorities. Once approved, applicants are granted the visa by the Algerian diplomatic mission and they can enter Algeria under the facilitation of the Palestinian Embassy through the international airport in Algiers.

b) *Entry requirements for Palestinians with a travel document issued by Egypt, Jordan, Lebanon or Syria:*

- Palestinians with valid passports/travel documents for Palestinian refugees issued by either Syria, Egypt, Lebanon or Jordan are treated on par with nationals of these countries and require an entry visa. The visa must be obtained from an Algerian diplomatic representation prior to arrival. For short-term visits, proof of onward travel is required. They can apply for work or study visas (similar procedure as described above under a). However, according to information available to UNHCR, Palestinians from these countries face difficulties to obtain these visas.

2. Legal status and residency requirements

- Palestinians who entered Algeria on a work or study visa must apply for a residency permit upon entry. The residency permit is valid for a 1 to 2 year period, depending on the purpose/intended duration of stay. The residency permit is subject to renewal and requires a continued justification for the extension (studies or employment). The issuance/extension of the residency permit is discretionary (i.e., no automatic right to either). UNHCR is aware that in some cases, Palestinians, even when they met the relevant conditions, have not received a residency permit. Palestinians do not have access to any type of longer-term or permanent residency, and their legal status in Algeria remains precarious beyond the duration of the 1 to 2 year residency permit.
- Palestinians who entered on a visit visa or in an irregular manner are not entitled to obtain residency permits. All foreigners without a valid residency permit do not have access to employment, and face difficulties to rent. They are vulnerable to abuse and exploitation and are at risk of arrest and deportation on account of their irregular entry/stay (see below under 4).

3. Registration with UNHCR in Algiers

Algeria does not have comprehensive national asylum legislation, nor is a government-led system in place to receive and adjudicate asylum claims.⁷² A small number of Palestinians are registered with UNHCR in Algiers. Registration with UNHCR does not confer legal status, nor does it protect against deportation from the country (see below under 4).⁷³

4. Deportations from Algeria

Significant numbers of third-country nationals, primarily, but not exclusively, migrants from sub-Saharan countries have been deported to Niger over the past years on account of their illegal entry/stay.⁷⁴ Palestinians, including those registered by UNHCR and holding UNHCR

⁷² “The absence of a national asylum and protection framework is resulting in limited access to protection services, which is also further diminished due to gaps in the identification, reception, and referral of people in need of international protection and restrictions to access border areas”; UNHCR, *Global Focus: Algeria*, accessed 26 November 2023, <https://reporting.unhcr.org/operational/operations/algeria>. “The only national legislative instrument for the protection of refugees is Decree No. 63-274 of 25 July 1963 (the 1963 Decree), which relates to the modalities for the application of the 1951 Refugee Convention. This decree established the “Bureau Algérien pour les Réfugiés et Apatrides” (BAPRA) within the Ministry of Foreign Affairs, to exercise, inter alia, legal and administrative protection of refugees and stateless persons, recognize the status of refugees to all persons within the mandate of UNHCR, or those who meet the definition of the 1951 Convention and to deliver the necessary documents that allow refugees and stateless persons to apply the provisions of international agreements relating to their protection. Until today, the BAPRA is not in a position to fully implement these responsibilities. The 1963 Decree also created an Appeals Commission, which has not yet been established. (...) Algeria’s domestic refugee legislation does not satisfy its international obligations related to the protection of refugees”; OHCHR, *Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights’ Compilation Report: Universal Periodic Review: 4th Cycle, 41st Session - Algeria*, March 2022, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=9739&file=EnglishTranslation>, pp. 1, 3.

⁷³ “(...) the Government’s failure to grant status and issue national documentation to refugees recognized by UNHCR under the 1951 Convention and the 1969 OAU Convention, creates fundamental problems.” As a result, “refugees face problems in accessing documentation, residency, social security, the labour market, adequate shelter and many other refugee and human rights”; Office of the High Commissioner for Human Rights (OHCHR), *Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights’ Compilation Report: Universal Periodic Review: 4th Cycle, 41st Session - Algeria*, March 2022, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=9739&file=EnglishTranslation>, p. 3.

