

Algeria

ALGERIA

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Country Information and Policy Unit

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Scope of document

I. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5 An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the care of Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees

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Geography

II GEOGRAPHY

2.1 Algeria is the largest of the three countries which make up the Maghreb. It is on the western Mediterranean coast of Africa, and is surrounded by Morocco, Mauritania, Mali, Niger, Libya, Tunisia, and the disputed Western Sahara territory. [2a] The official name for Algeria is The Democratic and Popular Republic of Algeria. The capital is Algiers. The other principal towns are Oran, Constantine (Qacentina), Annaba and Blida (el- Boulaida). The area of Algeria is: 2,381,741 square Kilometres. (919,595 square miles), most of which is in the Sahara desert. [1]

2.2 The population is estimated to exceed 29 million. The capital, Algiers has the highest population concentration with about 2 million people. [1]

2.3 The majority of the population is Islamic - Sunni. There are a small number of Christians- about 150,000, and a few hundred Jews. [4b] The official language is Arabic, but French is widely spoken. The Berber language is also spoken, particularly in the Kabylie and Aures mountain regions. The Berbers are the original inhabitants of Algeria and make up approximately 17% of the total population. [1]

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History

III HISTORY

A. ORIGINS OF ALGERIA

For detailed information about Algeria's history see also source [1] and [Annex B Chronology](#).

3.1 The area of North Africa which is now Algeria was originally inhabited by the Berber people. An Arab invasion in the seventh century introduced new settlers, imposed Arab culture on the Berbers and introduced Islam to the area. [1]

3.2 Algeria was conquered by French forces in the 1830s and annexed by France in 1842. For most of the colonial period, official policy was to colonise the territory with French settlers, and many French citizens became permanent residents. [1] [2a]

3.3 On 1 November 1954 the principal Algerian nationalist movement, the Front de Libération Nationale (FLN), began a war of national independence, in the course of which about 1 million people were killed or wounded. Despite resistance from the Europeans in Algeria, the French government agreed to a cease-fire in March 1962 and independence was declared on 3 July 1962. A new government was formed (from a single list of FLN candidates), with Ahmed Ben Bella, founder of the FLN, as Prime Minister. As a result of the nationalist victory, about 1 million French settlers emigrated from Algeria. [1]

3.4 In June 1965 the Minister of Defence, Col Houari Boumedienne, deposed Ben Bella in a bloodless coup. He took control of the State as President of a Council of the Revolution, which was composed of 26 members, chiefly army officers. In December Boumedienne was elected President unopposed, winning more than 99% of the votes cast. In December 1978 President Boumedienne died, and was succeeded by Col Benjedid Chadli. [1]

3.5 Following the economic problems resulting from the collapse of oil prices in the mid-80s a wave of strikes and riots culminated in considerable bloodshed and street demonstrations were suppressed by the armed forces in October 1988. A state of emergency was declared and President Chadli decided to embark on a programme of constitutional reform. In February 1989 a multi-party constitution was imposed. [1]

B. RISE OF THE FIS

3.6 Early 1990 saw demonstrations against police brutality, for and against the traditional Islamic role of women, for the teaching of the Berber language, and against brothels and alcohol. Meanwhile the Front Islamique de Salut (FIS - Islamic Salvation Front), established in 1989, had emerged as the largest and most influential opposition movement, capable of developing a nation-wide organisation based on mosques and Islamic organisations. It's promise of social justice and its grass-root welfare services appealed strongly to the urban poor and unemployed. In local elections in June 1990, the FIS gained

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control of 32 of Algeria's 48 provinces and 853 of the 1,539 municipalities, winning a landslide victory in all major cities. [1]

3.7 In July 1990 Chadli acceded to the demands of the FIS for an early general election, announcing that it was to take place in early 1991. In August 1990 a general amnesty permitted the release of thousands of "political" prisoners, and in September the former President, Ben Bella, was allowed to return from exile. In December 1990 the National People's Assembly adopted a law providing that, after 1997, Arabic would be Algeria's only official language and that use of French and Berber in schools and in official transactions would be punished by substantial fines. In response, more than 100,000 people demonstrated in Algiers against political and religious intolerance. [1]

3.8 It was announced, in April 1991, that elections to the National People's Assembly would be held on 27 June. At the same time major changes to the electoral system were proposed. These included restrictions on campaigning in mosques and increases in the number of constituencies - moves designed to tilt the electoral process against the FIS and in favour of the FLN. [1]

3.9 After protests about the new electoral law and a call by the FIS for a general strike, the Government declared a state of siege and suspended the elections indefinitely. During the widespread unrest which followed, the leaders of the FIS, Abbasi Madani and Ali Belhadj, were arrested with several thousands of their supporters. In October, the dates for general and presidential elections were set as 26 December for the first round, and 16 January 1992 for a second round in those constituencies where there was no outright first round winner. [1]

C. ELECTIONS OF 1991

3.10 The Government refused to allow the detained FIS leaders to stand for election from prison, and for a time it seemed that the FIS would not take part. But in the event, in the first round, the FIS won 188 seats outright, the FLN 15, the mainly Berber Front des Forces Socialistes (FFS) 25, and independents 3. This left the FIS needing victory in only 28 of the 199 seats where a second round of voting was needed in order to secure an absolute majority. [1]

3.11 On 4 January 1992, the National People's Assembly was dissolved by presidential decree and President Chadli then resigned, apparently under intense pressure from military leaders. Security forces took over key installations in Algiers, and Prime Minister Sid-Ahmed Ghazali confirmed that the army had been asked to maintain public order and safeguard security. The Higher Security Council cancelled the second round of the elections. [1]

3.12 On 14 January, a High Council of State was created to take over the functions of the Presidency until the end of 1993 (when Chadli's term of office would have expired) at the latest. The President of the High Council of State was Mohammed Boudiaf, a hero of the war of independence, who had quarrelled with Ben Bella and had been in exile in Morocco since 1964. [1]

3.13 Violent clashes occurred across the country over the weekend of 8 and 9 February 1992, between police and FIS supporters. Detention centres were opened in the Sahara, and the FIS claimed that 150 people were killed, and as many as 30,000 detained since the military-sponsored take-over. The Government declared a state of emergency and the FIS was banned. The Government also dissolved 411 FIS-controlled local and regional authorities. [1]

D. EVENTS OF 1992-1995

3.14 After the outlawing of the FIS, the Islamic opposition became fragmented and increasingly radicalised. A political vacuum was created which was increasingly filled by armed Islamic groups operating autonomously across the country, united only in their opposition to the regime. Insurgents killed security personnel, politicians, civil servants, intellectuals and foreigners. See [Armed Islamic Groups](#) and [Annex F Main Islamic Militias](#)[1][2a]

3.15 On 29 June 1992 Boudiaf was assassinated and Ali was appointed to succeed him. In mid-July, Madani and Belhadj were sentenced to 12 years imprisonment. [1] In February 1993 the state of emergency was renewed for an indefinite period. [5b] Subsequently, on 31 January 1994, the nominee of the High Council of State, Defence Minister and General, Liamine Zeroual was appointed as the new president.[1]

3.16 In August 1994 members of the political parties the National Liberation Front (FLN) Algerian Renewal Party (PRA), Movement for Democracy in Algeria (MDA), Ennahda and Hamas participated in national dialogue with the Government. The FFS, Ettahadi and Hamas boycotted the talks. Around this time Abbasi Madani, co-leader of FIS, wrote to the president, apparently offering a truce, and called for the rehabilitation of FIS, the lifting of the state of emergency, and a general amnesty before the beginning of negotiations. In mid-September 1994, Madani and Belhadj were released from prison and placed under house arrest. (They were later put back in prison in 1995.) However, FIS did not join the next round of dialogue. [1]

3.17 Throughout 1994, violence in Algeria escalated with daily attacks by the Islamic extremists on government officials, judges, politicians, intellectuals, journalists and teachers. Assassinations of foreign nationals led to most embassies in Algeria advising their citizens not to travel to Algeria, and those in Algeria to leave immediately. Algerian security forces intensified their campaign against armed Islamic groups and reports suggested that air attacks, punitive raids, and torture had been used in an attempt to eradicate the terrorists. [1] [6a]

3.18 In November 1994, talks known as the "Sant Egidio" meeting were held in Rome with the purpose of exploring possible solutions to the Algerian crisis. Although opposition leaders, including the FIS attended talks in January 1995, the reaction of the Algerian regime to these meetings was negative; and instead it published proposals for the holding of a presidential election in 1995. [1] [2a] [6a]

E. PRESIDENTIAL ELECTIONS OF 1995

3.19 Presidential elections were held on 16 November 1995. The FFS and FLN, the two main legal parties in the country, and the FIS, urged voters to boycott the elections. There were only four candidates including President Zeroual. (backed by the military); Sheik Mahfoud Nahnah (Hamas Islamic Party); Said Saadi (anti-Islamic, Rally for Culture and Democracy- RCD leader); and Nouredine Boukrouh (Islamic moderate). [1]

3.20 Despite a considerable number of threats made by the various armed Islamist groups to anyone choosing to vote, the official turnout figure was given as 75%. President Zeroual won the election with 61% of the vote; his nearest rival Sheik Nahnah won 25%. Zeroual's victory together with the high turnout figure was described by the regime as a genuine mandate. [1]

F. EVENTS OF 1995-1997

3.21 There were numerous reports of bomb explosions including car bombs in the main cities, massacres of civilians and fighting between government security forces and Moslem guerrillas. [1] [6ac] [7ab] [8bc]

3.22 In December 1996 the Council of Government chaired by the Prime Minister Ahmed Ouyahia endorsed a draft decree on the law regulating political parties. This aimed to clarify the principles and objectives of political parties, and became law in February 1997. The most important of these was that parties were not to identify themselves specifically with the causes of Islam, Arab or Amazigh (Berber). The criteria governing the setting up of political parties was also defined. [1] [7a]

3.23 In March 1997 supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative election. [1] In April Algeria's main legal Islamist party Hamas changed it's name to Movement of a Peaceful Society (MPS), in order to conform to the new law banning Islamic political parties. [1] [7a] In June the newly elected Council of Ministers (see paragraph 3.28 below) dissolved seven political parties including the MDA for failing to comply with the new regulations about political associations. [1]

3.24 In July 1997 FIS chief Abassi Madani was released. However by September he was under house arrest. [1]

3.25 In October 1997 the AIS, the armed wing of the FIS, led by Madani Mezrag, declared a ceasefire, in an attempt to expose members of the GIA armed Islamist group as the principal perpetrators of the recent civilian massacres. The cycle of violence had intensified in mid-1997 when a series of massacres took place in villages to the south and west of Algiers increasingly referred to as the "triangle of death". The GIA was widely held responsible for the massacres but it was claimed that some units had been infiltrated by military intelligence, also that the security forces had failed to protect the population. [1] [See Security Forces](#)

G. ELECTIONS OF 1997

3.26 In the general election of June 1997 the turnout was officially recorded as 65%. The National Democratic Rally, the major supporter of President Zeroual, won 156 of the 380 seats contested, the moderate Islamist MSP won 69 seats and the National Liberation Front won 64. These parties formed the coalition government. Of the remaining seats, Nahdah won 34, FFS 20, RCD 19, PT 4, and the remainder were taken by independents and small political groupings. [1]

3.27 Local elections were held on the 23 October 1997. The RND won more than half the seats contested. [1] In October and November Algeria's main legal opposition groups, including the FLN and MSP, organised demonstrations to protest about what they considered to be fraud in the local elections. [1]

3.28 On 25 December 1997, members of the Municipal and Provincial People's Assemblies in all provinces elected two thirds of the members of the Council of the Nation, the second chamber of parliament. The RND won most seats- 80, followed by the FLN with 10 seats. The remaining one third of the seats were appointed directly by President Zeroual. [1] [12]

H. EVENTS OF 1998

3.29 Press reports in January 1998 indicated that as many as 2,000 people, mainly civilians, died in a succession of massacres during the holy month of Ramadan, which commenced on December 30 1997. [1]

3.30 In February 1998 four other armed Islamist groups, the Ansar Battalion and the Mawt Battalion, the Rahman Battalion and the Islamic League for the Call and the Jihad [LIDD] joined the truce announced by the AIS, in October 1997. [1] [12]

3.31 30 political parties were dissolved on 19 May 1998 for failing to abide by the new rules on political parties. [1] The most prominent political parties dissolved were Ettahadia (Arabic acronym for Solidarity, Progress and Democracy), the Democratic Movement for Algerian Renewal, the Union of Democratic Forces, and the Liberal Social Party (see [Annex E](#) for full list).

