

# ALGERIA 2015 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Algeria is a multiparty republic whose president, the head of state, is elected by popular vote for a five-year term. The president has the constitutional authority to appoint and dismiss cabinet members and the prime minister, who is the head of government. There were no presidential term limits in 2015, and President Abdelaziz Bouteflika has held office since 1999. Voters re-elected Bouteflika in the April 2014 presidential elections. Foreign observers characterized the elections as largely peaceful but noted low voter turnout and a high rate of ballot invalidity. The 2012 legislative elections did not result in significant changes to the composition of the government. Civilian authorities generally maintained effective control over the security forces.

The three most significant continuing human rights problems were restrictions on the freedom of assembly and association, lack of judicial independence and impartiality, and overuse of pretrial detention.

Other human rights concerns were the excessive use of force by police, including allegations of torture; limitations on the ability of citizens to choose their government; widespread corruption accompanied by reports of limited government transparency; and societal discrimination against persons with disabilities, persons living with HIV/AIDS, and lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. Women faced violence and discrimination, and there was some reported child abuse. Additionally, the government maintained restrictions on worker rights and did not actively combat conditions of forced labor.

The government did not take sufficient steps to investigate, prosecute, or punish public officials who committed violations. Impunity for police and security officials remained a problem, and the government rarely provided information on actions taken against officials accused of wrongdoing.

Abuses by illegal paramilitary forces remained a significant problem. Terrorist groups committed attacks against the security services and targeted military personnel in particular.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

The deaths of two individuals in detention raised public concern. On September 10, several newspapers reported that Benchikh Aissa died in a Ghardaia prison. His lawyers said that he suffered from depression and prison officials refused to provide necessary health services. Afari Baaouchi died several weeks earlier in a Laghouat prison. Authorities arrested both detainees in July in the wake of the violent clashes between Mozabite Ibadi Muslims and Arab Sunni Maliki Muslims in Ghardaia. The Algerian League for the Defense of Human Rights (LADDH) called for an official investigation into the deaths, but no public information was available at year's end on whether the government conducted investigations.

Some terrorist groups remained active in the country, including al-Qaida in the Islamic Maghreb and a Da'esh affiliate, Jund al-Khilafah, and attacked security services personnel. On July 17, terrorists in Souk El Attaf ambushed an army patrol and killed nine soldiers. On May 12, terrorists killed four retired communal guards and burned their bodies. According to press reports, terrorist attacks killed more than 20 security services members during the year.

### **b. Disappearance**

There were no reports of politically motivated disappearances.

The government stated that it was in discussion with the UN Human Rights Council Working Group on Enforced or Involuntary Disappearances regarding a visit to the country. The government regarded this as the next step to addressing cases of enforced or involuntary disappearances from the 1990s that the working group submitted to it in 2014.

Lieutenant Colonel Nourredine Akhrouf of the National Gendarmerie announced in January that in 2014 the “kidnapping phenomenon” in the Kabylie region was declining due to the increased presence of gendarmes in Tizi Ouzou Province. Figures on total ransom payments were unavailable, since the government maintained a strict no-concessions policy with regard to individuals or groups holding its citizens hostage.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits torture, but nongovernmental organizations (NGOs) and local human rights activists alleged that government officials sometimes employed

torture and abusive treatment to obtain confessions. The government denied these charges. Government agents face prison sentences of between 10 and 20 years for committing such acts, but there were no convictions during the year. There were no reported cases of prosecution of civil or military security service officials for torture or abusive treatment. Local and international NGOs asserted that impunity was a problem.

On July 9, police arrested Kameleddine Fekhar, leader of the Movement for the Autonomy of Mzab, and 24 of his followers on 18 charges, including threatening sovereignty and national security, incitement of murder, and an armed gathering. Kameleddine's lawyers reported that police abused him while he was in detention from July 9 to 15 and alleged that on July 26, the twelfth day of his hunger strike, and despite poor and declining health, prison officials refused to transfer him to the infirmary.

Other prisoners made similar claims, notably Belkacem Khencha, whom police arrested in January for protesting in Laghouat against the arrest of a fellow activist for the unemployed. During his six months in prison, Khencha claimed that prison guards beat him and the eight activists sentenced with him, and refused them medical treatment while incarcerated. On May 18, authorities arrested two police officers accused of raping a young woman inside a police station. The woman stated the officers threatened to imprison her and her male friend for public consumption of alcohol that they had in their vehicle if she did not submit to sexual relations with them. After being released, the woman and her friend went to another police station and filed a complaint. Authorities collected DNA confirming the rape and arrested the two officers. Police would not provide comment on the status of charges filed against the officers.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards.

A 2013 presidential decree dissolved the Central Bureau of the Judicial Police under the Intelligence and Security Department (DRS), removing its authority to detain individuals and hold them in separate detention facilities. A June 2014 presidential decree, however, reinstated this authority and permitted the DRS to manage prison facilities.

Physical Conditions: According to statistics provided in May, the Ministry of Justice's General Directorate for Prison Administration and Resettlement

(DGAPR) had responsibility for approximately 60,000 prisoners. Convicted terrorists had the same rights as other inmates but were held in prisons of varying degrees of security, determined by whether authorities considered the prisoners highly dangerous or of high, intermediate, or low risk.

