

ALGERIA

COUNTRY ASSESSMENT

**COUNTRY INFORMATION AND POLICY UNIT
ASYLUM AND APPEALS POLICY DIRECTORATE
IMMIGRATION AND NATIONALITY DIRECTORATE**

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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. It represents the current assessment by the Immigration & Nationality Directorate of the general socio-political and human rights situation in the country.

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 The assessment will be placed on the Internet (<http://www.homeoffice.gov.uk/ind/cipu1.htm>). 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

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. [5] 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 National Census Office has estimated the population to exceed 29 million. The capital, Algiers has the highest population concentration with more than 2.5 million people. 57% of Algerians are under 20, and 50% are under 15. The high rate of unemployment, particularly among young males is a major concern.[2(f),5]

2.3 The majority of the population is Islamic - Sunni. There are a small number of Christians-about 150,000. 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. [5] [1]

III HISTORY

A. ORIGINS OF ALGERIA

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. After a brief period of Spanish rule in the early 16th century, the area was placed under the protection of the Ottoman Sultan. [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] [4]

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 Muslims were killed or wounded. Despite resistance from the Europeans in Algeria, the French government agreed to a ceasefire 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 A draft Constitution, providing for a presidential regime with the FLN as the sole party, was adopted by the Constituent Assembly in August 1963. In September the Constitution was approved by popular referendum and Ben Bella was elected President. However, the failure of the

FLN to function as an active political force left the real power with the bureaucracy and the army. In June 1965 the Minister of Defence, Col Houari Boumedienne, deposed Ben Bella in a bloodless coup and took control of the State as President of a Council of the Revolution, which was composed of 26 members, chiefly army officers. [1]

3.5 In June 1975 Boumedienne announced a series of measures to consolidate the regime and enhance his personal power, including the drafting of a National Charter and a new Constitution, and the holding of elections for a President and National People's Assembly (NPA). A referendum was held in June 1976 at which the Charter was adopted by 98.5% of the electorate and which maintained Islam as the state religion and planned for a socialist system. In November 1976 a new Constitution (incorporating the principles of the Charter), was approved by another referendum, and in December Boumedienne was elected President unopposed, winning more than 99% of the votes cast. [1]

3.6 The regime's programme of rapid industrialisation, building up giant State corporations and industrial complexes, was financed by Algeria's rising oil revenues and by borrowing heavily on the basis of future oil income. At the same time, an agrarian revolution accelerated the pace of rural migration to the towns and transformed Algeria's primarily agricultural society into one which was highly urbanised. [1]

3.7 In December 1978 President Boumedienne died, and the Council of Revolution took over the Government. An FLN Congress in January 1979 adopted a new party structure, where a Committee would choose a party Secretary-General, who would automatically become the sole presidential candidate. The Committee's choice of Col Benjedid Chadli, commander of Oran military district, as presidential candidate was endorsed by a national referendum in February, and was considered as a compromise between liberal and radical aspirants. In January 1984, Chadli's candidature was endorsed by 94.5% of the electorate.[1]

3.8 Boumedienne's rigid socialist economic policies had made the agricultural and industrial sectors unproductive and inefficient, had increased inflation and unemployment, and had brought about a large foreign debt. In 1986, international oil and gas prices collapsed, exacerbating Algeria's economic problems; imported foodstuffs and spare parts became expensive. [1]

3.9 A wave of strikes and riots culminated in considerable bloodshed, when 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. This included allowing independent candidates to contest elections but forbade the formation of new parties. It also included limited proposals for educational and economic reform. In February 1989 a

multi-party constitution was imposed. [1]

B. RISE OF THE FIS

3.10 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 nationwide organisation based on mosques and Islamic organisations. Its promise of social justice and its grass-root welfare services appealed strongly to the urban poor and unemployed. In April 1990, the party's supporters demonstrated in Algiers, demanding the dissolution of the National People's Assembly and the introduction of Shari'a law (the muslim code of religious law). In local elections in June 1990, the FIS gained control of 32 of Algeria's 48 provinces and 853 of the 1,539 municipalities, winning a landslide victory in all major cities. [1] [7]

3.11 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]

3.12 In March 1991 the main trades union, the Union Générale des Travailleurs Algériens (UGTA), called a two-day general strike to protest against the Government's economic policies. In response, the Government announced a series of new measures to improve economic efficiency and alleviate hardship. It was announced, in April 1991, that elections to the National People's Assembly would be held on 27 June, and 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. [4] [1]

3.13 After protests about the new electoral law and a call by the FIS for a general strike, the Government declared a State of Seige and suspended the elections indefinitely. A curfew was imposed and tanks were deployed in Algiers. The army was brought in to search buildings and to prevent strikes and the distribution of subversive literature, and troops began to remove FIS

literature from municipal buildings. During the widespread unrest which followed, the leaders of the FIS, Abbasi Madani and Ali Belhadj, were arrested with several thousands of their supporters. The Prime Minister announced that Madani and Belhadj would be tried for "*fomenting, organising, launching and leading an armed conspiracy against the security of the State*". 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. [4]

C. ELECTIONS OF 1991

3.14 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, the elections were contested by a total of 5,607 candidates from more than 50 major parties, including the FIS and 1,060 independent candidates including some women. 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. [4]

3.15 President Chadli indicated that he was willing to share power with an FIS government, but the Army would not accept this. On 4 January 1992, the National People's Assembly was dissolved by presidential decree and on 11 January President Chadli, apparently under intense pressure from military leaders resigned. 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 appointed the President of the Constitutional Council, Abdelmalek Benhabyles, interim President for 45 days and cancelled the second round of the elections. [4]

3.16 On 13 January, the Higher Security Council took power following a decision by the Constitutional Council that Chadli's resignation had left a constitutional void. The following day, 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. All gatherings, including public prayers, were banned from the streets around mosques and various violent incidents followed including bombings and the shooting of crowds gathering for Friday prayers. [1] [4]