3.32 Matoub Lounes, a popular Berber singer, was killed and his wife and 2 sons were wounded at a false roadblock on 25 June. The GIA claimed responsibility for the killing. [4b] Rioting in Berber towns developed, with protesters claiming the Algerian regime were the murderers. His funeral on 28 June was attended by 50,000 to 100,000 mourners and led to further demonstrations in the wake of the Arabisation law (see next paragraph). [1]

3.33 On 5 July a law was implemented generalising the use of Arabic in enterprises and public departments, except in dealings with the outside world which would be directed by the requirements of international transactions. The articles of Law 96 stipulate that all written correspondence of administrations, enterprises, associations, and political parties be in Arabic. The law was condemned by many political parties and led to a protest march by thousands of Berbers, led by leaders of the FFS (Socialist Forces Front), to demand official

recognition of their Tamazight language. [15b] The United Nations Human Rights Committee called on the law to be reviewed to remove the negative consequences that it produces. [5a] See also [Section V Ethnic Groups](#)

3.34 In July and August 1998 an Eminent Panel appointed by the Secretary General of the United Nations visited Algeria to gather information with regard to the situation there to provide the International Community with greater clarity on that situation. In their concluding observations the Panel stated, amongst other observations, that Algeria deserved the support of the international community in its effort to combat terrorism but that the Algerian authorities should examine measures to improve the transparency of their decisions. [5b]

3.35 President Zeroual announced on 11 September that he would leave office before his term ended officially in November 2000. [1]

I. PRESIDENTIAL ELECTIONS 15 April 1999

3.36 Presidential elections were held on 15 April 1999. Abdelaziz Bouteflika was proclaimed as the new President on April 16 after winning 73.8% of the votes. [1] His victory was badly tainted, however, by the decision of all the other candidates in the poll to boycott the election several days before it took place on ballot rigging allegations and by subsequent international comment that the true voter turnout figure was substantially lower than claimed. The six candidates, who would have competed with Bouteflika, said that the military, which had backed Bouteflika's candidacy, had intervened to rig the ballot in his favour. The opposition held demonstrations in major cities across Algeria to protest against the election. The new President stated his aims were to promote civil concord, reform the economy and stamp out corruption. The Government claimed that as over 60% of the electorate had voted in the election despite the boycott, Bouteflika had achieved a mandate to govern. However, local and international observers disputed the voter turnout figure, contending that the real figure was substantially lower. The Middle East Economic Digest of April 30, citing an opposition spokesman, reported that leaked information from the Interior Ministry indicated that the actual turnout was 23.3 % which was widely believed to be credible. [1]

J. EVENTS OF 1999

3.37 The Islamic Salvation Army (AIS), the armed wing of the banned political party Front Islamique du Salut (FIS), declared an end to their guerrilla struggle against the Government on June 6 1999. The AIS had been observing a unilateral cease-fire since October 1997, a move seen as taken to distance itself from the Armed Islamic Group (GIA), which is widely blamed for horrific massacres of thousands of Algerian civilians. [1]

3.38 In July, the government announced several civil concord measures including an amnesty for the AIS and its supporters as part of the draft National Harmony Law submitted to Parliament at the beginning of July; the pardon and release of several thousand people imprisoned for terrorist and subversive activities; and incorporation of

Islamist groups into the political mainstream. [1] (see [Annex H](#))

3.39 In August President Bouteflika, claiming to act on promises to reform the economy, stamp out corruption and create jobs, sacked nearly half of Algeria's provincial governors and set up a committee to reform the judiciary. [1] [16b]

3.40 The National Harmony Bill was approved but before it took effect, President Bouteflika announced a referendum on his peace policy for 16 September. An estimated 98.6% of the population voted in support of the president's policies. [1] [16c]

3.41 In November Abdelkader Hachani, a leader of the FIS, was killed in Algiers, sparking fears of a breakdown in the fragile peace process. No one claimed responsibility for the killing. [16d] In December a suspect was arrested. [16e]

3.42 Also in December President Bouteflika appointed a government headed by Ahmed Benbitour as the new Prime Minister. Seven political parties were represented in the new coalition government: RND, FLN, MSP, Ennadha, RCD, ANR and PRA. [16e]

See also [Annex C](#) Glossary and [Annex D](#) Political Parties)

K. EVENTS OF 2000

3.43 More than 180 people were killed during the holy month of Ramadan ending on January 8th. This was a similar total to the previous year's Ramadan and much lower than that of 1997/88. [16f]

3.44 The amnesty deadline for armed terrorist groups expired on 13 January. Just before the deadline the AIS leader Madani Mezreg announced that the AIS would dissolve itself. In return on 11 January the president announced an immediate amnesty for all AIS members. It was reported that the Algerian army command had agreed to arm the AIS members and treat them like regular soldiers. According to official sources more than 1000 people, mostly members of the GIA, also surrendered under the amnesty. [6e] The Salafist Group for Preaching and Combat (GSPC) led by Hassan Hattab at first appeared to be taking advantage of the amnesty but it was reported that some elements of the Group intended to continue their armed activities. [16f] The Islamic League for Preaching and Holy War (LIDD) also announced its dissolution in January according to the Algerian Press. [16f]

3.45 Following the deadline the army mounted military operations against the remaining rebels. [16f] Rebel groups also continued to carry out attacks against the population mainly in areas away from main towns. [8 f] [16f]

3.46 In April four international human rights groups were given permission to visit Algeria. [17a] Amnesty International reported after their visit in May that the human rights situation was improving: there had been a significant drop in the level of violence and killings, and reports of arbitrary arrest, prolonged incommunicado detention, torture, disappearances and unfair trials, had diminished significantly. However, AI also called on the Algerian government to take action

over the thousands of killings, massacres, "disappearances", abductions, torture, extrajudicial executions and deliberate and arbitrary killings of civilians which have occurred in recent years. [6d] However, the number of terrorist attacks on the population increased from mid-2000. Attacks were mainly in rural areas and security measures, particularly in Algiers, were tightened. [16m]

3.47 In August Ali Benflis, described as a reformer and close collaborator of President Bouteflika, was appointed Prime Minister. His cabinet differed little from that of his predecessor, Ahmed Benbitour. [16g]

L. ECONOMIC SITUATION

3.48 Economic growth has been restricted by dependence on state owned industries and lack of foreign investment. Algeria has a large foreign debt and unemployment is high. Revenue from the oil and gas industry has been the mainstay of the economy. President Bouteflika has promised to speed up privatisation of state enterprises and move towards a free market economy. [1] [10] Negotiations for an Association Agreement with the EU were started in 1997 but have made slow progress. [1]

3.49 Although Algeria has a social security system offering financial support for medical expenses as well as unemployment benefits, in practice, the system leaves much to be desired. [12]

Instruments of the state

IV INSTRUMENTS OF THE STATE

POLITICAL STRUCTURE

4.1 The President is the head of state, who is elected by universal suffrage for a five year term. The President is also responsible for appointing a Prime Minister. The Parliament has an elected lower chamber - the National Popular Assembly (APN), and an upper chamber, the National Council, where two thirds of the representatives are elected by municipal and provincial councils, while the remaining third are appointed by the President. Laws originate in the lower house, and must be approved by three quarters of both the upper and lower chambers. The country is divided into 48 electoral sections or wilayats. Algeria is a multi -party state, but parties must obtain approval to exist from the Ministry of the Interior. Parties must not be created on a religious, linguistic, racial, gender, corporate or regional basis. [1] [4b]

4.2 The first parliamentary elections since 1992 (when the elections were cancelled to prevent the Islamic Salvation Front (FIS) gaining power) took place on 5 June 1997. The pro government RND obtained the largest percentage of votes. [1] See Section III [Elections of 1997](#).

4.3 In elections held on 15 April 1999, Abdelaziz Bouteflika was elected as the new President winning 73.8% of the votes. His victory was tainted, however, by the decision of all the other candidates in the poll to boycott the election several days before it took place. He stated his aims were to promote civil concord, reform the economy and stamp out corruption. [1] See Section III [Presidential Election April 1999](#)

4.4 An independent judiciary is provided for in the constitution. which also states that trials are public and defendants have the right to legal representation. The Supreme Court regulates the activities of courts and tribunals. The Minister of Justice is the Vice-President of the Court.[1]

4.5 The highest court of justice is the Supreme Court (Cour supreme) in Algiers. Justice is exercised through 183 courts (tribunaux) and 31 appeal courts (cours d'appel), grouped on a regional basis. Algeria adopted a Penal Code in 1966, retaining the death penalty, which was suspended since 1994. [1] [6c] The judiciary is composed of the civil courts, which try misdemeanours and felonies. See also military courts in next paragraph. There is also a Constitutional Council that 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. [1] [4b]

4.6 Previously, as well as civil courts there were also military courts which have tried civilians for security and terrorism offences. Until 1995 special security courts sat to determine security related cases. These sometimes tried people "in absentia". They have now been abolished and normal criminal courts now hear security related cases. [1] [4b]

4.7 Under the Constitution defendants are presumed innocent until proven guilty. The Constitution states that detention in criminal cases should not exceed 48 hours before the suspect is charged or released. The Antiterrorist law of 1992 states that suspects may be held in detention for 12 days maximum, and the individuals should be informed of the charges against them. There are reports that long term detention centres exist at some military bases. [4b]

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4.8 The regime has not always respected the independence of the judiciary in the past. In November 1999 President Bouteflika named a commission to review and make recommendations to improve the judiciary. [4b] He has also said the government intends to restructure the justice system over the long term by removing incompetent prosecutors and judges, also by establishing a training establishment for magistrates. [18a]

4.9 The armed forces number comprise the army, (122,000 including 75,000 conscripts) air force (10,000) and navy (7000). (See [Military Service](#) below and [Section V Military Servicemen](#)) and The paramilitary forces comprise 146,200, including an estimated 100,000 self-defence militia and communal guards, (see [Section V Militias](#)) and a gendarmerie of 25000. (Figures as at August 1998) [1]

4.10 Since 1994 the authorities have encouraged civilians to form armed militias, defined as "groups of legitimate defence" or "Patriots". In January 1997 the Prime Minister signed a decree which brought these militias onto an official footing. The security forces equip these militias with arms including pistols and rifles. [6ac] See Section V [Security Forces](#)

[See also Section V Military Servicemen](#)

4.11 Male Algerians are normally due to be conscripted for 18 months national service between the ages of 19 and 30. There is a subsequent liability for recall as a reservist to age 50. [6b] [19] The subject of reducing the length of national service or abolishing it has been publicly discussed but no decision has been taken as yet on this point. [8f] [21] Women are not allowed to do military service. [19]

4.12 Article 8 of the National Service Charter (NSC) states that citizens whose national service status is not in order are ineligible for jobs in both the public and private sectors. [20] In addition, since 1994, Algerians who wanted to obtain a passport or an identity card had to submit a document attesting that they had been registered for national service or granted a deferment or exemption. Similarly, young Algerians applying for a job in the private or public sectors had to submit proof that their military service status was in order. Also, since January 1997, employees who had not met their national service requirements do not have the right to work. [8f] There is no provision for conscientious objection in the NSC. [6b] [19]

For information on military service absentees see Section V Military Servicemen [Absence Without Leave](#).

4.13 Articles 43 to 62 of the NSC deal with the various procedures governing national service recruiting. According to the law, one month before the registration period, the *wali*, through a media and poster campaign, calls on the young men concerned to register for national service. Young men who turn 18 must register by a given date with the people's community assemblies in the communities where they live. [6b] [8f] [19]

4.14 The NSC stipulates that the chairperson of the people's community assembly shall, between 1 January and 1 March, tabulate the names of all those who register. The wali then sends a copy of the tables to the recruitment office. Each registrant is placed in a category according to whether, among other things, he is a son who is the sole support of [translation] "an ascendant or a young or disabled collateral relative," a son or brother of a chahid (a man killed during the war of independence), a son or brother of a soldier, a married man with a child, the holder of a

pre-military diploma cum laude or summa cum laude, or a bachelor who is a secondary support of a family of five young children. [8f] See [Exemptions](#) and [Deferments](#) below.