⁷⁴ Amnesty International, *The State of the World’s Human Rights: Algeria 2022*, <https://www.ecoi.net/en/document/2089418.html>; MedAfrica, *Migration: Algerian Regime Expels Syrians & Palestinians to Niger Desert*, 2 November 2022, <https://medafricatimes.com/28721-migration-algerian-regime-expels-syrians-palestinians-to-niger-desert.html>; UNHCR, *UNHCR Appeals for Access to Refugees on Algeria-Niger Border*, 3 January 2019, www.unhcr.org/news/news-releases/news-comment-unhcr-appeals-access-refugees-algeria-niger-border; Euro-Med Human Rights Monitor, *Euro-Med Monitor: Algeria Should Stop Detaining Palestinian Refugees, Treat them as Asylum Seekers*, 6 December 2018, <https://euromedmonitor.org/en/article/2659/Euro-Med-Monitor:-Algeria-should-stop-detaining-Palestinian-refugees.-treat-them-as-asylum-seekers>.

documents, have been amongst those deported from Algeria to Niger.⁷⁵ UNHCR is aware of the deportation of registered Palestinians as recently as 2022 and 2023.

5. Naturalization

According to the Algerian Nationality Law No. 1970-86, which was revised in 2005,⁷⁶ Algerian nationality can be acquired after three years of legal marriage to an Algerian national (Art. 9 bis). However, the naturalization process for Palestinians has been observed to be lengthy and cumbersome, and, in practice, not available for many. A child acquires the Algerian citizenship if one of the parents holds Algerian citizenship (Art. 6), regardless of whether the other parent is a stateless person, a foreigner, or unknown (Art. 7).

6. Readmission to Algeria

In practice, readmission of Palestinians is generally not possible unless they have a new basis for entry (i.e. new study or work visa), irrespective of their legal status prior to departure from Algeria. Even Palestinians who hold a valid residency permit in Algeria are not entitled to leave and re-enter the country. However, the MFA maintains discretion in this regard. Irregular exit is criminalized and those who were expelled from Algerian territory may also receive a re-entry ban for up to 10 years.⁷⁷

UNHCR, MENA Protection Service, 26 November 2023

⁷⁵ “The Government of Algeria has taken a security-oriented approach to migration, resulting in the arrest and mass expulsion of migrants to Niger and Mali which has impacted asylum-seekers and to a lesser extent, recognised refugees. (...) On 12 May 2021, the UN Special Rapporteur on the human rights of migrants expressed concern at reports of large-scale pushbacks of migrants from Algeria to Niger since 2014, which amount to collective expulsions. Thus, UNHCR monitors and advocates for the release of refugees and asylum-seekers arrested for irregular entry or stay and for halting arrests and deportations, which affected 140 refugees and asylum-seekers, from January to mid-September 2022. Through UNHCR interventions, 29 of the 33 refugees arrested were released. At least 21,870 persons were expelled to Niger since the beginning of 2022”; UNHCR, *Global Focus: Algeria*, accessed 26 November 2023, <https://reporting.unhcr.org/operational/operations/algeria>. “Some of the individuals in this group are known to UNHCR as registered refugees who have fled conflict and persecution or claim to have attempted to seek international protection in Algeria”; UNHCR, *UNHCR Appeals for Access to Refugees on Algeria-Niger Border*, 3 January 2019, www.unhcr.org/news/news-releases/news-comment-unhcr-appeals-access-refugees-algeria-niger-border.

⁷⁶ Algeria, *Nationality Code (2005)*, 27 February 2005, www.refworld.org/docid/3ae6b4d714.html.