3.17 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 dissolved. The dissolution was confirmed by a court order in early March and, following an appeal from the FIS, re-confirmed by the Supreme Court. The Government also dissolved 411 FIS-controlled local and regional authorities. [1][4]

3.18 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 targeted key parts of Algeria's economic infrastructure, and killed security personnel, politicians, civil servants, intellectuals and, since 1993, foreigners. [4]

3.19 In April 1992, a 60-member National Consultative Council (NCC) was nominated to advise the High Council of State on new legislative decrees, and in June, Boudiaf launched the "*rassemblement politique*", a new political grouping which by-passed existing parties in a move to broaden the regime's support. [4]

3.20 On 29 June 1992 Boudiaf was assassinated, while making a speech in Annaba, by a member of his bodyguard. Ali Kafi, the President of the Veterans Association and a member of the High Council of state, was appointed to succeed him, and Abdesselam Belaid became Prime Minister when Ghazali and his government resigned shortly afterwards. In mid-July, Madani and Belhadj were sentenced to 12 years imprisonment, and in the ensuing demonstrations 4 people were killed and 14 injured. [4]

D. EVENTS SINCE 1993

3.21 The mandate of the High Council of State, which was appointed to operate as a collegiate presidency following the abandonment of democracy in 1992, was scheduled to expire in December 1993. In October 1993, an eight member National Dialogue Commission (NDC) was announced, with a view to organising a gradual transition to an elected government. The Commission proposed to hold a national dialogue conference on 25 and 26 January 1994 to choose a new collective leadership. The NDC recommended that FIS members who renounced violence and criminal activities should be allowed to participate, but FIS leadership vetoed any contact with the military backed regime. In fact, of the major political parties, only Hamas participated in the conference, the rest choosing to boycott it. Subsequently, the High Council of State nominated the Defence Minister, Liamine Zeroual as the new president.[1]

3.22 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. 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. However, FIS did not join the next round of dialogue. [1]

3.23 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]

3.24 In November 1994, talks known as the "Sant Egidio" meeting was held in Rome with the purpose of exploring possible solutions to the Algerian crisis. Although the Algerian regime declined to send a representative, there was nevertheless an impressive turnout of opposition leaders, including a representation from FIS. The proceedings called on the parties to begin a genuine dialogue and appealed for new elections. Anouar Haddam, the FIS representative, stressed his party's support for a multi-party system and insisted that FIS had every intention of respecting the constitution. In January 1995, there was a second meeting of Algerian opposition leaders, with representatives from, notably, the FFS, FLN, Ennahda, MDA and the FIS. They called again for the elections to be held. The reaction of the Algerian regime to these meetings was negative; and instead in late January 1995 it published proposals for the holding of a Presidential election in 1995.[1]

3.25 In the meantime the violence continued and, if anything, worsened in early 1995. On 30 January a car-bomb, for which GIA claimed responsibility, exploded opposite Algiers central police station killing more than 40 and injuring over 100 people. In early March, more than 100 FIS/GIA prisoners, and several prison guards, were killed during a mutiny at Serkadj prison, and some reports at the end of March suggested that 300 terrorists and security personnel had been killed over the space of one weekend. [1]

E. PRESIDENTIAL ELECTIONS OF 1995

3.26 Presidential Elections were held in Algeria on 16 November 1995. As expected, the FFS and FLN, the two main legal parties in the country, boycotted the proceedings with the result that there were only four candidates : President Zeroual (backed by the military); Sheik Mahfoud Nahnah

(Hamas Islamic Party); Said Saadi (anti-Islamic, Rally for Culture and Democracy- RCD leader) ; and Noureddine Boukrouh (Islamic moderate). [1]

3.27 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%. Unsurprisingly, President Zeroual comfortably 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]

3.28 On 28 November 1996 constitutional amendments were approved by the referendum. Official sources stated that 79.8% of the electorate participated in the referendum, of whom 85.8% voted in favour of the changes. However, a number of opposition parties disputed the results, claiming that the Government had manipulated the figures concerning the rate of participation and the votes cast in favour. [3(a)]

3.29 In December 1996 the Council of Government chaired by the Prime Minister Ahmed Ouyahia endorsed the 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.[7] 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. [3(b)] On 6 March 1997 President Zeroual signed two laws on the electoral system and political parties. Legislative elections were scheduled for 5 June 1997.[3(c)]

3.30 In March 1997 supporters of President Zeroual set up the National Democratic Rally (RND) to run in the 5 June legislative election. [3(d)] In April 1997 FIS called for a boycott of the elections.[3(e)] Also in April Algeria's main legal Islamist party Hamas changed its name to Movement of a Peaceful Society, in order to conform to the new law banning Islamic political parties. [3(f)]

3.31 The violence continued into the end of 1996 and the beginning of 1997. In the first two weeks of January 1997 there were several bomb explosions in Algiers. One such blast in central Algiers killed 13 people and wounded at least one hundred according to hospital sources in Algeria.[3(g)] The bomb was in the area near Algier's main shopping street, Rue Didouche Mourad. Another explosion occurred in a car market in Boufarik, 30 Km south of Algiers, and 12 people were reported to have been killed. [3(h)] On the 16 January 1997 it was reported by Algerian and foreign newspapers, that there had been a seven hour gunbattle between Moslem guerrillas and the security forces in the ancient area of Algiers known as the Casbah. Residents are reported to have said that more than 10 Guerrillas died. [3(i)]

F. THE ELECTIONS OF JUNE 1997

(For table of results - see annex E)

3.32 The turnout was officially recorded as 65%. The National Democratic Rally seen as a major supporter of President Zeroual won 155 seats meaning that they were the dominant party in the National Assembly. The moderate Islamist Movement of a Peaceful Society won 69 seats and the National Liberation Front won 64. These parties formed the coalition government. [3(j)]