4.15 In 1994, the Algerian government announced a number of measures dealing with conscription, including the creation, in each community, of a [translation] "permanent cell" responsible for handling registrations, deferments, exemptions and postponed enlistment's. [8f]

4.16 Those registered are summoned to selection and orientation centres. Articles 64-69 of the NSC include provisions dealing with severely handicapped people, who are exempted from going in person to a selection and orientation centre. At the selection and orientation centre, those registered are given a medical check-up and are classified as fit, temporarily unfit or permanently unfit for national service. It is possible for a person to be deemed unfit for the military component of national service, but fit for the civil component. Article 76 states that candidates suffering from grave and irreversible physical or psychological conditions are considered to be permanently unfit for service. Those classified as permanently unfit are released from their military obligations. [6b] [8f] [20]

4.17 The conscription orders are sent by the recruitment offices to the people's community assemblies, who must forward them to the individuals concerned at least two weeks before the scheduled enlistment, with a request for an acknowledgement of receipt. This is done by mail. If a person is not at home, the conscription order is delivered to his immediate relatives or to the chairperson of the people's community assembly. Each call-up notice has a code referring to a general computer file at the recruitment office of the army. Algerian diplomatic missions can authenticate the code and provide information on the validity of the document. It has been stated that there are many false call-up notices currently in circulation and it is very difficult to distinguish valid documents from fraudulent ones. Only the authentication of the code on the call-up notices can validate or not a call-up notice for military service. See National Service Documents below [8defh]

4.18 Order 76-111 of 9 December 1976 defines the reserve as being "constituted of all citizens who have finished their active service and are subject to military obligations". Thus, the reserve includes "retired regular and contractual soldiers who were released from the army at their request, as well as all those who have fulfilled their national service obligations". Article 27 excludes certain categories of people: "individuals convicted of criminal offences, and individuals convicted of endangering state security or encouraging desertion or absence without leave". According to order 76-110 of 9 December 1976, the military obligations of Algerian citizens last 27 years and consist of four stages:

1. national service (two years) (18 months military service and a further 6 months availability as reservists);
2. availability (immediate recall) (five years);
3. first reserve (ten years), and
4. second reserve (ten years).

A person who ignores a reserve call-up that includes him may be convicted of being absent without leave. [6b] [8f] [19]

4.19 Decree 95-146 ordered a call-up of reservists on 27 May 1995. It was the first time since the war of independence ended in 1962 that reservists were being called upon to take part in resolving the country's internal

problems. Under this decree, the classes of 1988, 1989, 1990 and 1991 were recalled to serve for a one-year period. It was stated that the government planned to recall up to 15,000 reservists to maintain security during the 1995 presidential elections. The decree had no provision for keeping the reservists in service beyond the one-year period. In 1996 the government issued decree No. 96-311, which stated that "reservists recalled [under the 27 May 1995 decree] can be maintained in active service beyond the recall period". In addition to maintaining these reservists in active service in 1996, the government also reportedly recalled another 10,000 reservists who had done their national service four to eight years earlier. [8f]

4.20 In the autumn of 1997 it is possible that the government also recalled a number of reservists in order to maintain security during the October 1997 municipal elections. However, this procedure has also been described as an important conscription process [8d] while another source stated that in the fall of 1997 the government extended the term of reservists in active service. [8f] However, in a January 2000 interview an Algerian consular official in Ottawa stated that to his knowledge there had been no recall of reservists in 1997. [8k] A chronology of events concerning military service published by the Algerian newspaper El Watan on 12 February 2000 did not mention any recall of reservists in 1997. [8k] No further information has been traced on this subject. [8n]

4.21 Also, decree No. 98-233 of 18 July 1998 announced that another recall of reservists would start on 20 September 1998. This decree affected the following classes: 1992/4, 1993/1, 2, 3 and 4, and 1994/1, 2 and 3. The recall was for one year, but the 1998 decree, unlike the 1995 one, contained a provision allowing for extensions. [8f]

For information on absentees see Section V Military Servicemen [Absence Without Leave](#)

4.22 Some people can obtain an exemption from their national service obligation. Such exemptions are granted by the regional commissions. Article 93 of the NSC states that an exemption may be granted upon request to a citizen who provides evidence that he is the sole supporter of an "ascendant", or of a collateral relative who is a minor or disabled; or is the son of a chahid (a man killed during the war of independence). However, the article adds that these provisions do not apply to students. (See [Deferments](#) below) [8f]

Exemption Over Age 30 at 1 November 1989

4.23 Article 1 of law No. 89-20 of 12 December 1989 states that "citizens who were thirty (30) years of age or older on 1 November 1989 are exempted from national service whatever their legal situation in respect of national service". A representative of the Embassy of Algeria in Ottawa stated in 1993 that the amnesty proclaimed by this law was not permanent, and applied only to people who were 30 years of age or older in 1989. Law No. 89-20 of 12 December 1989 was reportedly adopted in order to avoid various logistical problems associated with the reduction in the length of national service; such a reduction was called for by law No. 89-19, promulgated the same day. In addition, the two laws were intended to signal the government's waning enthusiasm for national service and were also a response to pressure from Algerians who were chafing at the military's interference in public affairs. [8f]

Exemption Over Age 27 at 31 December 2000

4.24 During 1999 published measures were described by the Algerian newspaper, Le Matin, as a presidential pardon which provides a de facto amnesty for all draft dodgers in regard to military service. [8hi]

4.25 Two decrees were issued around June 1999, and a further decree on 13 September 1999 by which the Algerian military authorities can regularise the status of people aged 27 years or more at 31 December 1999. [8hi] Draft evaders and those whose service has been deferred are eligible for the new regularisation measures or amnesty. [8h] The measures do not apply to deserters [8n], nor inexplicably to doctors. [8h]

4.26 The administrative procedures to be followed for Algerian citizens living abroad require the person to apply to the Embassy of the country where they are living and present a completed application form, a birth certificate, and two recent photographs. [8h] Evidence of identity has to be presented with the application form. This can be a passport, ID card or driving licence. [21] A French academic and commentator on Algerian affairs stated that it would seem the regularisation measures are gradually being implemented: the Algerian press regularly publishes notices from the MDN (Algerian MOD) ordering young people who have not done their national service to report for regularisation of their status. [8i] Lists of those living abroad who have been granted exemption are published by the Embassy of the country concerned. [8i] [21] Algerians living in Canada [8i] and France [8m] have taken advantage of these arrangements. See also [Section V Military Servicemen Absence Without Leave](#)

4.27 Article 90 of the NSC states that there are two categories of people who are eligible for a postponed enlistment: those who have a brother who is a volunteer soldier or a conscript in the national service and has not yet finished his term of service; and those who present a "socially significant" reason. The postponement ends when the circumstances justifying it cease to exist. [8f]

4.28 According to the NSC, citizens who wish to continue their studies in Algeria or abroad may apply to the selection and orientation centre for a deferment; the application will then be forwarded to the recruitment office, which will decide whether to grant the deferment. The deferment may be renewed until the student reaches the age of 27. The recruitment office must receive the application for renewal by 1 July of each year. Article 100 states furthermore that the deferment will be cancelled if the applicant does not present, immediately after the start of the academic session, proof that he is pursuing his studies. [8f]

4.29 After the age of 27, the student must send applications for deferment renewal to the ministerial commission along with proof that his studies were delayed for "social reasons" such as the death of the head of the family or prolonged illness. The NSC states that in all other cases, only the high commissioner for national service is authorised to grant a renewal of deferment to a person older than 27 years of age, and only for "reasons of national interest". The high commissioner for national service can at any time of the year end a student's deferment if the student no longer satisfies the deferment requirements. (but see exemptions above) [8f]

4.30 It was reported in 1994 that the government had announced changes in its deferment policy. According to the new policy, the education and training ministries were to send the defence ministry a list of all students registered in educational institutions at the start of each academic year, as well as a list of those who had graduated. This measure was intended to allow the government to grant eligible students a deferment for the entire period of their studies without requiring them to apply for a renewal every

year. [8f]

4.31 The following documents are used:

- The **ordre de convocation** (convening order) is a document that requires the young persons whose names are on the national service lists to appear at specified locations to undergo their medical examination. [8h]

- The **ordre d'appel** (order of assignment) is a document for persons called into active service. It is written in French. The order is a white printed 21x27mm form. It bears the letterhead of the competent military authority and includes the following information:

First name and family name of the person concerned, with the names of their parents, address, class, assignment unit, date, signature date on which the document was created, and, stamp of the authority that generated the document. It may be typed or completed by hand by the regional recruitment office. These offices report to the High Commission of the National Military Service, which is part of the Department of National defence (MDN). [8e] An officer of the national gendarmerie delivers the document to the residence of the person concerned in exchange for a signed acknowledgement of receipt. The order of assignment is sent only once. Persons who do not respond to this call-up are considered to be draft evaders and they are sought by the national gendarmerie. Such persons may enter Algeria, but they may only exit the country once their national service status has been regularized. Every person of an age eligible for national service is required to provide proof of his status (deserter, exempted from service, etc.) to the border officials before he is allowed to leave the national territory. [8h]

- The **ordre de (mis en) route** is a travel document that allows persons called up for service to have free transportation to the military barrack to which they have been posted. The document also sets out the itinerary to be followed in travelling to the place where the person has been assigned. [8h]

- **The carte de dispense** (deferral card) is a green record book containing the holder's photograph. [8h]

- Document given to conscripts who have finished their service: this is not a card, but a military record comprising four to five pages. The cover is clear. It contains a photograph of the holder as well as information about their military situation, rank etc. the military notebook is written in French. [8j]

- The **ordre de rappel** (recall order) is a document that applies exclusively to reservists.

[8h]

4.32 Documents related to national service are national documents that are identical for all regions of the country. With the exception of the ordre d'appel (order of assignment), all documents have been written in Arabic since January 1999.

[8h]

4.33 The 1971 Military Penal Code sets out the scale of punishments below. Algeria has been in a declared state of emergency since 1992 therefore the wartime scales are liable to apply. [19] No distinction is drawn between conscripts and professional soldiers. For officers the penalties are heavier. Call up evasion is defined at Article 16 Of the NSC - " Any citizen

called up to fulfil his national service obligations and who has been duly notified by a call up order is deemed to have evaded call up if, in the absence of a compelling reason, he has not presented himself at the place designated for his induction 30 days after the date given by the call up order mentioned above."

DRAFT EVASION

| <u>Peacetime</u> | <u>Wartime</u> |
|------------------|----------------|
| 3 months-5 years | 2-10 years |

DESERTION

The various penalties for desertion depend on whether the deserter fled within the country, went abroad, or deserted to the enemy, and whether the deserter was alone or in a group.

Desertion within the country

| <u>Peacetime</u> | <u>Wartime</u> |
|--------------------------------|-------------------------|
| 6 months- 5 years imprisonment | 2-10 years imprisonment |

Desertion in the country with others

The penalties for desertion in the country are the same for officers and soldiers, but in addition officers may also be discharged.

| <u>Peacetime</u> | <u>Wartime</u> |
|-------------------------|-------------------------|
| 1-10 years imprisonment | 5-15 years imprisonment |

Desertion abroad

| <u>Peacetime</u> | | <u>Wartime</u> | |
|-------------------------|--------------------------|---------------------------|------------------------|
| <u>Soldiers</u> | <u>Officers</u> | <u>Soldiers</u> | <u>Officers</u> |
| 2-10 years imprisonment | 5-10 years imprisonment* | 10-20 years imprisonment* | 20 years imprisonment* |

Desertion abroad with others or with arms

| <u>Peacetime</u> | | <u>Wartime</u> | |
|-------------------------|------------------------|--------------------|--------------------|
| <u>Soldiers</u> | <u>Officers</u> | <u>Soldiers</u> | <u>Officers</u> |
| 5-10 years imprisonment | 10 years imprisonment* | life imprisonment* | Life imprisonment* |

Desertion as an armed group

| | | | |
|---------------------------|------------------------|-----------------------|------------------|
| <u>Peacetime</u> | | <u>Wartime</u> | |
| <u>Soldiers</u> | <u>Officers</u> | <u>With Collusion</u> | <u>With arms</u> |
| 10-20 years imprisonment* | 20 years imprisonment* | life imprisonment* | Death penalty |

Desertion to the enemy

Death penalty

Desertion in the presence of the enemy

| | |
|---------------------------|--------------------|
| <u>Soldiers</u> | <u>Officers</u> |
| 10-20 years imprisonment* | life imprisonment* |

* with forced labour

[6b] [19]

See [Human Rights Section V.B](#) Military Servicemen for information on [absence without leave](#) and [threats from terrorists](#).

