

Flygtningenævnets baggrundsmateriale

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Algeria

NOT FREE

32
/100

<u>Political Rights</u>	10 /40
<u>Civil Liberties</u>	22 /60

LAST YEAR'S SCORE & STATUS

32 /100 **Not Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Political affairs in Algeria have long been dominated by a closed elite based in the military and the ruling party, the National Liberation Front (FLN). While there are multiple opposition parties in Parliament, elections are distorted by fraud, and electoral processes are not transparent. Other concerns include the suppression of street protests, legal restrictions on media freedom, and rampant corruption. The *Hirak* protest movement in 2019 put pressure on the regime to reform, but a crackdown on dissent in the following years has prevented large-scale demonstrations from continuing.

Key Developments in 2023

- In April, Parliament approved a law that threatens media freedom by requiring journalists to get a work permit and by authorizing the judiciary to force journalists to disclose their sources.
- In August, the Algerian coast guard shot and killed two French-Moroccan vacationers who had inadvertently crossed the maritime border between Algeria and Morocco.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

1/4

The president, who is directly elected for five-year terms, is the dominant figure in the executive branch. A two-term limit has been in effect since 2016, but it did not apply to the prior terms of longtime president Abdelaziz Bouteflika, whose plans to seek a fifth term sparked the *Hirak* protests in 2019. Bouteflika resigned that April after losing the support of the armed forces.

Former prime minister Abdelmajid Tebboune won the December 2019 presidential election with 58 percent of the vote. Abdelaziz Belaïd of the Future Front, the only candidate who had not served in Bouteflika's cabinet, won 7 percent. Voter

turnout was reportedly as low as 20 percent. Protesters called the election a sham and orchestrated a boycott. Outside observers were not allowed to enter the country to monitor the poll.

The president nominates the prime minister after consulting with the parliamentary majority. In November 2023, Tebboune appointed Nadir Larbaoui as the new prime minister.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

1 / 4

The 407 members of the National People's Assembly, the lower house of Parliament, are directly elected to five-year terms, which can only be renewed once. In early elections held in 2021, the ruling FLN won 98 seats, while the allied National Democratic Rally (RND) took 58. The Islamist Movement of Society for Peace (MSP) won 65 seats, the Future Front captured 48, and the moderate Islamist National Construction Movement (El-Binaa) took 39. No other party won more than 10 seats, though 84 independent lawmakers were elected.

The MSP and El-Binaa alleged that the elections were marred by fraud, while Hirak supporters boycotted the polls. Nationwide turnout stood at 23 percent. The Independent National Authority for Elections (ANIE) reported that over 360 polling facilities were shuttered due to looting and other disruptions.

The president appoints one-third of the members of the upper house, the Council of the Nation, which has 144 members serving six-year terms. The other two-thirds are indirectly elected by local and provincial assemblies. Half of the chamber's mandates are renewed every three years. Partial upper house elections took place in February 2022. The FLN won 25 seats, independents took 14, RND took 11, and the Future Front and the Socialist Forces Front (FFS) took 5 and 2 seats, respectively.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

1 / 4

Prior to 2019, Algeria's elections were administered by the Interior Ministry and were often subject to government interference. Pressure from protesters ultimately forced the government to establish the ANIE. However, the slate of approved presidential candidates that was announced ahead of the 2019 presidential election was dominated by Bouteflika-era officials, raising doubts about the efficacy of the electoral reforms. The absence of international election monitors drew criticism from Algerian civil society.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

1 / 4

The Interior Ministry must approve political parties before they can operate legally. Parties cannot form along explicitly ethnic lines. The Islamic Salvation Front (FIS), which swept the 1990 local and 1991 national elections that preceded Algeria's decade-long civil war, remains banned.

Since the Hirak emerged in 2019, the authorities have intensified their repression of opposition groups, especially Islamist groups, parties that espouse separatism, and parties perceived as closely aligned with the Hirak. In February 2023, the Council of State closed all offices belonging to the left-leaning Democratic and Social Movement (MDS) and suspended all of its activities for failing to comply with regulations on political parties.

In recent years, authorities have increasingly used vaguely worded antiterrorism legislation to prosecute members of the opposition. In 2021, the High Security Council designated the Rachad—an organization that includes former FIS members—and the Movement for the Self-Determination of Kabylie (MAK) as terrorist organizations. Numerous people accused of affiliation with the groups have since faced arrest. In late 2022 and again in May 2023, exiled MAK leader

Ferhat Mehenni was sentenced in absentia to life in prison on terrorism-related charges.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

1 / 4

Opposition parties play a marginal role in Parliament, and their campaigns are regularly curtailed by the government. Election boycotts by opposition groups are not uncommon.