3.33 In July 1997 FIS chief Abassi Madani was released. However by September he was under house arrest. The violence continued with bombings and reports of civilians being massacred by armed groups. [3(k)] In September 1997 Algerian troops claimed to have shot dead more than 50 suspected Moslem rebels in the central province of Tiaret. [3(l)]

3.34 In October 1997 the AIS, the armed wing of the FIS, led by Madani Mezrag, declared a truce. Some Islamists denounced FIS and AIS leaders for declaring the ceasefire and entering into negotiations with the government.[3(m)]

3.35 Local elections of were held on the 23 October 1997, and were won by the National Democratic Rally.[3(n)] In October and November Algeria's main legal opposition groups organised demonstrations to protest about what they considered to be fraud in the local elections. The six parties were the secularist Rally for Democracy and Culture (RCD), the Socialist Forces Front (FFS), the Islamist Movement of a Peaceful Society (MPS), Islamist Nahda, the moderate Islamist Algerian Renewal Party (PRA) and the left-wing Worker's Party. Police used force against the protestors and some demonstrators were beaten with batons. [3(o)].

3.36 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 third seats were appointed directly by President Zeroual. **(For table see annex E)** [3(p)]

G. RECENT HISTORY

3.37 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. In one incident, on 4 January, it was reported in various press agencies that 400 civilians were killed in the Relizane region, some 240 Km from Algiers, the Algerian Government reported the number of dead as 78. The National Human Rights Monitoring Group (ONHD) stated in a report that the violence in Algeria resulted in 4,643 deaths in 554 attacks in 1997, whilst 706 people went missing. [31(a),2(g)]

3.38 On 10 February 1998 it was announced that four other armed Algerian fundamentalist organisations, the Ansar Battalion and the Mawt Battalion, the Rahman Battalion and the Islamic League for the Call and the Jihad [Lidd] had joined the truce announced by the AIS, in October 1997. Although the truce called by the AIS and several other smaller Islamic militias appears to be holding, the violence still continued in the early part of 1998, with a number of fatal bomb explosions. The GIA, who have not called a ceasefire are suspected of being responsible for many of these incidents. [3(q)(r)]

3.39 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. It was reported that the decree was signed on the grounds that the Algerian constitution entitled women to abort when their pregnancies put "their mental and physical health in danger" (see also section on women). [6(a)]

3.40 30 political parties were dissolved on 19 May for failing to abide to the new rules on political parties (see paragraph 3.29). 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 A for full list). [6(b)(c)]

3.41 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. Rioting in Berber towns developed with protesters claiming the Algerian regime were the murderers. However, the singers 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. [6(d)(e)(f)]

3.42 On 5 July a law was implemented generalizing the use of Arabic in enterprises and public departments, except in dealings with the outside world which will be directed by the requirements of International transactions. All in all, the articles of Law 96 stipulate that all written correspondence of administrations, enterprises, associations, and political parties be in Arabic. The law has been condemned by numerous 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. The United Nations Human Rights Committee called on the law to be reviewed as to remove the negative consequences that it produces. [6(g)(h),28]

3.43 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 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. [29]

3.44 President Zeroual announced, on 11 September, that he will leave office before his term ends officially and will hand over power after presidential elections in April 1999, he had been due to serve until November 2000. A National Independent Committee for the Monitoring of the Presidential Election (CNISEP) was created by the President in January 1999. The body will be the final arbiter in any allegations of fraud and would also be charged with drawing up recommendations to combat election corruption. [6(i)(j),31(b)]

3.45 At least 40 candidates have declared their intention to run for the Presidency in the elections. However it is expected that the number will drop owing to the complexity of the constitutional and other regulations such as age, nationality, behaviour during the liberation war, commitment to a republican state, democracy and political pluralism. According to the regulations, a candidate is only eligible if he was born before 1942 and collects at least 75,000 signatures from 25 districts in the country or 600 signatures of elected individuals such as members of parliament, district and communal elections. [6(u)]

3.46 A controversial plan to compensate equally the families of both the victims of terrorism and the perpetrators of violence initiated a number of demonstrations, even after the plan was dropped in January 1999. The plan, proposed in December 1998, would have granted a payment of between AD 4,500 (\$74) and AD 6,000 (\$98) to those families who have lost their breadwinner. Frequent angry demonstrations have taken place outside parliament, where the decree was under debate. [6(v)]

H. ECONOMIC SITUATION

3.46 Algeria is a middle-income country; annual per capita income is approximately \$1,600. The economy is slowly developing from a heavily state influenced system to a market-orientated system. The Government has implemented stabilization policies and some structural reforms. However, privatization of state enterprises and the restructuring of the banking and housing construction sectors have just begun. Uncompetitive and unprofitable state enterprises still make up the bulk of the industrial sector. The state-owned petroleum sector's output represented about a quarter of national income and about 95 percent of export earnings in 1998. The agricultural sector, which produces grains, fruit, cattle, fibers, vegetables, and poultry, makes up 10 to 12 percent of the economy. [8]

3.47 Algeria had an international current account deficit of \$500 million at the end of 1997. This compares to a \$1,352 surplus in 1996. It is expected the deficit will increase this year because of slower export growth, and because of lower energy prices. Foreign investment is increasing, and official sources claim that foreign investments in the industrial sector, excluding hydrocarbons, would reach 1 billion dollars in 1998. [1,7,19]

3.48 Unemployment is high. Official estimates put the figure at 2.26 million people, 28 per cent of the labour force and 70 per cent of people without work are under the age of 30. Some make a living from petty smuggling or street peddling. Redundancies of state employees are expected this year as part of the International Monetary Fund's backing of privatisation of state companies in an attempt to reform the economy. At the moment unprofitable state enterprises comprise most of the industrial sector. The inflation rate in 1997 was estimated at 8.5 percent and has been reported to be 5.3 percent in May 1998. [1,2(b)(c)(d)(e),7,8]