⁷⁷ The Law Governing Foreign Nationals' Conditions of Entry, Stay and Circulation (Law 08-11 of 2008) penalizes irregular entry, stay and departure from Algeria. Furthermore, in 2009, Algeria reformed its Penal Code to add the offence of irregular exit from its territory for its citizens and foreign residents; IOM, *Algeria*, accessed 26 November 2023, <https://mena.iom.int/algeria>. See also, *Algérie: Loi N° 08-11 du 21 Jourmada Ethania 1429 Correspondant au 25 Juin 2008 Relative aux Conditions d'Entrée, de Séjour et de Circulation des Etrangers en Algérie*, 2 July 2008, www.refworld.org/docid/594131d74.html.

Annex 2: UNHCR Query response follow up

UNCHR, Palestinians in Algeria, Query response to the Danish Immigration Service, Follow up e-mail correspondence, 2 January 2024

1. According to the Survey of Palestinian Refugees and Internally Displaced Persons 2019 – 2021 Volume X, published by the Badil Research Center (available here), there were only 185 Palestinian refugees under UNHCR's mandate in Algeria in 2021, and that the overall population of the Palestinian population was estimated to amount to 10,000 in 2022. Do you or your colleagues have any information regarding whether these figures are still accurate, and if not, would you be able to provide updated figures?

As of 18 December 2023, UNHCR has a population of 191 Palestinian individuals registered in its database. UNHCR has no confirmation on the overall population of Palestinians currently in Algeria, beyond previous indications from the Algerian authorities that there were several thousand Palestinians (4,000 reported in 2011 – 'Algeria', Forced Migration Online, 2011), though it is understood that previously reported figures may no longer be representative.

2. Regarding legal status and residency permits, are there any provisions in Algerian law, that enable Palestinians to apply for family reunification with family members in Algeria? And if so, do you have any information whether legal residence in Algeria has been granted on these grounds to Palestinians?

There are no specific provisions in the Algerian law related to Palestinian individuals applying for family reunification, and UNHCR is unable to confirm whether any Palestinians have been able to access residency on the ground of family reunification. UNHCR is not aware of any cases in which Palestinians have been able to access residency on that basis.

3. According to article 10 of the Algerian Nationality code, an alien may acquire Algerian nationality provided that certain provisions are met. Do you have any information regarding whether Palestinians are treated on par with other foreign nationals in connection with citizenship applications in relation to this specific article, or is this in practice also not available to many Palestinians in Algeria?

UNHCR is not aware of any cases of Palestinians being naturalized in accordance with Article 10. It should be noted that naturalization in Algeria is extremely rare and complex. Very few applications receive positive outcomes.

Annex 3: Interview minutes

Whatsapp Interview with a legal source in Algeria

1 February 2024

Entering Algeria

1. In Algeria, Palestinians are considered as foreigners, so the question of entry is dealt with at two levels, a political level when Algeria receives them on a humanitarian basis in times of crisis in the occupied territories and a civil level, under common law (subject to the 2008 law). At the level of ordinary law, a Palestinian is a foreigner and if he has to enter Algeria in the legal and normal way like any foreigner, he will be subject to law no 08-11 2008 of 25 June relating to the conditions of entry, residence and movement of foreigners in Algeria.⁷⁸ This law defines the conditions of residence for foreigners in Algeria, in accordance with international standards and the principle of reciprocity.
2. All foreigners, including Palestinians, must have a valid travel document and visa, and will later be granted a residence permit if they have come to work. They will also need means of subsistence and travel insurance. This applies when Palestinians arrive by normal means to Algeria with a travel document and a visa. This means that a Palestinian wishing to enter Algeria is treated like any other foreigner.
3. At a political level, there was a time when Algeria received many Palestinians. At that time, Palestinians were just given an administrative authorisation (which is not a classic residence permit) and could stay on that basis, but if they left, they no longer had the right to return. These people are not considered as refugees but as friends of a sister country (Palestine, Syria and Western Sahara).
4. If a Palestinian leaves Algeria, he will not be able to return to Algeria, as he will be considered as just a temporary resident. If he leaves, he cannot return on the basis of administrative authorisation. This practice is based on Algeria's policy of helping occupied countries fighting for their independence.