Opposition leaders have been subject to detention and prosecution. In November 2023, security forces prevented a former leader of the MSP from leaving the country after he called on Algerians to protest the Israeli government's actions in its war with Hamas.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

1 / 4

The military retains its long-standing influence over civilian politics. Its vast resources and lack of public accountability have helped shape its role as the most powerful political actor in Algeria.

Allegations and scandals involving corruption in the selection of political candidates, as well as vote-buying during elections, have surfaced in recent years.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

1 / 4

No specific ethnic or religious group dominates the main state institutions, which tend to include both Arab and Amazigh (Berber) officials. Kabylie-based parties associated with the Amazigh community have controlled a small number of

municipalities, but their activities are often curtailed by the military. Some Amazigh activists have been targeted by the authorities for mobilizing in support of their political interests.

Women remain reluctant to run for office, are often unable to secure meaningful influence within Parliament, and are more likely to lose intraparty debates. Women won only 8 percent of the seats in the 2021 lower house elections.

LGBT+ people are politically marginalized and have little practical ability to advocate for their political interests.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

1/4

The military has historically served as the ultimate arbiter of policy disputes in Algeria, and elected leaders have relied on its support to maintain office. The loss of military backing played a significant role in Bouteflika's resignation in 2019. The army chief of staff continues to wield considerable influence over the administration of President Tebboune.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

1/4

Inadequate anticorruption laws, a lack of official transparency, low levels of judicial independence, and bloated bureaucracies contribute to widespread corruption at all levels of government. Anticorruption investigations that do occur are often used to settle scores between factions within the regime and boost the popularity of the authorities in office.

A number of Bouteflika's former political and economic allies have received harsh prison sentences as part of the anticorruption campaign that followed his resignation. In January 2023, a court sentenced former energy minister Chakib

Khelil in absentia to 20 years in prison for corruption. It also sentenced other Bouteflika-era senior officials to terms of 5 to 10 years in prison in 2023, including former prime minister Nouredine Bedoui.

Whistleblowers have few legal protections, and safeguards that exist often go unenforced in practice. Several high-profile whistleblowers have faced retaliation from the government in recent years. In July 2023, two whistleblowers who denounced corruption in the army, Mohamed Benhalima and Mohamed Abdellah, went on trial on charges related to their alleged links with the banned movement Rachad. In November 2023 an anticorruption whistleblower, Nouredine Tounsi, was sentenced to two years in prison for publishing classified information and documents.

C3 0-4 pts

Does the government operate with openness and transparency?	1/4
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Algeria lacks access-to-information legislation. There is considerable opacity surrounding official decision-making procedures, the publication of official acts is rarely timely, and rules on asset disclosure by government officials are weak and poorly enforced. While the constitution nominally guarantees the right to access information, it includes vague exceptions for “the rights of others, the legitimate interests of businesses, and the requirements of national security.”

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	1/4
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Some newspapers are privately owned, and some journalists remain aggressive in their coverage of government affairs. However, most papers rely on government agencies for printing and advertising, encouraging self-censorship. Authorities sometimes block distribution of independent news outlets that are based abroad or online. News sites must be directed by Algerian nationals, be based physically in Algeria, report their income sources, and keep an archive of at least six months. Foreign-language websites must be approved by a special authority. Viewers can access unlicensed private television channels that are located in Algeria but legally based abroad, though these are subject to government crackdowns.

In April 2023, Parliament approved a new law that requires journalists to get a permit from the information ministry in order to operate, establishes a council to regulate the media sector, authorizes the judiciary to force journalists to disclose their sources, and bans media outlets from receiving foreign funding.

Authorities use these and other legal mechanisms to restrict media activity. Journalists and bloggers are frequently subjected to harassment, including brief detentions and fines for offenses such as defamation and “undermining national unity.” Journalists covering demonstrations or who are close to the Hirak have been arbitrarily arrested and interrogated.

In February 2023, journalist Farid Herbi was sentenced to three years in prison for “disseminating false information likely to undermine national security or public order,” after he criticized a local governor for his mismanagement of development projects. Also in February, journalist Saad Bouakba was arrested following a series of Facebook posts in which he criticized local government projects; he was later sentenced to a year in prison. In June, the editor in chief of Radio M, Ihsane El Kadi, was sentenced to five years in prison on charges of undermining national security. In August, Mustapha Bendjama, the editor in chief of *Le Provincial* newspaper, was sentenced to two years in prison for publishing classified information.

Foreign outlets are also subject to government interference. In 2021, the government withdrew France 24’s authorization to operate in Algeria. In March 2023, four former employees of France 24 were acquitted on charges related to harming to the national interest and receiving foreign funding for the purposes of political propaganda, though two were fined.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

1/4

Algeria's population is overwhelmingly Sunni Muslim. Members of religious minorities, including Christians and non-Sunni Muslims, suffer from state persecution and interference. Authorities have cracked down on the small Ahmadi community, claiming that its members denigrate Islam, threaten national security, and violate laws on associations.