General assessment

V.A HUMAN RIGHTS - General Assessment

POLITICAL OVERVIEW

A.1 The US State Department Report for 1999 observed that the government's human rights record remained poor, although there were improvements in a few areas. [4b] Human rights groups and the International Committee of the Red Cross have been allowed access to the country this year. After visiting in April 2000 Amnesty International representatives stated that the human rights situation is improving but many serious concerns about the human rights crisis of recent years have not been addressed. [6d] In August 1999 several thousand political prisoners were released and in September the referendum on the Civil Concord gave strong support to President Bouteflika's peace policy. The limited amnesty for terrorists led to the disbanding of the AIS terrorist group, which had been observing a ceasefire since 1997. President Bouteflika has played an active role in international affairs. His early success needs to be followed through with improvements to the economy, reducing corruption and improving security by dealing with the ongoing activities of the remaining terrorist groups. [1] [3b] [6de] [8i] [10] [17a]

SECURITY SITUATION

A.2. President Bouteflika has stated that 100,000 people were killed in the last ten years. The reasons for these killings were not always clear, nor was it always possible to be sure who the perpetrators were. Local and international human right groups condemned both Islamic groups and government factions for being behind some of the killings. [1] [4b] [6ac] [7ab] In 1997/8 the worst affected areas were the three urban areas to the south of Algiers - Boufarik, Blida, and Medea, referred to as the "triangle of death", where massacres of villagers took place almost weekly. [6c] In July 2000 an expert on armed groups in Algeria stated that the army has been in control of this territory since 1998 and the "triangle" no longer exists, and that at the present time one could speak of other "triangles of death" elsewhere in Algeria. [8m] Most incidents from the end of 1998 were in rural areas and in the smaller towns and cities. [1] [3b] [8k] [8m]

A.3 Terrorist abuses and security incidents continued throughout 1999 but decreased and became more localised compared with 1998. In many cases terrorists randomly targeted civilians in an apparent attempt to create social disorder, also to facilitate the theft of goods needed by the armed groups. Killing of civilians tended to be in smaller numbers although there were a few large scale massacres. [4b] In January 2000 the AIS, the armed wing of the FIS party, and another group, the LIDD, took advantage of the government amnesty and disbanded. [16f] About 1000 members of the GIA terrorist groups also surrendered under the amnesty. [6e] [8m]

A.4 The main armed Islamist groups now operating in the country are the GIA and the Salafist Call and Combat Group (GSPC). Government forces are reported to be mounting operations against them but regular reports of terrorist attacks on the population and

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military continue. [3b] In the short term there is nothing to suggest that the armed groups now operating will lay down their arms. [8m] However, the main cities are generally secure and incidents of terrorist activity have become more localised in rural areas and smaller towns, and with generally fewer numbers of casualties in incidents in the past year. [3ab] [6de] [8km]

A.5 In July 2000 an expert on armed groups stated that it is essentially rural terrorism which is taking place except in the strongholds of the armed groups. [8m] He gave the following analysis of the security situation in different areas. Some cities with more than 50000 inhabitants are affected by terrorist activities: Khemis, Miliana and Ain Delfa are under threat. The situation in Algiers and Constantine is very calm, although some networks still exist. There are also some networks in Annaba and sporadic attacks in Blida. Oran and Nostaganem are also calm as far as terrorism is concerned. [8m].

See also [Armed Islamic Groups/Terrorists](#) below and [Annex F Main Armed Groups](#).

SECURITY FORCES

A.6 Members of the security forces have allegedly been responsible for serious human rights abuses. These include extrajudicial killings, unfair trials, rape, torture of detainees and arbitrarily arresting and detaining individuals suspected of involvement with armed Islamist groups. [1][2a] [3b][4b] The Algerian authorities allegedly arrest individuals they suspect of having Islamist sympathies. There have been instances of individuals being arrested just because they happen to be inhabitants of an area considered to be an Islamic militant stronghold. The security forces were also accused of failing to intervene in a timely manner at sites of massacres. The government denied these claims. [4ab]

A.7 According to testimonies collected by Human Rights Watch, and the Medical Foundation, torture in Algeria by the Algerian security forces commonly includes severe beatings and forcing dirty water down a victim's throat to the point of choking "chiffon"). Others have claimed that they received electrical shocks to their bodies or had been sexually assaulted. [5b] [7b] [22]

A.8 The government claims that the security forces only kill when there are armed clashes with terrorists, and that as a matter of policy disciplinary action is taken against members of security forces who are guilty of violating human rights. Several such cases have been reported. [4ab] The National Observatory for Human Rights (ONDH) which is linked to the government, also reported that military and service personnel have been punished for human rights abuses. [2a] The UN Eminent Panel was provided with a list of around 140 cases in which action had been taken against members of the security forces. [5b] In response to complaints from mistreated persons after a terrorist bomb incident in 1999, the authorities suspended several police officers from duty and opened criminal proceedings against them. [4b] Human rights activists stated that instances of arbitrary arrest and detention decreased in 1999. [4b] According to the anti-terrorist law the police may hold suspects in pre-arraignment

detention for up to 12 days and must inform suspects of the charges against them. USSD reported that in practice in 1999 the security forces generally adhered to this 12 day limit. [4b]

MILITIAS - PATRIOTS/COMMUNAL GUARDS

A.9 Amnesty International claimed in 1996 that these militias deliberately killed individuals who they believed were terrorists. It also appears that they either act with the security forces, or sometimes abuse their power, and take action on their own initiative. [6a] The Algerian authorities have said that security forces, including militia group members would be tried for human rights abuses. [4b] [6c] At least one such case occurred in 1999. [4b]

MISSING PEOPLE

A.10 There is a wide range of estimated numbers of missing persons in Algeria during the 1990s - from 2,000 to 20,000. - which involved the security forces. However there were no such reports during 1999. [4b] The government released several thousand political prisoners in 1999. [1] [4b]

A.11 Information submitted to the UN Eminent Panel in 1998 alleged that some of the missing persons had been arrested or taken by, or last seen with, security or law enforcement personnel. [5b] Human Rights Watch has collected testimonies showing that persons have been seized from their homes by forces that refuse to identify themselves or provide reasons for their arrest. [7b] Many of those detained are held for weeks or months without being brought before a judge or informed of the charges against them. [7b]

A.12 Other information received by the UN Eminent Panel stated that some of those missing had joined the terrorists. There were also reports of disappearances caused by "terrorists" and some armed "Islamic Groups" have issued "fatwas" allowing for the abduction and rape of women (see section on [Women](#)). [5b]

A.13 Families and representatives of the missing persons and local human rights groups insist that the government could do more to solve the outstanding cases. The government asserted that the majority of cases involve terrorists disguised as security forces or former rebel supporters who went underground to avoid terrorist reprisals. [6c]

Specific groups

V.B HUMAN RIGHTS: Specific Groups

ARMED GROUPS / TERRORISTS

See also [Annex F](#) - Main Armed Groups

B.1 Since the cancellation of the elections in 1992 and the banning of the FIS several Islamic armed terrorist groups have been operating in Algeria. [1] [23ab] These groups have deliberately and arbitrarily killed civilians, carried out indiscriminate and random attacks, issued death threats and subjected their victims to rape and other forms of torture. [4ab] [5b] [6c] In the early and mid-1990s the GIA group made specific threats against many categories of people who they considered anti-Islamic such as members of the security forces and women who wore western dress. [2a]

B.2 In July and August 1998 an Eminent Panel appointed by the Secretary General of the United Nations visited Algeria to gather information on the situation to provide the International Community with greater clarity. They reported that terrorism had passed through 4 stages. In the first it was aimed at security forces and government employees; in the second it was aimed at intellectuals, journalists, lawyers, artists and foreigners; in the third stage it was aimed at the general infrastructure of the country, eg bridges, schools, railways and electricity supply; and in the current stage (ie 1998), it is aimed at the current population. [5b] Some of their activities appear to be criminal rather than political. They appear to have killed whilst committing robberies or when involved in operating protection rackets. [4ab]

B.3 In January 2000 one of the main groups, the AIS, and another smaller group, the LIDD, disbanded in response to the amnesty for armed groups under President Bouteflika's civil concord initiative. [16f] The AIS had been observing a unilateral cease-fire in its guerrilla struggle against the Government since October 1997, a move seen as taken to distance itself from the Armed Islamic Group (GIA), which is widely blamed for horrific massacres of thousands of Algerian civilians. [1]. Members of the AIS who took advantage of the amnesty were reported to be integrated into the army. [16h] Some 1000 GIA members were also reported to have surrendered.[6e] An estimated total of 2500 to 6000 insurgents surrendered under the terms of the partial amnesty offered under the civil concord. [8k]

B.4 The remaining main armed Islamist groups now operating in the country are the GIA and the Salafist Call and Combat Group (GSPC). The Algerian government announced that security forces would hunt down the remaining terrorists. [16f] [23b] Regular reports of terrorist attacks on the population continue, mainly in smaller towns and rural areas. [3a] [8k] It is difficult to make an accurate inventory of all the places where violence occurs as not all attacks are reported in the Algerian press. [8i] While reports vary concerning the number of active militants in the post-amnesty period, "several thousand" may remain operational. [8k] Armed groups threaten individuals (shopkeepers and entrepreneurs) in dangerous regions. Women are

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also threatened with rape and abduction. [8m] It is essentially rural terrorism which is taking place, except in the strongholds of the armed groups. [8m]

[See also Section V Security Situation.](#)

MILITARY SERVICEMEN

[See also Section IV Military service](#)

Background

B.5 The national service, its length and even its existence are being debated in Algerian society. Senior Algerian army officers stated on several occasions to the Canadian Embassy in Algiers and also recently to Home Office staff in London that national service has become less useful to the armed forces. Several reasons were given for this state of affairs: the complexity of defence systems, the social disturbances caused by enlistment, and the fight against terrorism. Military leaders believe that a professional volunteer army would be of a higher standard. Army circles are reportedly discussing the possibility of abolishing national service, but the intentions of the government in this regard are unclear [8fi] [21]

B.6 It appears that many young men have not done their national service especially in the mid 1990s when there was strong resistance to national service and young Algerians were inclined to leave the country. [8f] Another report of 1998 states that because of violence very few young Algerians were willing to do their national service. [19] In 1994 a French newspaper stated that conscripts made up half the numbers of the army and were on the front lines in the fight against the armed Islamic groups. [8f]

B.7 In 1999 the Algerian authorities published an amnesty measure allowing young men over age 27 at 31 December 1999 who have not done their national service to regularise their military service situation. [8hi] (This is in addition to the previous amnesty in 1989 which applied to men aged over 30 on 1 November 1989.) The latest announcements are said to be part of an ongoing system to regularise the situation of the large number of young men in this position, including those who have left the country, such as students, and do not wish to return to do their military service. [21] The reasons given for the latest amnesty measure include the Algerian military authorities wish to relax the requirements for military service, the high cost of military training, overpopulated barracks, and the situation of young men who are unable to obtain official documents and obtain employment. [8i] For further details of the amnesty measures see [Section IV Military Service Exemptions](#)

Absence Without Leave

B.8 Article 16 of the Algerian National Service Code (NSC) provides that if a conscript who has received his joining orders does not appear at the designated site within 30 days of the indicated date, he will be considered to be absent without leave, unless the delay was caused by circumstances beyond his control. Such individuals are sought by the Gendarmerie nationale. Such persons may enter Algeria but will

only be able to leave again when their national service position is regularised. [8i] Various punishments for absence without leave are liable. [6b] [19] [See Section IV Military Service Penalties](#)