3.49 The agricultural sector makes up 10 to 12 per cent of the economy. However, there is also a food shortage due to the agricultural sector supplying only 30-40 percent of farm products and cultivating only 5 percent of the land which leave Algeria dependent on imported foodstuffs. [7]

3.50 In August 1997 the government announced a plan to create 1.2 million jobs, build 800,000 homes and increase gross domestic product growth to seven per cent from an average of four per cent by the year 2,000. Some of the programmes involved getting the jobless to work on the programme to renew the road and rail infrastructure. [3(s)]

3.51 A number of strikes occurred in Algeria throughout 1998. In March over 100,000 workers staged a strike to protest against the dismantling of [state owned] companies and redundancies. Teachers at Algeria's main Universities returned to classes at the end of February 1999 after a court ordered them to end a four-month strike for higher pay. [2(d),6(t)]

3.52 Although Algeria has a social security system offering financial support for medical expenses as well as unemployment benefits, in practice, the system lacks transparency and leaves much to be desired. [32]

IV INSTRUMENTS OF THE STATE

POLITICAL SITUATION

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. Algeria is a multi -party state, but parties must obtain approval to exist from the Ministry of the Interior. The country is divided into 48 electoral sections or wilayats, which are then divided into communes. Each wilayat and commune has an elected assembly. [1,7]

4.2 President Zeroual was elected in a presidential election in November 1995. This was contested by the three opposition candidates representing different viewpoints. A referendum to change the constitution was called in November 1996, and 79% of the voters approved the proposed changes. The preamble to the Constitution stipulated that the "fundamental components" of the Algerian people are "Islam, Arabism and Berberism". The concept of "party" was recognised, but parties created on a "religious, linguistic, racial, gender, corporate or regional" basis were prohibited. Other changes in the constitution included the Presidential term was limited to 2 for the same office-holder, the President was allowed to legislate by decree when the National Assembly is not in session and in emergency situations and a bicameral system was introduced with a National People's Assembly whose members are elected to a direct vote and a Council of the Nation. [1,7,29]

4.3 The first parliamentary elections since the cancellation of the 1992 elections in order 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. International organisations and observers were deployed under the co-ordination of the United Nations and the overall consensus was that the election was adequate, although the observers did report an inability to fully observe the proceedings because of the high level of security. In their final report, the neutral observers stated that of 1,258 (of the country's 35,000) voting stations that they assessed, 1,169 were satisfactory, 95 were problematical, and 11 unsatisfactory. (see Annex E) [3(z),8]

4.4 President Zeroual announced, on 11 September, that he will leave office before his term ends officially and will hand over power after presidential elections early 1999, he had been due to serve until November 2000. A National Independent Committee for the Monitoring of the Presidential Election (CNISEP) was created by the President in January 1999. [6(i)(j),31(b)]

SECURITY FORCES

4.5 The Government's security forces are composed of the army, air force, navy, national gendarmerie, the national police, communal guards and local self defence forces. The security forces are under the control of the government and are involved in counterterrorism operations. In August 1997 the estimated strength of the armed forces was 124,000 (including 75,000 conscripts), comprising an army of 107,000, a navy of about 7,000 and an air force of 10,000. [1,5,7]

4.6 Male Algerians are normally due for conscription at the age of 18. The military service lasts for 18 months, and then an individual may be required to serve a six month extension as a reservist. 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 decree did not make any provisions for these groups to ensure they respect human rights. The decree stated that these groups could use force and firearms in the case of "aggression or attempted aggression". On 21 January 1998 the Prime Minister Ahmed Ouyahi said that more than 100 new patriot groups would be set up in 1998 to help the army. These militias are equipped by the security forces with arms including pistols and rifles. [2,3,9,19]

LEGAL FRAMEWORK

4.7 An independent judiciary is provided for in the constitution and Judges obey only the law. The constitution 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]

4.8 The highest court of justice is the Supreme Court (Cour suprême) 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 early 1994. [1,9] The judiciary is composed of the civil courts, which try misdemeanours and felonies, and the military courts, which have tried civilians for security and terrorism offenses. 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. Regular criminal courts try those individuals accused of security-related offenses, but there have been very few actual trials. Some observers maintain that, as a result of the 1995 abolition of the special security courts, long-term detentions without trial have increased, as the security forces are reluctant to release suspects to ordinary criminal judges.

[8]

4.9 Previously, as well as civil courts there were also military courts where terrorism cases were heard. Until 1995 special security courts sat to determine security related cases. They sometimes tried people "**in absentia**". These have now been abolished and normal criminal courts now hear security related cases. [7,11]

4.10 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. [7]

4.11 Under the state of emergency the Minister of the Interior can detain suspects in special camps. However the government closed the last camp in November 1995 and announced it had released the 641 prisoners there. There were unconfirmed reports however that some were rearrested. [7]

V.A : HUMAN RIGHTS ; GENERAL ASSESSMENT

SECURITY SITUATION

A.1 The general level violence in Algeria has resulted in numerous killings and massacres. The reasons for these killings are not always clear, and it is not always possible to be sure who the perpetrators are. Security forces have allegedly killed members of Islamic armed militias. The armed Islamic opposition groups are alleged to have threatened and then killed relatives of individuals in the security forces. Some massacres may have been vendettas, in revenge for previous killings of people by rival groups. It has also been claimed that there are rival government factions behind some of the killings.(9) The Foreign and Commonwealth Office has stated that whilst there is no credible, substantive evidence to support the allegations that the Algerian authorities are complicit in massacres, it is clear that the authorities have been unable to provide adequate security in some rural areas. [30]

A.2 The worst affected areas have been the three urban areas to the south of Algiers - Boufarik, Blida, and Medea. Massacres of villagers have taken place almost weekly in these areas. In many towns the Special Task Force Units, normal police, gendarmes, and local defence militias known as patriots operate. Most incidents reported at the end of 1998 were in rural areas and in the smaller towns and cities west of Algiers. Attacks in the capital were infrequent. [3(t),31(c)]