Religious communities may only gather to worship at state-approved locations. Accusations of nonbelief or blasphemy can draw criminal punishments. Proselytizing by non-Muslims is illegal.

Authorities have cracked down on the Algerian Protestant Church (EPA) since 2017. In November 2023 the deputy chairman of the EPA, Youssef Ourahmane, was sentenced to a year in prison and fined for lacking the authorization to celebrate a religious service.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

2/4

Authorities generally do not interfere directly with the operations of universities, but debate is circumscribed in practice due to restrictive laws that limit speech more broadly. Academic work is also affected by state censorship of domestically published and imported books. Student organizations were active in the Hirak, and authorities occasionally resorted to violence to suppress their demonstrations.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

2/4

Social media users are subject to prosecution for critical comments that touch on the government or religion. The government monitors internet activity in the name of national security and does not disclose information about the program's targets or range, which is thought to be extensive.

Authorities are known to prosecute social media users, particularly Hirak supporters. In 2022, Hakim Debbazi died while in pretrial detention for a pro-Hirak Facebook post; a court had rejected a request that he be released due to his deteriorating health.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	1/4
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Legal restrictions on freedom of assembly remain in place but are inconsistently enforced. Though the Hirak protests that began in 2019 were sometimes tolerated, the authorities frequently used force and arbitrary arrests to preempt or disrupt rallies. Hirak protesters faced increasing repression after demonstrations resumed in 2021, causing the movement to lose momentum. Large-scale Hirak protests did not occur in 2023, but police continued to arrest individuals alleged to have ties to the movement during the year.

Other demonstrations continued in 2023 and were met with repression by the authorities. In August, the police briefly arrested approximately 20 people previously involved in the Hirak protest movement who had gathered to commemorate the struggle for Algerian independence. The authorities also banned pro-Palestinian rallies in early October 2023, though an official demonstration took place later in October with the government's approval.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

1 / 4

The 2012 law on associations effectively restricts the formation, funding, and activities of nongovernmental organizations (NGOs). Permits and receipts of application submission are required to establish and operate NGOs, but organizations often face considerable delays and bureaucratic obstacles when attempting to obtain such documents. NGOs must also notify the government of staffing changes and submit detailed reports on their funding; those that accept foreign funding without government approval risk fines or the imprisonment of their staff.

In June 2022 a court decided to forcibly shut down the Algerian League for the Defense of Human Rights (LADDH) at the request of the Interior Ministry, part of a trend of repression of human rights organizations and activists by the authorities since 2021. In March 2023, Zakaria Hannache, a human rights activist who was granted refugee status in Tunisia, was sentenced to three years in prison in absentia; neither Hannache nor his lawyers had been informed of the trial. In July, an appeals court also confirmed the three-year prison sentences of human rights defenders Slimane Bouhafis and Kamira Nait Sid for an array of charges, including terrorism and spreading fake news. In August, an Algerian-Canadian researcher for the Global Initiative Against Transnational Organized Crime was sentenced to two years in prison for sharing classified information; he was later released in October.

The authorities have specifically targeted human rights activists who are close to the Hirak and the political opposition. In February 2023, the Council of State confirmed an earlier judicial decision to dissolve the pro-Hirak NGO Youth Action Rally (RAJ).

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

1 / 4

The country's main labor federation, the General Union of Algerian Workers (UGTA), has been criticized for its close relationship to the government and for its

failure to advocate for workers' interests. Workers require government approval to establish new unions. This is difficult to obtain in practice, leaving many unions without legal status.

In March 2023, Parliament approved a new law on labor unions. The new legislation prohibits pursuing a political career while engaged in union activities, requires that unions include at least 25 percent of a sector's employees as members to be recognized as "representative," and expands the list of sectors, including healthcare, where walkouts will no longer be permitted. A group of independent Algerian unions called for the International Labor Organization to intervene and stop the bill, to no avail.

Authorities routinely clamp down on independent unions. In April 2023, Amine Felih, a member of the Algerian Union of Industries and of the Trade Union Confederation of Productive Forces, was sentenced to a year in prison due to an online post; he was freed two months later.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	1/4
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The judiciary is susceptible to pressure from the civilian government and the military. Judges are appointed by the High Council of the Judiciary (CSM), which is headed by the president. Concerns regarding the judiciary's independence persist despite some 2020 constitutional reforms. In 2021, the CSM expelled Sadedin Merzoug, a Hirak supporter, from the judiciary for expressing prodemocracy views, claiming that he had obstructed justice and violated his duty of confidentiality.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
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The lack of judicial and prosecutorial independence often erodes the due process rights of defendants, particularly in politically sensitive cases against former officials or civic activists. Lengthy delays in bringing defendants to trial are common, and prosecutors' requests to extend pretrial detention periods are typically granted. Security forces frequently conduct warrantless searches and engage in arbitrary arrests and short-term detentions.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

2 / 4

A 2006 reconciliation law gave immunity to Islamist and state perpetrators of serious crimes during the civil war, while compensating families of those who were subject to such crimes, which included forced disappearances. The reconciliation law also criminalized public discussion on the fate of the disappeared.