B.9 Several current reports state that absentees are not treated so harshly by the authorities as in the past (see paragraphs B. 10-13 below). In 1996 a paper by the Swiss section of Amnesty International stated that "in the prevailing climate ...the risk of torture is high, owing to the fact that deserters and call up evaders are easily taken for supporters of Islamic movements. [6b] A 1998 report stated that on the one hand conscripts are threatened with death by the armed Islamic groups and on the other they face long prison sentences if they desert or refuse to perform military service. [19]

B.10 The Algerian authorities informed the Canadian Embassy in Algiers in March 1999 that people suspected of being absent without leave are arrested by the police and immediately brought before a military tribunal which "is free to decide the punishment for the individual," according to the law. According to the same source absence without leave is not considered to be a major issue by the Algerian authorities, those convicted of this offence are usually sent to their units to do their national service. [8e]

B.11 A professor specialising in Algerian military affairs at the Centre d'études et de recherches internationales in Paris, Luis Martinez, believes that young Algerians who return to Algeria are not tortured if they have not fulfilled their military obligations. [8e] UNHCR have stated they are not aware of the authorities using excessive or inhumane or discriminatory treatment in the case of deserters and draft evaders. [2d] See [UNHCR](#) section

B. 12 The two Algerian human rights organisations-the Observatoire national des droits de l'homme (ONDH), which is linked to the state, and the Ligue algérienne des droits de l'homme (LADH) have stated that they have received no complaints regarding torture of deserters and draft evaders. [8e] Both these organisations also indicate that the situation today is considerably different from what it was in the 1970s, when soldiers who were absent without leave might have been treated more harshly. [8f]

B.13 It also appears that many men did not respond to the various recall notices to the reserve in the 1990s. For information about the reserve and reserve recalls see [Section 1V Military Service Reservists](#) Although such men are liable for the same punishment as those who do not answer the draft call [8k] the Algerian charge'affaires in Ottawa stated in an interview in December 1999 that reservists who have been recalled and fail to present themselves at the place where they have been assigned are not sought by the Algerian authorities. [8h] Also, according to a researcher with the Centre des hautes études sur l'Afrique et Asie moderne in Paris the application of the law on national service seems rather flexible. The researcher stated it is possible to raise questions about the application of the punishments because some people who have not answered the recalls have been able to continue their activities without being worried by the Algerian authorities. [8km]

Threat from Terrorists

B.14 Between 1993 and 1995 Islamists put up posters in mosques threatening to kill young Algerians who reported for military service and the deaths of hundreds of such draftees was reported around 1994. [8f] Threats made around this time by the GIA against members of the security forces have not been rescinded and several human rights reports referred to the position of draftees who feel caught between the military authorities and the terrorists. [6c] [8f] [19].

B.15 Most newspaper reports of such cases are dated 1994 and 1995. [8f] However, from time to time the press reports cases of Islamists attacking or harrassing young men who have just finished their military service. [8d] There was a report of 25 January 1999 that a young man who had just finished his military service was killed by Islamists in M'chedallah, in the Bouira region (120 km east of Algiers). [8f] During 1999 there was also a report that young men had been murdered in a random way by terrorists apparently because they were of military service age. [4b] It has been claimed that a number of measures taken by the government have diminished this type of Islamist activity and that the "terrorists" mainly launch general attacks against the civilian population in the regions rather than targeting specific individuals. [5b][8f] An expert on Algerian armed groups commented in July 2000 that the GSPC target the military and conscripts within its areas of operation. [8m]

See also [Section V Armed Groups/Terrorists](#) and [Annex F Main Armed Groups](#)

ETHNIC GROUPS

The Berbers

B.16 The Berbers are the major ethnic minority in Algeria and comprises a little over one quarter of the population. The Berber population is concentrated in the mainly mountainous areas of Kabylia, Chaouia, the Mزاب and the Sahara. They were the original inhabitants of Algeria. The Berbers wish to keep their own language (Amazigh) and culture. [2b] [13] Other Berber dialects exist, although rarely written, in the rural areas. [24b] The National Charter of 1996 recognised the Berber culture and language as one of the components of Algerian identity. It is now possible to study for a degree in Berber culture and Amazigh. The state controlled television broadcasts programmes in Amazigh. Although Amazigh is not currently taught routinely in schools, a pilot has been set up to teach the Berber language in some schools. A commission has also been set up to promote Berber culture and introduce the Berber language into education and communications systems.[4b] [13]

B.17 A 1998 law requires the use of Arabic as the official language in government business and other areas such as medical prescriptions and communications equipment. [4b] The United Nations Human Rights Committee called on the law to be reviewed as to remove the negative consequences that it produces. [5a]

B.18 It was reported that Matoub Lounes, a popular Berber singer, was killed and his wife and 2 sons were wounded at a false roadblock

by a terrorist group on 25 June 1998. Rioting in Berber towns developed with protesters claiming the Algerian regime were the murderers. However, the GIA claimed responsibility for the killing [4b] and the singer's sister blamed the Islamists who had previously kidnapped Matoub Lounes in 1994 and had repeatedly threatened his life. His funeral on 28 June was attended by 50,000 to 100,000 mourners and initiated further demonstrations against the Algerian authorities against the Arabisation law.. [1] [4b]

B.19 There is no evidence of persecution by the Algerian authorities just because an individual is of Berber origin. See also [UNHCR](#) section. Berbers hold high office in the government, army, business, and journalism. [2d] Many citizens claim to have Berber ancestry. [2ad] There are professorships of Amazigh culture at the University of Tizi Ouzou. The government-owned national television station broadcasts a brief nightly news programme in Amazigh. [4b]

B.20 The RCD and FFS parties have largely Berber membership. [24b] The GIA is said to have many Berber members [24b] and some GSPC emirs are of Kabyle origin [8m]

See [Armed Islamist Groups-Terrorists](#) and [Annex F Main Islamic Militias](#).

The Tuaregs

B.21 The Tuaregs (nomadic Berbers) are a group of people who originate from the Berbers. The 12,000 Tuaregs live almost exclusively among the mountainous massifs of Ajjer and Ahaggar in southern Algeria. They are not prominent in politics because they are relatively few in numbers, and live a nomadic existence. [4b] [13]

RELIGION

B.22 The official religion is Islam, as declared in the Constitution, and the vast majority of the population are Sunni Moslems. The Family Code prohibits women from marrying non-Moslems, although this is not always enforced. Moslem men are allowed to marry non-Moslem women. The government appoints preachers to mosques and provides guidance for sermons. It is claimed that activities in mosques are monitored for security reasons. Non-Islamic proselytizing is illegal. Religious affiliation is not noted on identity documents issued by the government. [1] [4b] [25]

B.23 Discrimination on the grounds of religion is prohibited by the Constitution, and the Government respects this right in practice. The small number of Christians in Algeria (about 25000) tend to be Europeans, and are mostly members of the Roman Catholic church. There is also a very small Jewish population (fewer than 100). The Christian and Jewish populations are permitted to follow their faith without government interference. In 1994 the GIA declared its intention to eliminate Jews, Christians and polytheists from Algeria. In 1996 there were several murders by Islamic militants of Christian religious figures. For security reasons most Jews and Christians are concentrated in the Algiers, Constantine and Oran. Conversions from

Islam are rare because of safety concerns and potential legal and social problems. Individuals who do convert from Islam tend to practice their religion clandestinely [4b] [8m][25]

WOMEN

B.24 The Constitution outlaws discrimination based on birth, race, sex, belief, or any other personal or social condition. However women face legal and social discrimination. Some parts of the law, as well as tradition, discriminate against women. The 1984 Family Code is based largely on Islamic law, and treats women as minors under the guardianship of a husband or male relative. A woman needs her father's or male guardian's permission to marry, and she is not allowed to marry a non-Moslem while the same restriction does not apply to a man. The family code also provides for the husband to be the head of the family and that only men are able to pass on their citizenship to their children. [4b] [5a] Divorce is difficult for a wife to obtain except in cases of abandonment or the husband's conviction for serious crime. [4b]

B.25 The 1990 Labour Act forbids sexual discrimination on the labour market. Social pressure deters many women from undertaking higher education courses or careers, and women make up only 8% of the workforce. They are nevertheless active throughout the country in a variety of professions such as the army, education, the legal profession and the medical sector, government and the media. [4b] [5b] [12]

B.26 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 Code, although no such amendments have been enacted. [4b]

B.27 The abuse of wives by their husbands is reported to be common by women's rights groups. It appears to be more common in rural areas. There are no laws to protect women from rape or abuse by their husbands. Battered women need to produce a medical certificate before they approach the police. Women's rights groups claim that less than half of the women attacked visit doctors. They also claim that the police and courts are lenient with men who are accused of spousal abuse. [4a] There are several rape crisis centre run by women's groups but they have few resources. [4b]

B.28 The abduction and rape of women by the armed opposition groups has been frequently reported. Some were reportedly killed whilst trying to escape.[6c] Although there have been reports that security personnel have also committed rape [4a] no such reports have been made in 1999. [4b] There is a rape crisis centre which specialises in caring for women who are victims of rape by terrorists. [4b]

B.29 Algeria's Health Minister signed an executive decree on 5 May 1998 allowing women who have been raped by suspected Moslem rebels to have abortions. The Ministry of the Interior stated that 85 cases of abortions after rape between 1993 and the beginning of July 1998 were recorded. [4a]

B.30 The GIA made death threats in 1995 against the wives of security force members and government officials. Women who wear western dress or pursue a western lifestyle may also be at risk of persecution from Islamist groups. [2a] [8bc] See also [UNHCR](#) section.

CHILDREN

B.31 Children have been seriously affected by the security situation and persistent violence in Algeria. Children who have survived massacres suffer psychological problems after witnessing bloody massacres sometimes of their own families. Some are handicapped and there are many orphans. [5b]

B.32 The government claims to protect children's rights. Children between the ages of 6 to 15 are entitled to free education and receive free care. It has been stated that girl children have considerably benefited from education opportunities and facilities. [2a] [4b]

B.33 Legal experts claim that the Penal and Family Codes do not offer children enough protection. It is alleged that there are dozens of child abuse cases each year which require hospital treatment. There are laws against child abuse, but it is alleged that many cases go unreported. [4b]

HOMOSEXUALITY

B.34 Section 338 of the Penal Code states that homosexual acts between men and between women are punishable with a term of imprisonment of up to three years. Current gay and lesbian guides indicate that discreet homosexual behaviour is possible, and that the authorities do not actively prosecute homosexuals, but open homosexual relationships are not allowed and there is no visible support for gay and lesbian rights. [8a] [9]

UNHCR GUIDELINES ON ASYLUM SEEKERS FROM ALGERIA

B. 35 UNHCR has made various statements on the Algerian human rights situation in Algeria and asylum claims. The main public guidelines were issued by UNHCR Geneva in November 1997 [2b] These include the following:

- The authorities do not often target members of the more moderate Islamic parties such as Society of Peace (previously Hamas) and En-Nahda.
- Passive members or sympathisers of FIS are unlikely to be at risk of persecution. People who are known to be, or who are perceived as active FIS supporters could be at risk from the authorities.
- Individuals who have distributed radical Islamic literature may face problems, including imprisonment.

The above guidelines have been updated by other letters issued by UNHCR London, for example in a letter to the Home Office of 19 January 1998 [2c]. The most recent authoritative update of UNHCR views is set out in the letter of 13 March 2000 to the Home Office [2d]. Following is a summary:

- The security situation in the country based on the fear of

becoming the victim of indiscriminate violence is not sufficient to recognise refugee status;

- UNHCR has never called for a general ban on deportation or for a positive group to be determined on a prima facie basis;
- Claims from Algerian asylum seekers are mainly based on one or more of the following reasons :-
- Fear of persecution by the Algerian government
- Fear of persecution by anti-Islamic groups
- Fear of persecution by radical Islamic groups
- Insecurity resulting from the situation of violence prevailing in the country;
- Following are examples of categories which may be potential targets for persecution. A well-founded fear must be established on a case by case basis and there is no automatism that the following should be recognised as refugees. Membership or active support of a political movement that is targeted for persecution will provide good reason for considering a fear of persecution well-founded:-
- Members and sympathisers of radical armed groups such as GIA and FIJA [FIDA]. Such persons may also be subject to exclusion clauses;
- Members of Government, civil servants, members of security forces, members of the judiciary and intellectuals who may be perceived to support a secular form of government;
- Relatives, close friends and close associates of above.