A.3 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 on that situation. They reported that terrorism had passed through 4 stages, in the first it was aimed at security forces and government employee's; 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, it is aimed at the current population. [29]

SECURITY FORCES

A.4 It is alleged that the security forces have been responsible for serious human rights abuses. These include reports of extrajudicial killings, unfair trials, torture of detainees and arbitrarily arresting and detaining individuals suspected of involvement with armed Islamist groups. There are unconfirmed reports that the security services were responsible for several rapes. The US State

Department stated that in 1998 there were credible reports of security forces collusion in extra-judicial killings. [5,7,8]

A.5 It has been claimed that the Algerian security forces routinely practise torture and cruel, inhuman, or degrading treatment. According to testimonies collected by Human Rights Watch, torture in Algeria commonly includes severe beatings and forcing dirty water down a victim's throat to the point of choking. Others have claimed that they received electrical shocks to their bodies or had been sexually assaulted. The UN Eminent Panel received information that persons suspected of terrorism are subjected to harsh treatment and torture as a matter of course. [27,29]

A.6 The Algerian authorities allegedly arrest individuals they suspect of having Islamist sympathies. There are instances of individuals being arrested just because they happen to be inhabitants of an area considered to be an Islamic militant stronghold. Members of the more moderate Islamic parties such as Society of Peace (previously Hamas) and En-Nahda are not often targeted by the authorities. Non active 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. There have been reports of ill-treatment of relatives, friends or neighbours of individuals who have been targeted by the authorities. [16]

A.7 The government claims that the security forces only kill when there are armed clashes with terrorists. The National Observatory for Human Rights (ONDH) which is linked to the government, reported that military and service personnel have been punished for human rights abuses. [5,7] It was reported that tough sentences were handed down by the Criminal Court in Algeria to members of the municipal guards who were being prosecuted for "pre-meditated murder and arson". Another report stated that there were an unspecified number of policemen, military and pro-government militiamen were sentenced in court or were in custody pending trials for abuse. 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. [6(k)(l),29]

MILITIAS - PATRIOTS/COMMUNAL GUARDS

A.8 Amnesty International claim that these militias have deliberately killed individuals who they believe are terrorists. It also appears that they either act with the security forces, or sometimes take action on their own initiative. [23] There are reports that militias abuse their power, and Amnesty International claim that at the end of 1995, relatives of a GIA leader Antar Zouabri were killed by an anti - Islamic militia group. The Algerian authorities have said that many militia group members would be tried for human rights abuses (see paragraph A.3 above). [9] In June 1998 the criminal

court of Tizi Ouzou announced the verdict in the case of a group of communal guards, tried on charges ranging from arson to premeditated murder, for an August 1997 raid on the homes of villagers known to be family members of terrorists. Three villagers were killed, and several houses were burned during the raid. The sentences ranged from 10 years' imprisonment to capital punishment in absentia. [8]

ARMED ISLAMIC GROUPS / TERRORISTS

A.9 The UN Eminent Panel were informed by Algerian Government representatives that there were about 3,600 terrorists remaining in the country. Armed groups and terrorists are also alleged to have committed serious human rights abuses. They have apparently killed government officials and some have targeted those they consider do not live according to Islamic values. 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 (see also Annex F) [7,29]

A.10 Since the cancellation of the elections in 1992 and the banning of the FIS there have been several Islamic armed terrorist groups operating in Algeria. The government claims that the security forces are only authorised to kill during armed clashes with terrorists. There are numerous reports that the security forces have killed people suspected of involvement in armed groups. There are also reports that security forces have failed to intervene to protect civilians from the terrorists, even though many of the massacres have taken place close to army barracks.[7]

A.11 It has been reported that armed groups have deliberately and arbitrarily killed civilians, carried out indiscriminate and random attacks resulting in the death of civilians, issued death threats and subjected their victims to rape and other forms of torture. Whilst allegations of violations of human rights have been levelled against the Government it has been reported that the terrorists were guilty of crimes against the human species. [9,29]

A.12 Following the AIS (Islamic Salvation Army) truce in October 1997 there have been reports of a number of armed groups declaring they were joining the truce. Some of these groups had previously been within the framework of the GIA (Armed Islamic Group). There were also reports of members of the AIS targeting members of the GIA (see also Annex F). [2(f)(g)(h)]

MISSING PEOPLE

A.13 There is a wide range of estimated number of missing persons in Algeria -from 2,000 to 20,000. The National Human Rights Observatory had, since 1994, received approximately 3,100

complaints from families of missing persons. In 1997, it was reported that 706 people had gone missing. Some information had been submitted to the UN Eminent Panel that indicated that some of the missing persons had allegedly been arrested or taken by, or last seen with, security or law enforcement personnel. Human Rights Watch have collected testimonies showing that persons are often seized from their homes by forces that refuse to identify themselves or provide reasons for their arrest. Many of those detained are held for weeks or months without being brought before a judge or informed of the charges against them. [6(m),27,29]

A.14 Other information received by the UN Eminent Panel stated that some of those missing had joined the terrorists. There were also numerous reports of disappearances by "terrorists" and some armed "Islamic Groups" have issued "fatwas" allowing for the abduction and rape of women (see section on women).
[29]

A.15 The Algerian Government are to open offices to provide information about hundreds of missing people. The offices, to be set up in Algiers and other provinces, will receive "requests by people asking for information about their disappeared relatives". [6(n)]

V.B: HUMAN RIGHTS ; Specific Groups

CHILDREN

B.1 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. [29]

B.2 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. In 1994 a "fatwa" was issued by terrorists forbidding all children from going to school. However, families have resisted the "fatwa" and there are 7.5 million children in schools. [7,29]

B.3 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. A report by the General Directorate of National Security stated that 2,242 children were the victims of physical violence, sexual abuse and ill-treatment in 1997. [6(o),7]