Practical steps for applying for a visa

⁷⁸ <https://www.interieur.gov.dz/index.php/fr/le-ministere/le-minist%C3%A8re/textes-legislatifs-et-reglementaires/59-les-etranagers-et-les-conventions-consulaires/500-loi-08-11-du-25-juin-2008-relative-aux-conditions-d%E2%80%99entr%C3%A9e,-de-s%C3%A9jour-et-de-circulation-des-%C3%A9trangers-en-alg%C3%A9rie.html>

5. The administrative and practical procedures for a Palestinian applying to enter Algeria who resides, for example, in Egypt are as follows:
 - a. Go to the Algerian embassy or consulate in their place of residence to apply for a visa (in accordance with the 2008 law) and explain the reason for the application;
 - b. Have the necessary documents (in accordance with the 2008 law)

There is no difference between the different countries in which Palestinians may find themselves.

6. Regarding whether it plays a role which country has issued the passport that depends on the country issuing the passport. For example, the Algerian authorities are cautious about documents issued by Lebanon, and it also depends on the reason given by the Palestinian to justify his application. For the Algerian authorities, it is a question of security concerns. There are often applications that are denied due to fear of terrorism.

Practical procedures for applying for a residence permit

7. Applications for residence cards are made after entering Algeria. For example, if the person has a job or is studying, they must apply to the police station in their place of residence. There are no exceptions for Palestinians unless they have been recognised as refugees and have obtained refugee cards.

Validity and extension of residence permits

8. Residence cards are valid for one year, renewable for foreign nationals working in Algeria. After 7 years, the residence card is issued for 10 years. This also applies to Palestinians who have entered Algeria legally.

Family reunification

9. Family reunification is possible for a Palestinian who is a legal resident in Algeria. This person is covered by the 2008 law. This situation is provided for by law (reserved for spouses and children only).

Nationality by marriage

10. Under the new law, an Algerian man or woman who marries a foreigner can pass on their nationality to their foreign spouse. This principle applies to all foreigners without exception, including Palestinians.
11. As far as obtaining nationality is concerned, it is a bit complicated because everybody from the Middle East, including Palestinians, Egyptians, Syrians and Malians, are associated with terrorism. So the challenge for them is to show that they have no

connection with terrorism. The Algerian authorities are very cautious when a foreigner from the Middle East or Mali applies for Algerian nationality.

12. In general, Algerians, like Syrians, face challenges (difficulties) in finding work and a livelihood.

Reconduction at borders, not deportation

13. The Algerian authorities are deporting undocumented migrants (who are not recognised as refugees by UNHCR) from sub-Saharan Africa.
14. This has not been done in the case of Palestinians in Algeria because they do not constitute an irregular migrant population. Already there are not large numbers of Palestinians in Algeria, and the Algerian authorities will not deport Palestinians because they do not constitute an irregular population in the same way as Africans on their way to Europe.

Data on the irregular population in Algeria

15. It is difficult for the authorities to make an accurate estimate of the number of people in Algeria who are illegal immigrants. If the person is not registered at the border, it is very difficult to produce reliable statistics.

The ability of authorities to implement

16. For regular entries, the capacity of the authorities to establish a valid estimate is sufficient. If the entry is made by irregular 'smugglers', the capacity is insufficient.

Registration of Palestinian refugees

17. The UNHCR processes applications for refugee status and issues refugee cards.

Annex 4: Terms of reference

Algeria: Entry, residence and readmission for Palestinians

1. Legal framework and status of Palestinians in Algeria
2. Entry to Algeria for Palestinians
 - 2.1 Entry and documentation
 - 2.2 Naturalisation and acquisition of Algerian citizenship
 - 2.3 Residence permits
3. Practical implementation regarding entry, exit and residence in Algeria for Palestinians