Other categories:

- Draft evasion and desertion. UNHCR cannot conclude that draft evasion and desertion are equated to an expression of political opinion. They do not provide grounds for refugee status, unless grounds of conscience can be established.
- Political involvement. Membership or active support of a political movement that is targeted for persecution will provide good reason for considering a claim to be well founded. A lesser degree of involvement may be sufficient if the applicant can show a likelihood of persecution.
- Women. May be treated as a particular social group within the 1951 UN Convention. May claim persecution due to their unwillingness to conform to the code of conduct of the Islamic fundamentalists. A thorough examination of the applicant's background and personality is required. A woman with an established career as a liberal professional may consider restrictions detrimental to her freedom and dignity. Refer to UNHCR Handbook paras 40-42 and 52. An applicant's fear may be considered well founded if she can establish to a reasonable degree that her continued stay in Algeria would be intolerable for the reasons stated in the definition.

Other issues

V.C : HUMAN RIGHTS: Other Issues

FREEDOM OF ASSOCIATION

C.1 The Constitution provides for the right of association, but the 1992 Emergency Law and Government practice severely restrict it. All citizens except judges, army and security service personnel, and members of the Constitutional Council have the right to join political parties. In February 1997 a new law was passed banning political party ties to non-political organisations. Some more moderate Islamist parties were however able to conduct their political activities, although not with total freedom. [4b]

C.2 In March 1997 Law 97-09 came into force governing the formation and activities of political parties. Whilst recognising, in Article 42 of the Algerian Constitution, the right to create parties, the constitution prohibits the creation of parties on the basis that is "religious, linguistic, racial, gender-related, corporatist or regional". [1] Human Rights Watch have stated that Law 97-09's broadly worded ban on particular categories of political parties violates the right of supporters of parties that claim a basis in the proscribed categories to associate with one another and to vote for representatives of their choice. [7b]

C.3 30 political parties were dissolved on 19 May 1998 for failing to abide by the new rules on political parties. The most prominent political parties dissolved were Ettahadia (Arabic acronym for Solidarity, Progress and Democracy), the Democratic Movement for Algerian Renewal, the Union of Democratic Forces, and the Liberal Social Party (see [Annex E](#) for full list).

C.4 The government permits some specialised groups to function such as human rights and womens rights groups, social welfare groups, and youth associations and regionally based organisations. [4b]

C.5 Workers have the right to establish a union and about two-thirds of the labour force belong to unions. The General Union of Algerian Workers (UGTA) is an umbrella organisation of unions. The law prevents unions from associating with political parties. The Islamic Syndicate of Workers (SIT) was dissolved in 1992 as it had been organised by the FIS. [4b]

FREEDOM OF ASSEMBLY

C.6 Under the 1992 emergency law citizens and organisations must obtain a permit from the local appointed governor before holding public meetings. In 1999 the government banned street protests on the eve of President Bouteflika's swearing in ceremony in April police used force against protestors demonstrating in Algiers, Tizi Ouzou and Bajaia. [4b]

C.7 The government also interfered with some NGO meetings during 1999. In July it prevented a meeting on human rights and denied

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entry to one of the delegates. In late 1999 the government allowed representatives from the International Committee of the Red Cross to visit prisons and open an office in Algeria. [4b] In March 2000 the Algerian government invited four human rights organisations to visit Algeria. [17a]

FREEDOM OF SPEECH AND PRESS

C.8 The state of emergency gives the government broad right to restrict freedom of speech, however the government did not strictly enforce these regulations in 1999. [4b] Compliance varied with the government directive on security information but there was an increased trend towards openness about security force losses and the government provided the press with more information than in the past about the security situation. [4b]

C.9 The UN Eminent Panel reported that there was a pluralistic and vibrant press in Algeria. However, despite journalists and newspaper editors stressing their attachment to freedom of the press there were problems evident. The Government has a monopoly on printing and this has sometimes been used to bring pressure to bear upon independent newspapers. [5b] However at least one new newspaper started publication in 1999, and in March 2000 the Algerian government said that it had ended its monopoly on printing presses and that the independent press was free to have its own printing and distribution facilities. This was stated to be part of a review of information law. [14c]

C.10 There were no reports during 1998 and 1999 of the Government putting journalists under "judicial control". In previous years, the Government used this practice to harass journalists who wrote offending articles by requiring the journalists to check in regularly with the local police and preventing them from leaving the country. In general, journalists exercised self-censorship by not publishing criticism of specific officials. [4ab] In August 1999 President Bouteflika stated that journalists working for public radio and television should serve the interests of the state. [3b]

C.11 There are no Islamist newspapers in print due to government pressure. However, legal Islamic political parties have access to the existing independent press, in which they express their opinions freely. [4b]

C.12 The radio and television are under government control, with coverage biased in favour of the Government's policies. [4c] Parliamentary debates are televised live. Satellite-dish antennae are widespread, and millions of citizens have access to European and Middle East broadcasting. [4b]

C.13 Many artists, intellectuals and university educators fled the country after widespread violence began in 1992; however some began to return in significant numbers during 1999 at least for visits. There was a growing number of academic seminars which occurred without government interference, although the government occasionally interfered in seminars which were political or economic in content. [4b]

FREEDOM OF TRAVEL

C.14 Freedom of internal and foreign travel is permitted by law. However, some journalists are not permitted freedom of movement. Senior officials from the FIS are also not allowed to travel, and the FIS President Abassi Madani is under house arrest. Young men who are due to be conscripted into the army are also not allowed to leave the country without special authorisation. Women under the age of 19 and males under 18 are not allowed to travel abroad without their husband's or father's permission. [4b]

C.15 Under the state of emergency the Interior Minister and the provincial governors have the authority to deny residency in certain areas to those regarded as a threat to 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. [4b]

C.16 Armed Islamist groups intercept citizens at false roadblocks in various regions to rob them of their cash and vehicles, or to kill them. According to press reports, armed groups sometimes massacre groups of civilian passengers at these roadblocks. [4b]

Annex A

ANNEX A

PROMINENT PEOPLE

Hocine Ait Ahmed -- Socialist Forces Front leader (**FFS**) who returned to Algeria to participate in the 1999 presidential elections following self-exile.

Ali Belhadj -- **FIS** vice president. Has been detained since mid-1995. Is currently in prison.

Ahmad Ben Bella -- First President of Algeria after independence. Leader of the now banned **MDA**.

Ahmed Benbitour -- former Prime Minister of cabinet appointed in December 1999.

Cheikh Ali Benhadjar -- Leader of the Islamic League for the call and the Jihad (**LIDD**) - a fundamentalist Islamic militia which disbanded in January 2000..

Abdelhak Benhamouda -- Former Secretary General of the General Union of Algerian Workers (**UGTA**). He was killed in January 1997.

Ali Bentlis -- **Current Prime Minister. Appointed in May 2000**

Mohammed Boudiaf -- Former **FLN** veteran- leader of the military backed regime from January 1992 until January 1994. Assassinated

Abdelaziz Bouteflika -- Elected President of Algeria in April 1999. Formerly the Tourist Minister (1963) and then Foreign Minister.

Liamine Cheikh -- One of the leading figures in the Rally for Culture and Democracy (**RCD**)

Abdallah Djaballah -- Former leader of Ennahda. Present leader of **MRN** party. He was an Independent candidate in the 1999 Presidential elections.

Salima Ghezali -- Editor of the banned Algerian newspaper- **La Nation**. She was awarded the Sakharov prize for freedom of thought.

Abdelkader Hachani -- Senior **FIS** official. Led FIS election campaign in 1991. Murdered in Algiers in November 1999. [16f]

Anouar Haddam -- Head of the self-declared **FIS** Parliamentary Mission Abroad.

Abdelhal Layada -- Former **GIA** leader-currently in jail

Abbassi Madani -- One of the main **FIS** leaders. Often described as the No. 1. Sentenced to 12 years in prison in July 1992. Released in 1997 - now back under house arrest.

Madani Mezrag -- **AIS** Commander

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Khalida Messaoudi -- Member of the **RCD** party. She campaigns for women's rights. Hard-line anti-Islamist.

Sheikh Mahfoud Nahnah -- Leader of **MPS** - formerly Hamas. Came second in the Presidential elections in 1995.

Ahmed Ouyahia -- former Prime Minister. Present Justice Minister.

Ahmed Zaoui -- Former member of the FIS consultative committee and acting official spokesman for the new **FIS** coordination council abroad. Sought asylum in Switzerland in 1999.

Ali Zouita -- Prominent lawyer- was held in detention from 1993 until 1997 despite being acquitted by a court of aiding a terrorist group

Antar Zouabri -- GIA leader

President Liamine Zeroual -- Former President of Algeria. Elected November 1995 for a 5 year term. Previously served as president of a transition government established by the army in 1994. Resigned in April 1999.

Annex B

ANNEX B

CHRONOLOGY

1962 Algeria gained independence after a war with France.

The provisional government transferred its functions to the FLN in **August**. A draft constitution providing for the FLN as the sole party was adopted. In **September** Ben Bella was elected President.

1965 Ben Bella deposed in a bloodless coup by Colonel Houari Boumedienne

1976 November: A new constitution was approved by a referendum, maintaining Islam as the state religion and formulating plans to create a socialist system.

December: Boumedienne was elected President unopposed.

President Boumedienne died.

1979 The FLN committee chose Colonel Ben Djedid Chadli as the Presidential candidate

1984 January: Presidential election won by Chadli.

1985 22 Berber cultural and human rights activists were imprisoned after being convicted of belonging to illegal organisations. 18 alleged supporters of former President Ben Bella were also detained.

1986 January: Referendum approved a new National Charter. This encouraged the development of the private sector. Several Muslim fundamentalist groups formed an alliance calling themselves the Party of Allah. The influential Ahl ad-Da'awah group (People of the Call) were responsible for putting pressure on the authorities to take account of Moslem interests. As a result of this the constitution was amended in **January** to take account of Moslem interests.

1987 The Government introduced austerity measures to cope with the decline in petrol prices and the increase in Algeria's national debt. Security forces killed several leading members of an Islamic fundamentalist group.

1988 The austerity measures provoked a series of strikes. In October there were riots in Algiers, spreading to Oran and Annaba. A six day state of emergency was imposed, and according to official sources 159 people were killed in confrontations with government forces, and more than 1,500 were arrested.

November: A referendum approved the proposal for non-FLN candidate to participate in elections.

December: Chadli elected President for a third term.

1989 February: A new constitution ending the one party state was

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approved by referendum.

1990 Widespread strikes and demonstrations occurred, caused in part by the Islamic fundamentalists.

June: In the local elections the FIS received 55% of the votes cast.

August: A general amnesty was announced and thousands of political prisoners were released.

December: Demonstrations followed the announcement that Arabic was the official language, and the use of French and Berber in schools and official translations would be punished by fines.

1991

May : FIS organised general strikes to protest about the organisation of the forthcoming elections.

June: Violent clashes between Islamic fundamentalists and security forces resulted in between 20 and 50 deaths.

July: Army units arrested about 700 Islamists and occupied the headquarters of the FIS. The President of FIS - Abbasi Madani and the Vice President Ali Belhadj arrested.

December: First round of the general election - FIS were the largest party with 47.5% of the votes cast.

1992

January: The National People's Assembly dissolved, and President Chadli resigned. The second round of voting was cancelled. A five member High Council of State (HCS) was appointed to act as a collective presidency until the expiry of Chadli's term of office in December 1993. The chairman was Muhammad Boudiaf.

February: HCS declared a state of emergency.

March: FIS dissolved by the Government.

June: Boudiaf assassinated. Replaced as chairman by Ali Kafi.

July: Madani and Belhadj were sentenced to 12 years imprisonment. Violent protest demonstrations resulted.

December: A curfew imposed in Algiers and six neighbouring areas.

1993

February: State of emergency renewed for an indefinite period.

May: large demonstrations took place, mainly organised by the UGTA.

July: Kasdi Merbah, former Prime Minister was assassinated.