WOMEN

B.4 The Constitution outlaws discrimination based on birth, race, sex, belief, or any other personal or social condition. However women do 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. [7,28]

B.5 The Algerian government approved amendments to the Family Code in April 1998 when it gave more rights to women emphasizing on 2 main areas. The first is polygamy where Algerian men will now have to obtain the approval of both the current and future spouse. The other significant change is in the area of real estate ownership where in the case of divorce, and if the court grants custody of children to the woman, she is entitled to own the housing property they live

in. Although these changes were significant they were met with strong resistance from the feminist movement in Algeria who were asking for more rights. [6(p)]

B.6 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, as officials, in the army, education, the legal profession and the medical sector, and hold prominent positions as ministers, parliamentarians, and leader of a political party. These women include Ms Dalilah Taleb who is the editor of the La Nation newspaper and Mrs Rabea Mechernene who was appointed to the post of National Solidarity and the Family following the elections in June 1997. [6(q),7,29,32]

B.7 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. (7)

B.8 The abduction and rape of women by the armed opposition groups is frequently reported. The Ministry of the Interior estimated that 2,084 women were raped between 1993 and the beginning of July 1998 and that the whereabouts of 319 women remained unknown. They claim to have been abducted, particularly in rural areas, and held prisoner. They report being raped, often by more than one member of the group. They also claim to have been beaten and threatened with death. Some were reportedly killed whilst trying to escape.(9) The armed extremist groups also seem to specifically target women, and as many as 80% of the victims of massacres are women and children. There are unconfirmed reports that security personnel have also committed rape. [6(r),7]

B.9 An executive decree was signed by Algeria's Health Minister on 5 May 1998 allowing women who have been raped by suspected Moslem rebels to have abortions. It was reported that the decree was signed on the grounds that the Algerian constitution entitled women to abort when their pregnancies put "their mental and physical health in danger". The Ministry of the Interior stated that 85 cases of abortions after rape between 1993 and the beginning of July 1998 were recorded. In October 1998 the first-ever rape crisis centre was opened in Tipasa province for women who had been raped by terrorists. [6(a)(r),8]

ETHNIC GROUPS

B.10 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. 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.[15,34]

B.11 On 5 July a law was implemented generalizing the use of Arabic in enterprises and public departments, except in dealings with the outside world which will be directed by the requirements of International transactions. All in all, the articles of Law 96 stipulate that all written correspondence of administrations, enterprises, associations, and political parties be in Arabic. The law has been condemned by numerous 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. The United Nations Human Rights Committee called on the law to be reviewed as to remove the negative consequences that it produces. [6(g)(h),28]

B.12 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. Rioting in Berber towns developed with protesters claiming the Algerian regime were the murderers. However, 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. [6(d)(e)(f)]

B.13 There is no evidence of persecution by the Algerian authorities just because an individual is of Berber origin. Berbers hold high office in the government, army, business, and journalism.[7] Many citizens claim to have Berber ancestry.[15]

B.14 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 number, and live a nomadic existence.[7,34]

RELIGION

B.15 The official religion is Islam, as declared in the Constitution, and the vast majority of the

population are moslems. A High Islamic Council was created following an amendment to the Constitution in 1996 and its role is a consultative one. Those Christians in Algeria tend to be Europeans, and are members of the Roman Catholic or Protestant churches. There is also a very small Jewish population. 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.[1,7,29]

B.16 Discrimination on the grounds of religion is prohibited by the Constitution, and the Government respects this right in practice. The small Christian and Jewish populations in the country respects this right in practice. 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. 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. [7,8]

B.17 It was reported on Algerian Radio that there were clashes between Sunni and Shi'a Muslims in June 1998. This fighting was allegedly over control of one of the terrorist groups in the west of Algeria. [6(s)]

MILITARY SERVICE/DRAFT EVADERS

B.18 Male Algerians are normally due for conscription at the age of 18. The military service lasts for 18 months, and then an individual may be required to serve a six month extension as a reservist. [19] Conscription may be postponed for specific reasons, such as a university course. There are some other clauses which allow exemption, such as disabled or medical cases, and the only son in a family where the father is retired or dead can also be exempted.[18] The Algerian government are reported to have adopted new measures to improve the efficiency of the conscription process, which made the issuing of identity documents dependant on proof that military service had been completed. Applicants for employment in both the private and public sector would be required to indicate their military service status. [24]

B.19 Conscripts receive military training in the first six months, after which individuals with particular skills such as engineers can specialise in these areas. [18] There does not appear to be any provision for conscientious objection. Article 262 states that the punishment for desertion to another country during peacetime is two to ten years imprisonment, and Article 264 states that the penalty in times of war is a prison sentence of ten to twenty years. Article 40 of the Military Code equates a state of emergency to a state of war.[19] The Algerian government does not consider the current situation to be a state of war. [26] UNHCR are not aware of the authorities using excessive

or inhumane or discriminatory treatment in the case of deserters and draft evaders.[16] Ignoring a notice for subscription could put an individual at risk as the government may suspect the person is a sympathiser or supporter of anti government Islamic militias. [26]

B.20 It is possible however for draft deserters, or even men of draft age to face problems in Algeria from the militant Islamic groups. In February 1996 the GIA warned Algerians of draft age not to travel across Algeria, otherwise they risked being killed. This warning is still in force.[7]

HOMOSEXUALITY

B.21 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. (20) However in practice it is unlikely the authorities would take action against homosexuals. [21]

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 nonpolitical organisations. Some more moderate Islamist parties were however able to conduct their political activities, although not with total freedom. In mid-1997 the Interior Ministry dissolved a party called the Movement for Democracy in Algeria (MDA) led by Ahmad Ben Bella, a former president, for failing to submit the names of its founding members in line with the new laws on political parties. Some specialised groups such as human rights, social welfare and women's rights groups are allowed to operate. [7,8]