Human rights activists accuse the police of using excessive force and abusing detainees. In 2022, pro-Hirak activist and whistleblower Mohamed Benhalima reported that he had been tortured in pretrial detention.

Prison conditions are poor, with some inmates reportedly facing significant overcrowding and poor sanitation.

Terrorist groups, including Al-Qaeda in the Islamic Maghreb (AQIM) and the Islamic State (IS) militant group, continue to operate in Algeria, though attacks have grown less frequent in recent years.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

2 / 4

Officials have made gradual efforts to address the Amazigh community's cultural demands. Tamazight, the Berber language, became an official language nationwide through a 2016 constitutional amendment. However, Arabic remains the prevailing language of government.

The constitution guarantees gender equality, but women continue to face both legal and societal discrimination. Many women receive lower wages than men in similar positions, and there are few women in company leadership posts. Sexual harassment, while punishable with fines and jail time, is nevertheless common in workplaces. NGOs dedicated to women’s rights became more vocal as part of the Hirak, calling for a renewed commitment to the constitutional promise of gender equality.

LGBT+ people face discrimination and violence, and many LGBT+ activists have fled the country. Same-sex sexual activity is punishable with prison sentences as long as two years. LGBT+ Algerians face mistreatment at the hands of police and discrimination by health care providers and employers.

About 175,000 Sahrawis from Western Sahara live in refugee camps near the border with Morocco. The camps have been present since 1975, in a remote desert region with limited job opportunities. About 90,000 of the residents are considered “vulnerable” by the UN High Commissioner for Refugees (UNHCR), as they rely on humanitarian assistance for food, water, and education.

Sub-Saharan African migrants, including refugees and asylum seekers, are subject to racial discrimination. They are often arbitrarily arrested and deported from the country—or simply abandoned at the southern desert borders—without being given the opportunity to challenge the actions in court. According to the NGO Alarme Phone Sahara (APS), Algeria deported almost 20,000 sub-Saharan migrants to Niger between January and mid-July of 2023.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

2 / 4

While most citizens are relatively free to travel domestically and abroad, the authorities closely monitor and limit access to visas for non-Algerians. Police

reportedly limit the movement of sub-Saharan African migrants attempting to reach the Mediterranean coast. Married women younger than 18 must obtain the permission of their husbands to travel abroad, and men of military draft age cannot leave the country without official consent.

The land border between Algeria and Morocco remains closed. In August 2023 the Algerian coast guard shot and killed two French-Moroccans who had inadvertently crossed the maritime border between Algeria and Morocco while riding Jet Skis. Similarly, in December, the Algerian coast guard arrested three Moroccan nationals for crossing the maritime border.

In February 2023, pro-Hirak activist Amira Bouraoui clandestinely fled the country despite a travel ban imposed on her by the authorities.

At times, the government has also banned Algerian diaspora activists who visit the country from leaving.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	2/4
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The government plays a dominant role in the economy, leaving little room for private competitors. Cronyism is also a major obstacle to private enterprise, with businesspeople who are not aligned with the regime often facing harassment by the authorities. Numerous regulations and their flawed implementation make Algeria one of the most difficult environments in the world in which to establish and operate a business. Inheritance rules favor men over women.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	2/4
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Women do not enjoy equal rights in marriage and divorce under the family code, which is based on Islamic law. Among other provisions, women must obtain a male

guardian's permission to marry, and the father is the legal guardian of his children. No law addresses spousal rape.

Domestic violence is common, and the laws against it are weak. Women's rights groups report that between 100 and 200 women are killed in domestic abuse incidents each year. Femicides Algeria reported that 33 women were killed between January and November 2023, and denounced the judiciary's failure to protect women.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

1 / 4

The weak rule of law, government involvement in the economy, and bureaucratic obstacles pose major barriers to economic opportunity and social mobility. Laws against unsafe or abusive working conditions are poorly enforced.

A 2009 law criminalized all forms of trafficking in persons, and Algeria reported its first conviction under the law in 2015. In recent years, the government has made an effort to enforce the ban through prosecutions and has provided protection for victims, though not systematically. Undocumented sub-Saharan African migrants are particularly susceptible to trafficking, including through debt bondage and sexual exploitation.



On Algeria

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Country Facts

Global Freedom Score

32/100

Not Free

Other Years

2023

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