1994

January: Liamine Zeroual appointed Head of State for a three-year term. A three year transition period culminating in a presidential election was announced.

September: Madani and Belhadj released from prison and placed under house arrest. The GIA threatened reprisals if FIS entered into dialogue with the regime, and it increased its number of violent attacks. The Berber RCD announced a boycott of the school year, and Berber activists staged a general strike in Kabyle, protesting about the exclusion of the Berber language from the school syllabus, at the possibility of FIS entering into dialogue with the government.

1995

April: President Zeroual resumed discussions with the FLN and FFS. These collapsed however. **November:** Presidential election. There were four candidates, and President Zeroual won 61% of the valid votes. The FLN, FFS and FIS urged people to boycott the elections.

1996

November: A referendum approved changes to the constitution which included changing the law regulating political parties, banning those based on religion, language, gender or regional differences.

1997

January: The Secretary General of the UGTA, Abd al- Hak Benhamouda assassinated.

March: supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative election.

April: FIS called for a boycott of the elections. Hamas changed its name to Movement of a Peaceful Society, to conform with the new laws regulating political parties.

June: Elections - the turnout was officially recorded as 65%. The National Democratic Rally won 155 seats and became the largest party in the National Assembly. They formed a coalition with the Islamist Movement of a peaceful society, and the National Liberation Front.

September: FIS chief Madani released, but by September he was under house arrest. The violence continued. Algerian troops shot dead more than 50 suspected Moslem rebels.

October: A major split occurred in FIS, when supporters of Madani denounced other FIS leaders for declaring a cease-fire of its military wing the Islamic Salvation Army. Local elections were won by the National Democratic Rally. In **October** and **November** the main legal opposition groups organised demonstrations against what they saw as fraud in the elections. Demonstrators were beaten with batons.

December: Members of Algeria's local councils chose representatives to sit in the upper house of parliament. The National Democratic Rally won 35 of the first 42 seats decided.

1998

February: Four other armed Algerian fundamentalist organisations, the Ansar Battalion, the Al-Sharq al-Awsat, the Rahman Battalion and the Islamic League for the all and the Jihad had joined the truce announced by the armed wing of the FIS in October 1997. The violence continued in the early part of 1998, and 400 were killed in one massacre.

May: An executive decree was signed by Algeria's Health Minister on 5 May allowing women who have been raped by suspected Moslem rebels to have abortions.

30 political parties were dissolved for failing to abide to the new rules on political parties.

June: Matoub Lounes, a popular Berber singer, was killed and his wife and 2 sons were wounded at a false roadblock by a terrorist group on 25 June. Rioting and further demonstrations in Berber towns followed. 50,000 to 100,000 mourners attended his funeral.

July: Implementation of a law generalising the use of Arabic in enterprises and public departments.

Eminent Panel appointed by the Secretary General of the United Nations visit

September: President Zeroual announced that he will leave office before his term ends officially and will hand over power after presidential elections early 1999.

December: Controversial plan for compensation for victims of terrorism submitted to parliament.

1999

January: The plan was dropped after demonstrations complaining about the plan to compensate equally the families of both the victims of terrorism and the perpetrators of violence.

Members of the National Independent Committee for the Monitoring of the Presidential Election (CNISEP) were appointed by President Zeroual.

February: President Zeroual sets April 15 for Presidential election

March: Election watchdog announces that seven politicians qualify to contest the Presidential election - Hocine Ahmed, Mouloud Hamrouche, Mokdad Sifi, Abdelaziz Bouteflika, Ahmed Taleb Ibrahimi, Youcef Khatib and Abdallah Djaballah.

April: On 15 April six of the seven candidates withdraw from the elections claiming fraud

16 April the election goes ahead with Abdelaziz Bouteflika announced the winner.

June: The Islamic Salvation Army declared an end to their guerrilla

struggle against the Government on 6 June.

President Bouteflika promised an amnesty for the AIS and its supporters and submitted an amnesty law as part of the National Harmony Law.

July: Approximately 2 thousand prisoners imprisoned for terrorist and subversive acts were released.

Organisation of African Unity Summit (OAU) held in Algiers

August: Nearly half of the Provincial governors sacked.

September: Referendum on the question of "Do you agree with the Presidents approach to restoring peace and civil accord?" was won by the Yes votes.

November: Abdelkader Hachani a prominent FIS leader was killed in Algiers by an unknown gunman. [16a]

December: A new Prime Minister, Ahmed Benbitour, and cabinet were appointed. A suspect was arrested for Hachani's murder. [16e]

2000

January: The AIS and LIDD armed Islamist opposition groups disbanded just before the expiry of the amnesty for armed groups. It was reported that many AIS members would join the national army to fight the remaining armed groups, mainly the GIA and GSPC groups. According to official estimates some 1500 Islamists had surrendered during the amnesty period. The security forces deployed in operations against the GIA in their strongholds in the north-east and south-west of the country. Local media reported a number of killings of rebels, civilians and members of the security forces following the expiry of the amnesty. [16f]

April: Four international human rights groups, including Amnesty International were allowed to visit Algeria. [6d] [17a]

May: Ali Benflis was appointed Prime Minister in place of Ahmed Benbitour. [16g]

Annex C

ANNEX C

GLOSSARY

- AIS** Islamic Salvation Army (Armed wing of the FIS)
- FFS** Front des Forces Socialistes - Socialist Forces Front (Political Party)
- FIDA/FIJA** Islamic Front for Holy War (Terrorist group)
- FIS** Front Islamic de Salut - Islamic Salvation Front (Political Party)
- FLN** Front de Liberation Nationale - National Liberation Front (Political Party)
- GIA** Group Islamic Armee - Armed Islamic Group (Terrorist group)
- GSPC** Salafist Call and Combat Party (Terrorist group - splinter group of GIA)
- LADDH** Ligue Algerienne de Defense des Droits de l'homme (Algerian League for the Defence of Human Rights)
- MDA** Mouvement pour la Democratie en Algerie - Algerian Movement for Democracy (Political Party)
- MIA** Armed Islamic Movement (Former Terrorist group)
- MDS** Social Democratic Movement. (formerly Ettahadi) (political party)
- MPS** Movement of a Peaceful Society (formerly Hamas) (Political Party)
- NCC** National Consultative Council
- NPA** National People's Assembly
- OJAL** Organisation of Young Free Algerians
- ONDH** Observatoire national des droits de l'homme (National Observatory for Human Rights)
- PRA** Parti de Renouveau Algerian - Algerian Renewal Party (Political Party)
- RCD** Rassemblement pour la Culture et la Democratie - Rally for Democracy and Culture (Political Party)
- RND** National Democratic Rally (Political Party)
- UGTA** Union Générale des Travailleurs Algériens
- UNEA** Union Nationale des Etudiants Algeriens (National Union of Algerian Students)

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UNFA Union Nationale des Femmes Algerien (National Union of Algerian Women)

Annex D

ANNEX D

POLITICAL PARTIES

Sources 1, 2a, 8bc, 11 and 24 contain more information about Algerian political parties of the past 10 years. [Annex E Parties dissolved in May 1998](#) is also relevant.

Alliance of Algerian Democrats

Founded in November 1999 under the leadership of Seddik Menaceb. At a news conference the leader said his party would contribute to political pluralism and work towards bringing about peace and security to the country. [16d]

En-NAHDA -Islamic Renaissance Movement

This is a more radical Islamic party than the MPS. It is the fourth largest party in the National Assembly. Following a disagreement within the party the leader Abdallah Djaballah stood as an independent candidate in the 1999 presidential elections. [1]

Ettahadi - see MDS

The Islamic Salvation Front (FIS)

The FIS was founded on 10 March 1989 as an umbrella organisation for Islamist groups. It may have existed in some form prior to this. The FIS was banned on 4 March 1992. The two main founders were Abbasi Madani and Ali Belhadj. They were arrested on 30 June 1991 and charged with conspiring to overthrow the government. [1] [8b] They were put under house arrest in September 1994, but Belhadj was later returned to prison and is still there. The aims of the FIS are to take power after reclaiming a place in the political process and create an Islamic state based on the Sharia. The FIS claimed to be the only true Islamic party and drew its support from all sections of society. [8b] [24c]

Front de Liberation Nationale (FLN)

Until February 1989 this was the only legal party in Algeria. This party led the seven year war of independence with France, which ended in 1962. It has a basically socialist philosophy. In 1995 it appeared to align itself more closely with the views of President Zeroual. It has members in the National Assembly. The leader is Boualem Benhamouda.[1] [2a] [8b]

Front des Forces Socialistes (FFS)

This party was originally set up in 1963, and was revived in 1990. The President is Hocine Ait-Ahmed, who returned to Algeria in 1999 to participate in Presidential elections following self-exile in Europe. The party believes in democratic socialist principles, and dialogue with the FIS. It obtains most of its support from Berbers and middle-class urban residents in Algiers and some other cities. [1] [2a] [11] [24d]

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Hamas - see MSP

Movement for Democracy in Algeria (MDA)

Led by former president Ben Bella. Mostly active in exile. Supports the relegalisation of FIS. One of the signatories of the Rome Accord. [2a]

National Party of Unity and Action

Founded in December 1999 by supporters of President Bouteflika. [16g]

Social Democratic Movement (MDS) - formerly Ettahadi.

Left wing. Renamed in October 1999. [2a]

Movement of a Peaceful Society (MSP) - Formerly Hamas

This party used to be known by it's Arab acronym Hamas. The name was changed in April 1997 in order to meet the criteria of a new law banning political parties based on religious or ethnic issues. (See [Annex E](#)) It is a moderate Islamic party led by Mahfoud Nahnah and condemns violence and intolerance in the name of religion. It promotes respect for human rights, including women's rights in the workplace. [1] [2a] [8b] [11]

Algerian Renewal Party (PRA)

Leader Nourreddine Boukrouh. Moderate Islamist and pro-market formation. [1] [11]

Workers Party (PT)

Centrist group. [11]

Socialist Workers Party (PST)

Left wing Trotskyist party. [11]

Rally for Culture and Democracy (RCD)

This party was set up in 1989 by former FFS members. This party is largely made up of Berbers. It advocates recognition of the Berber language, Tamazight, as a national language. It is secular and anti-Islamic and supports the government in it's campaign against the Moslem fundamentalist rebels. It is against legalisation of the FIS. [1] [2a] [11] [24e]

The National Democratic Rally (RND)

In March 1997 supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative election. In the June 1997 elections it won 156 seats and is the largest party in the National Assembly. The leader is the former Prime Minister Ahmed Ouyahia who was elected secretary-general in January 1999. [1] [11]

Annex E

ANNEX E

Political Parties dissolved in May 1998 [14ab]:

- Amal Movement (Mouvement Amal);
- Boumediénist National Front (Front National Boumediéniste);
- Front of Jihad for National Unity (Front du Jihad pour l'Unité Nationale);
- Just Liberating Party (Parti Libérateur Juste);
- National Movement of Algerian Youth (Mouvement National de la Jeunesse Algérienne);
- Union of Algerian People (Union du Peuple Algérien);
- National Bloc (Bloc National);
- Science, Justice and Labour Party (Parti pour la Science, Justice et Travail);
- Social Justice Party (Parti de la Justice Sociale);
- Algerian Party for Justice and Progress (Parti Algérien Pour la Justice et le Progrès)
- National Union of Popular Forces Party (Parti de l'Union des Forces Populaires);
- People's Unity Party (Parti de l'Unité Populaire);
- Democratic Forces Front (Front des Forces Démocratiques);
- Man is the Capital Party (Parti de l'Homme Capital);
- National Salvation Front (Front National de Salut);
- Union of Democratic Forces (Union des Forces Démocratiques);
- Democratic Movement for Algerian Renewal (Mouvement Démocratique du Renouveau Algérien);
- El Haq Party (Parti El Haq);
- Social Liberal Party (Parti Social Liberal);
- Algerian People's Movement (Mouvement du Peuple Algérien);
- Ettahadi Movement (Mouvement Ettahadi) (Ettahadi is an Arabic acronym for Ettadamun, solidarity; Hadatha, progress; and Demokratiya, democracy);
- Social Democratic Party (Parti Social Démocrate);
- Republican Party (Parti Républicain);

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- Algerian Liberal Party (Parti Liberal Algerian);
- Popular Forces Front (Front des Forces Populaires);
- Party of Tomorrow's Authenticity (Parti de l'Authenticite de Demain);
- Socialist Democratic National Party (Parti National Democratique Socialiste);
- Algerian National Rally (Rassemblement Algerian);
- Ecology and Liberty Party (Parti pour L'Ecology et Liberte);
- The National Alliance of Independent Democrats (Alliance Nationale des Democratres Independants)

Annex F

ANNEX F

MAIN ARMED GROUPS

A number of smaller armed groups are also listed in source 2a.