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". 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. [27]

C.3 30 political parties were dissolved on 19 May for failing to abide to 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 A for full list). [6(b)(c)]

C.4 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. [7]

C.5 The Government permits some specialized groups to function such as human rights and women's rights groups, social welfare groups, youth associations, and regionally-based cultural organisations. [8]

FREEDOM OF ASSEMBLY

C.6 The right of association and freedom of assembly are provided for in the Constitution. The 1992 Emergency Law restricted these rights in practice. The State of Emergency decree gives the Interior Minister and local governors sweeping powers to "restrict or prohibit the movement of persons and vehicles" and to order the "temporary closure of [all types of] halls and ban all demonstrations that could disturb the public order and peace". The Interior Ministry grants licenses to all nongovernmental associations. Those without licenses are regarded as illegal. The government have refused permits. Many of the demonstrations the Government have banned were announced as peaceful events organised to express criticism of government policies or support other policies to end the country's strife. [7,27]

C.7 In December 1998 the Government refused the Algerian League for the Defence of Human Rights (LADDH) authorization to hold a public commemoration ceremony marking the 50th anniversary of the United Nations Convention on Human Rights. The Government has refused meeting requests by various public interest groups, such as the Association of Victims of Terrorism, the National Syndicate of Magistrates, and the Independent Syndicate of University Professors. In October the Interior Ministry prohibited one of the large youth associations from holding a national conference. [8]

FREEDOM OF SPEECH AND PRESS

C.8 The constitution provides for freedom of speech. The radio and television are under government control, with coverage biased in favour of the Government's policies. During the election campaigns of June and October 1997 opposition parties were able to put forward their views more easily, although the majority of the time was given over to the National Democratic Rally - the new government party created in 1997. [7,8]

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. Furthermore, the Government are able to exert some control over the press by the use of advertisements. With State enterprises being in the great majority and advertisements being placed by the Government or such enterprises, the allocation of advertisements can constitute a method of influencing or even silencing segments of the press. The panel was informed that several newspapers with "commercial problems", which could result in closure, were due to the way the Government used its monopoly

economic power to punish those with whom it had political differences. [7,29]

C.10 In 1998 the Government withdrew the Interior Ministry guided "reading committees" that had been stationed at printing presses since February 1996 and stopped enforcing directives, issued in 1993 and 1994, forbidding publication of unauthorised information related to security issues. The "reading committees" had reviewed security-related items prior to publication and decided which items to censor. [27]

C.11 There were no reports during 1998 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. The Government harassed journalists through the regular use of criminal defamation statutes to prosecute newspapers for their publications of news and opinions. In July journalist Kadi Ihsan was arrested on his way to a human rights conference in Geneva. He was given a 4-month suspended sentence for allegedly "threatening and insulting" the editor of a pro-government newspaper. In October the editor of *Le Matin* was given a 4-month suspended sentence and fined for publishing articles that were critical of senior officials. In general, journalists exercised self-censorship by not publishing criticism of specific officials. [8]

C.12 In October 1998 7 non-Government newspapers were suspended until November. They had ceased printing in what was ostensibly a dispute over debt repayment with the state-run printers. However it was widely believed that the Government had used its control of the printers to punish the newspapers for carrying articles critical of the government during October. [31(d)]

C.13 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. [8]

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. [7]

C.15 On at least two occasions, the Government prohibited groups of children who were disadvantaged economically or the victims of terrorism from travelling abroad for recreational purposes under NGO-sponsorship. The Government claimed that the children would be exploited by the foreign media. Human rights groups countered that the Government did not want the children exposed to questions regarding government involvement in security incidents. [8]

C.16 If a state of emergency is announced (there is one in force currently), 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. [7,8]

C.17 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 massacred groups of civilian passengers at these roadblocks. In February 1996 the GIA warned Algerians of draft age not to travel. This warning has not been revoked. [7,8]

ANNEX A

PROMINENT PEOPLE

Ahmed Attaf -- Minister of Foreign Affairs

Hocine Ait Ahmed -- Socialist Forces Front leader has returned to Algeria to participate in 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.

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

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

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

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

Abdallah Djaballah -- Former leader of Ennahda, now an Independent candidate in Presidential elections.

Bouabdellah Ghlamallah -- Minister of religious affairs

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.

Anouar Haddam -- Head of the self-declared FIS Parliamentary Mission Abroad. Currently in prison in the United States.

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

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

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

Ahmed Ouyahia -- Prime Minister

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

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 - alleged to have been killed in 1997

President Liamine Zeroual -- Current 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. Announced his intention to resign and for elections in April 1999.

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 muslim interests. As a result of this the constitution was amended in **January** to take account of muslim interests.

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

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 official

sources 159 people were killed in confrontations with government forces, and more than 1,500 were arrested.

November: A referendum approved the proposal that non-FLN candidates to participate in elections.

December: Chadli elected President for a third term.

1989 February: A new constitution ending the one party state was 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 ceasefire 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 continues 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 in Berber towns, 50,000 to 100,000 mourners attended his funeral and initiated further demonstrations.

July: Implementation of a law generalizing 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.

Violence continued, although the levels fell below those experienced during previous Ramadans.