See also -

[Section V Armed Groups - Terrorists](#)

[Military Servicemen Threat from Terrorists](#)

The two main remaining armed terrorist groups operating in Algeria now are the GIA and the GSPC.

Armed Islamic Group (GIA)

This group emerged in 1993 and claims to be involved in a Jihad or holy war. It aims to overthrow the current regime and set up a fundamentalist Islamic state. [7b] The GIA has been responsible for some of the worst atrocities since the outbreak of violence in 1992, including the killing and abduction and rape of women. It is also alleged that they have targeted families of members of the security forces, schoolgirls, intellectuals, artists, journalists and women not wearing the veil (hejab). They have also been responsible for numerous bombings. Efforts to unite them with the AIS in 1994/5 were unsuccessful. The GIA is composed of autonomous groups each controlled by local emirs (although a single command unit exists). In July 1995 one of its leaders Zitouni, who had been in charge since October 1994, was assassinated. Antar Zouabri is now the leader of one faction. [1] [2a] In 1996 there were splits in the GIA which led to a number of smaller groups being formed. [8m] The total number of members of the GIA is unknown. Estimates vary at between 5000 and 7000 members, including the GSPC splinter group (see below). [8g] The GIA of Antar Zouabri is no longer a nation-wide force. [8m] It is reported to be mainly active in the central and western parts of the country, in the Algiers region [8m] especially Mitidja and Medea. [8g]

The GIA have recruits among former Algerian volunteers trained in guerrilla tactics by the Afghan freedom fighters and others who fought in Bosnia. Many of these have been killed in combat or are still fighting with the GIA, and some are in Europe. They are considered to be the harshest faction. [8m] Many members of the banned FIS joined its ranks.[24a] The GIA also recruits young men from the most disadvantaged social groups. According to two specialists on Algeria in September 1999, the GIA do not use force to recruit members because this would lead to a high rate of desertion and adversely affect combat effectiveness. GIA and other armed Islamic groups must be ideologically committed to the cause. [8g]

However, according to newspaper reports unemployed youth are easy prey for Islamic recruiters: 25 GIA recruiters were arrested in the poor suburbs of Algiers and in Blida in December 1997. Another Algerian specialist in the country stated in 1997 that a typical member

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of the GIA is in his twenties, single, unemployed, with little education and a poor knowledge of French and Arabic. [8g] An expert on Algerian armed groups commented in July 2000 that the armed groups are still recruiting among young people and that currently the profile of GIA members is of young people on the fringes of society, unemployed youths or former delinquents, and that the majority of them have no political culture and do not come from the FIS. [8m] Several members of the GIA and GSPC are also involved in racketeering and criminal activities. [8g]

Regular reports of terrorist attacks on the population by the GIA occur. Many incidents are killings of ordinary people in rural areas said to be because they had not provided support to the terrorists, and to steal food and goods. Others are false roadblocks set up by the GIA posing as soldiers for the purpose of extortion, robbery and murder. [8gm]

The GIA is said to be mainly active now (July 2000) in the wilayas of Ain Delfa, Chlef and Medea. These three wilayas have the greatest number of victims. The GIA does not now have a presence in Kabylia [8m] although another report states that a large part of its membership was of Kabyle or Berber origin. [24a] See [Section V Ethnic Groups](#)

About 1000 GIA members surrendered to the Algerian authorities within the framework of the measures provided by the law on restoring civil accord. [6e]

The Salafist Group for Call and Combat (GSPC)

The Salafist Group for Call and Combat was a former faction of the GIA but split from the group in mid 1998. The leader is Hassan Hattab. [8g] The GSPC is considered by one expert to be the most important armed group at present. [8m] It concentrates its operations mainly on the military and conscripts. It is said to carry out fewer operations than the GIA but they are more deadly. [8m] It also finances its operations by racketeering, cross border smuggling in western Algeria, real estate investments (money laundering activities) and Algerian support networks, particularly those outside Algeria. [8m] The GSPC began in the region east of Algiers and Kabylia [8g] and some of its emirs are of Kabyle origin. [8m], although it is now also reported to have groups in eastern Algeria and, since early 2000, in the western part of the country. [8m] The GSPC is also said to operate in some cities, such as Boghni.

Although it appeared at one time that the whole GSPC might take advantage of the amnesty for armed groups in January 2000, negotiations reportedly foundered when the Algerian government refused to amnesty former army members who had deserted to join the GSPC. [8n] About 90 GSPC members reportedly did surrender under the amnesty law. [8m]

Islamic Salvation Army (AIS)

The AIS was created in mid-1994 as the armed wing of the FIS. Efforts to merge with the GIA in 1994/95 were unsuccessful. Exact numbers of members are unknown, but in 1995 it was estimated at

approximately 6,000. Although the exact relationship with the leaders of FIS is not clear, it may be that the leaders of the AIS acted with a certain amount of autonomy and were not directly controlled by the FIS. [7b] They merged with the **Armed Islamic Movement (MIA)**.

The AIS has now disbanded and some of its members are reportedly being integrated into the army. Following a ceasefire in October 1997, the AIS declared an end to their guerrilla struggle against the Government on June 6 1999. The decision for the cease-fire was seen as taken to distance itself from the Armed Islamic Group (GIA), which is widely blamed for horrific massacres of thousands of Algerian civilians. In September 1999 the Government drafted a law (see [Annex H](#)) to give an amnesty to armed group members, either re-integrating them back into society or providing reduced sentences. The amnesty expired in January 2000 and just before its expiry the AIS leader Medani Mezrag announced that the AIS would disband at once. Some of its members were integrated into the national army in operations against the GIA. [8g] [16h]

Al-Rahman Battalion

This is led by Mustapha Kertali. It joined the cease-fire announced by the AIS in October 1997. [1]

Islamic Front of the Armed Jihad (FIDA/FIJA)

The leader is Omar el-Fidai. This group has assassinated celebrities, intellectuals and politicians.

Katibat El Ahoual

This is said to be a recent dissident splinter group of the GIA and one of the most active and dangerous terrorist groups in the Centre-West of the country. Within this area it is said to operate mainly in El Ourenis in the east, Remka and Relizane in the west and Chlef in the north. [8g]

Islamic League for Call and Jihad (LIDD)

This is led by Ali Benhadjar. It joined the cease-fire announced by the AIS in October 1997 and also dissolved itself in January 2000. [16f]

Ansar Battalion

Mawt Battalion

These two groups declared a ceasefire in line with the AIS in 1997. [1]

Annex G

ANNEX G

MAIN NEWSPAPERS/PUBLICATIONS

(THIS LIST IS NOT EXHAUSTIVE)

EI Watan - newspaper - respected for it's security reports

Al Khabar - main Arabic language newspaper

Tribune - newspaper

APS - The official Algerian news-agency

Liberte _ newspaper

Horizon - daily newspaper

EI Massa - newspaper

Le Matin - newspaper

La Nation - newspaper - banned in late 1996

L'Authentique - daily newspaper

EI-Maweed - weekly Islamist publication - currently banned

EI-Kila'a - Islamist publication -currently banned

Ech Chourouq - Islamist publication - banned in 1997, since resumed publication

EI-Hiwar - Banned in 1996

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Annex H

ANNEX H

AMNESTY LAW - September 1999

The law derives its provisions from the four main points on which the Presidents initiative aimed at giving substance to national reconciliation is based.

1. To adhere to the constitution and make sure that the fundamental laws of the republic are implemented.
2. To uphold the right of the victims of terrorism and take care of them.
3. To express gratitude to the institutions and all the sincere nationalists who deserve credit for rescuing the country.
4. To open the door to all those who went astray for whatever reason.

This law, which is aimed at treating the causes of the ordeal once and for all, falls within this integral vision and is made up of two fundamental principles:

1. All those who want to benefit from the arrangements set out and comply with its laws. This will have to be expressed in 6 months at the latest after the publication of the law.
2. Every crime of killing or rape will be prosecuted sooner or later.

The law includes 452 articles divided into 7 paragraphs. The first paragraph, which is that of the general provisions, includes 2 articles. The second paragraph, which is about exemption from prosecution or dropping charges, is made up of 3 articles, deals with what has been termed the deferment [of prosecution] of the trial period. The fourth paragraph concerns the reduction of sentences and consists of 3 articles. The fifth paragraph is about regulations and includes 6 articles. The sixth paragraph deals with special provisions and consists of 4 articles. Finally, the seventh paragraph is about the final provisions and has 3 articles. The arrangements set out in the law can be classified into 3 cases.

1. Exemption from prosecution or dropping of charges.
2. Deferment [of prosecution] or trial period.
3. Reduction of sentences.

1. Exemption from prosecution or dropping of charges:

In the context of the principle of exemption from prosecution, as stipulated by Order 95/12 on clemency measures, and in implementation of the principle of the most appropriate law for the defendant, the law includes provisions which exempt from prosecution people who were not involved in killings nor caused permanent disability, committed rape, nor used explosives in public places. None of these crimes will remain unpunished, but the violation

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of property, which is unacceptable, is not classified as having the same degree of gravity. Its purely material nature makes it more acceptable for a pardon in order to solve a crisis which, if it were to continue, would cost further human and material losses. Anyone who possesses weapons or ammunition or other materials and who hands them over to the authorities of their own volition could benefit from these measures and have the prosecutions against them dropped.

2. Deferment of prosecution or trial period:

Every sentence has 2 aims, the first of which is based on the idea of reinforcement [as heard] while the second is educational, based on the idea of remorse, repentance and reintegration into society.

It is true that our society needs to be reassured about the sincerity of the repentance of the individuals and the groups who were responsible for attacks against it. In this respect, the trial period for them is considered as one of the appropriate ways of ascertaining the sincerity of their intention to mend their ways and the success of integration.

This measure does not exist in Algerian law but it is not incompatible with the spirit of the Algerian law which has, as one of its foundations, the principle of adapting prosecution. It defers immediate prosecution but it is not a full pardon. It maintains the person's responsibility for the offence. It also preserves the possibility of prosecution. Both these are maintained as a test for the person so long as it has not been ascertained that he has mended his ways. The law has fixed the deferment or trial period to a minimum of 3 years and a maximum of 10 years.

This measure will help achieve 3 objectives:

1. Not to drop the criminal nature of the terrorist act immediately.
2. To respect the feelings of the national community.
3. To preserve the security of the state from the risk of the subversive groups forming again.

This category, in other words the deferment of the prosecution or the trial period, covers the cases stipulated in Articles 6 and 7 of the bill. It is worth noting that a regional committee, chaired by a judge, in this case a public prosecutor, and made up of 2 state officials and one representative of the bar association, will manage and monitor the arrangements of this legal category.

After the deferment and trial period, which ranges, as I have mentioned, between 3 and 10 years, public prosecution will cease and the people concerned will benefit from the arrangements set out in the third category of this law, namely the arrangements regarding the reduction of sentences.

3. The reduction of sentences:

The system of reduction of sentences in the current legislation does not differentiate, for example, between the age of the perpetrators of collective massacres who should be, by special legislation,

distinguished from the perpetrators of other crimes.

The reduction of sentences is an exceptional arrangement and, therefore, a time limit should be set for it in order to prevent those concerned from hoping to benefit from more flexible measures. Informing those people about these provisions is an expression of the state's indulgence; therefore the text of the draft law stipulates the deferment of their sentences or their release by subjecting them in all cases to a trial period. The reduction of sentences, for example, therefor applies to the sentences defined by the penal code to a maximum of life imprisonment. The current draft law reduces life imprisonment to a maximum of 12 years. If the maximum sentence ranges between 10 and 20 years' imprisonment, the sentence will be reduced to 7 years and so on.

Annex I

ANNEX I

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