Annex C

GLOSSARY

AIS Islamic Salvation Army
(Armed wing of the FIS)

FIDA Islamic Front for Holy War

FFS Front des Forces Socialistes - Socialist Forces Front

FIS Front Islamic de Salut - Islamic Salvation Front

FLN Front de Liberation Nationale - National Liberation Front

GIA Group Islamic Armee - Armed Islamic Group

MDA Mouvement pour la Democratie en Algerie - Algerian Movement for Democracy

MIA Armed Islamic Movement

MPS Movement of a Peaceful Society
(formerly Hamas)

NCC National Consultative Council

NPA National People's Assembly

OJAL Organisation of Young Free Algerians

ONDH National Observatory for Human Rights

PRA Parti de Renouveau Algerian - Algerian Renewal Party

RCD Rassemblement pour la Culture et la Democratie - Rally for Democracy and Culture

RND National Democratic Rally

UGTA Union Générale des Travailleurs Algériens

ANNEX D

POLITICAL PARTIES

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.[12] They were put under house arrest in September 1994. The aims of the FIS are to overthrow the government and create an Islamic state based on the Sharia. The FIS claims to be the only true Islamic party and draws its support from all sections of society.[12]

Front de Liberation Nationale (FLN)

Until February 1989 this was the only legal party in Algeria. [12] 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.[3]u

Front des Forces Socialistes (FFS)

This party had existed originally been set up in 1963, and was revived in 1990. The President is Hocine Ait-Ahmed, who has returned to Algeria 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. [3]u [13]

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.[14] It supports the government in its campaign against the muslim fundamentalist rebels. It is against the

politicisation of the moslem faith.[3]u [13]

The National Democratic Rally (RND)

This party was founded in April 1997 and is made up of President Liamine's supporters. In the June 1997 elections it won 155 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. [3]u [13]

Movement of a Peaceful Society (MPS) - Formerly Hamas

This party used to be known by its 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. It is a moderate Islamic party led by Mahfoud Nahnah. This party is the smaller party in a 3 party coalition dominated by the RND.[3]u

ENNAHDA -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 is standing as an independent candidate in the Presidential elections. [13]

Rally for Democracy and Culture (RCD)

This was set up in 1989 by former FFS members It supports the military in their fight against the Moslem rebels. It believes in a secular state and does not believe in the politicisation of the moslem faith. [13]

National Movement of Hope (al-harakah al-wataniyah lil-amal)

The formation of this party was announced on 1 September 1997. The president is Mohamed Hadeif. Its aims are to build a state which does not alienate its citizens and build social cohesion. [3(v)]

Political Parties dissolved in May 1998:

- Amal Movement (Mouvement Amal);
- Boumedienist National Front (Front National Boumedieniste);
- Front of Djihad for National Unity (Front du Djihad 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 (Patri 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 Démocrate du Renouveau Algérien);
- El Haq Party (Parti El Haq);
- Social Liberal Party (Parti Social Libéral);
- 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);
- Algerian Liberal Party (Parti Libéral Algérien);
- Popular Forces Front (Front des Forces Populaires);
- Party of Tomorrow's Authenticity (Parti de l'Authenticité de Demain);
- Socialist Democratic National Party (Parti National Démocratique Socialiste);
- Algerian National Rally (Rassemblement Algérien);
- Ecology and Liberty Party (Parti pour l'Écologie et Liberté);
- The National Alliance of Independent Democrats (Alliance Nationale des Démocrates Indépendants)

ANNEX E

ELECTION RESULTS

PARLIAMENTARY ELECTIONS -JUNE 1997

RND	34%
MSP	15%
FLN	14%
ENNAHDA	9%
FFS	4%
RCD	4%
PT	2%

The official results of the Communal and Municipal elections were announced on 24 October 1997. 10.7 million votes were cast, 68% of the electoral roll.

COMMUNAL

RND	51%
FLN	20%
MSP	10%
FFS	3.4%
RCD	2.6%

The parti des Travailleurs (PT) got 11,741 votes, one -tenth of one per cent.

MUNICIPAL

9.9 MILLION VOTES WERE CAST, 63% OF THE ELECTORAL ROLL.

RND	53%
FLN	18%

MSP	13%
ENNAHDA	8%
FFS	3.3%
RCD	3%

DECEMBER 1997 COUNCIL OF NATION ELECTIONS

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.

RND	80 SEATS
FLN	10
FFS	4
HMS	2

ANNEX F

MAIN ISLAMIC MILITIAS

Islamic Salvation Army (AIS)

This was created in mid-1994 as the fighting wing of the FIS. 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 act with a certain amount of autonomy and are not directly controlled by the FIS.[12] They have now merged with the **Armed Islamic Movement (MIA)**. A ceasefire was announced in October 1997, which appears to be holding, although there have allegedly been some violations of it. Several other armed groups have joined the truce. There have been reports of the AIS fighting with the GIA.[3]w

Armed Islamic Group (GIA)

This group was founded in 1989, 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. [12] It claims that its stronghold is in Ouled Allel, south of Algiers. This group have allegedly 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. They are also believed to have been responsible for numerous bombings. In July 1995 its leader Zitouni, who had been in charge since October 1994, was assassinated. Antar Zouabri is now the leader of one faction, Hassan Hattab of another. The GIA is highly fragmented. A number of GIA battalions have joined the AIS cease-fire. [3]x [7] [1]

Al-Rahman Battalion

This is led by Mustapha Kertali. It joined the ceasefire announced by the AIS in October 1997. [3]q

Islamic League for Call and Jihad (LIDD)

This is led by Ali Benhadjar. It joined the ceasefire announced by the AIS in October 1997.[3]q

Islamic Front of the Armed Jihad (FIDA)

The leader is Omar el-Fidai. [3]mi This group has assassinated celebrities, intellectuals and politicians. [3] y

ANNEX G

MAIN NEWSPAPERS/PUBLICATIONS

(THIS LIST IS NOT EXHAUSTIVE)

- El Watan - newspaper - respected for it's security reports**
- Al Khabar - main Arabic language newspaper**
- Tribune - newspaper**
- APS - The official Algerian newsagency**
- Liberte _ newspaper**
- Horizon - daily newspaper**
- El Massa - newspaper**
- Le Matin - newspaper**
- La Nation - newspaper - banned in late 1996**
- L'Authentique - daily newspaper**
- El-Maweed - weekly Islamist publication - currently banned**
- El-Kila'a - Islamist publication -currently banned**
- Ech Chourouq - Islamist publication - was banned in 1997, but has recently resumed publication**

Annex H

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