The government used specific facilities for prisoners age 27 and younger. With support from the British, Canadian, and French governments, the DGAPR modernized its inmate classification system and maintained different categories of prisons that separated prisoners among facilities according to the general lengths of their sentences. Several detention facilities reportedly operated at 200 to 300 percent of capacity. Some observers, including government-appointed human rights officials, attributed overcrowding in pretrial detention facilities to “excessive use” of pretrial detention.

Authorities generally transferred pretrial detainees, after presenting them before the prosecutor, to prisons and did not hold them in separate detention facilities.

Prisoners received a food ration worth 80 dinar (DZD) (\$0.76) per day. Prison guards allegedly received DZD 100 (\$0.95) for food.

Administration: The law permits the substitution of community service for imprisonment for nonviolent, first-time offenders whose crimes carry a maximum prison sentence of three years or less. No ombudsman existed to serve on behalf of prisoners or detainees. Prisoners may submit uncensored complaints to penitentiary administration, doctors, and their judge. It is unclear how frequently prison authorities collected the complaints or requests. Authorities permitted family members to visit prisoners in standard facilities weekly and to provide detainees with food and clothing, although the common practice of holding inmates in prisons very far from their families discouraged visits. In the majority of the prisons, nonfunctional telephones further exacerbated the difficulty for detainees to maintain regular contact with family. Authorities permitted detainees to observe Muslim holy days within all prisons. Authorities permitted prisoners, including Christian detainees, to participate in religious events and provided them with prayer space to receive their respective religious representatives.

According to the Ministry of Justice’s Director of Security for Penitentiary Establishments and Director for Criminal Affairs, prisons offered vocational training, academic and religious studies, and counseling that supported inmates’ professional reintegration and community engagement.

Independent Monitoring: The government allowed the International Committee of the Red Cross (ICRC) and local human rights observers to visit regular prisons and detention centers. ICRC staff visited prisons, police and gendarme stations under the jurisdiction of the Ministry of Justice, and an administrative detention center operated by the Ministry of Interior. Delegates paid special attention to vulnerable detainees, including foreigners, women, minors, persons in solitary confinement, and individuals held for security reasons by police and gendarmes. The ICRC provided the government confidential feedback, when applicable, to help authorities improve detainee treatment and living conditions, reinforce respect for judicial protections, and expand access to health care. During the year the ICRC hosted three one-week training sessions on human rights--as they relate to arrest, detention, and interrogation procedures--for judicial police from the Surete Nationale (DGSN) and National Gendarmerie and judges.

Improvements: Authorities improved prison conditions to meet international standards. The Ministry of Justice's Directorate of Penal Affairs and Pardons announced that since 2010, the government opened 31 new detention centers. Of the new facilities, 10 are minimum-security centers that hold prisoners in cells and permit them to work. The DGAPR modernized its inmate classification system. In May, Haitem Chebli, a representative of the NGO Penal Reform International, told Algeria Press Service that his organization assessed the government had made "progress" in reforms to prison management.

#### **d. Arbitrary Arrest or Detention**

Overuse of pretrial detention remained a problem. Security forces routinely detained individuals who conducted activities against the order of the state such as protesting, striking, or rioting. Arrested individuals reported that authorities held them for four to eight hours before releasing them without charges.

#### **Role of the Police and Security Apparatus**

The 130,000-member National Gendarmerie, which performs police functions outside of urban areas under the auspices of the Ministry of National Defense, and the approximately 210,000-member DGSN or national police, organized under the Ministry of Interior, share general responsibility for maintaining law and order. The DRS is subordinate to the Ministry of National Defense, and its various units perform functions related specifically to counterterrorism, counterespionage, and national security.

Impunity remained a problem. The law provides mechanisms to investigate abuses and corruption, but the government did not provide public information on disciplinary or legal action against police, military, or other security force personnel.

### **Arrest Procedures and Treatment of Detainees**

According to the law, police must obtain a summons from the Prosecutor's Office to require a suspect to appear in a police station for preliminary questioning. With this summons police may hold a suspect for no more than 48 hours. Authorities also use summonses to notify and require the accused and the victim to attend a court proceeding or hearing. Police may make arrests without a warrant if they witness the offense. Public lawyers reported that authorities usually carried out procedures for warrants and summonses properly.

If authorities require time beyond the authorized 48-hour period for gathering additional evidence, they may extend a suspect's authorized time in police detention. While previously the prosecutor could authorize this extension, the government amended the penal code in July so that only a judge may extend a suspect's detention a number of times in the following cases: once, if charges pertain to an attack on data processing systems; twice, if charges relate to state security; three times, for charges concerning drug trafficking, organized and transnational crime, money laundering, and other currency-related crimes; and five times (for a maximum of 12 days), for charges related to terrorism and other subversive activities. The law stipulates that detainees should immediately be able to contact a family member and receive a visit, or to contact an attorney.

Whereas previously the government did not permit detainees to meet with an attorney before seeing the judge, the July amendment provides detainees the right to see an attorney for 30 minutes if a judge extends the time in detention beyond the initial 48-hour period. In these cases authorities permit the arrested person to contact a lawyer after half the extended time has expired. Authorities may use in court confessions and statements garnered during the period prior to access to an attorney--which a prosecutor's application to a judge may extend. The court appearance of suspects in terrorism cases is public. At the end of the 12-day period, the detainee has the right to request a medical examination by a physician of choice within the jurisdiction of the court. Otherwise, the judicial police appoint a doctor. Authorities enter the certificate of the medical examination into the detainee's file.

While there is no system of bail for citizens, authorities allow for bail in certain cases involving foreigners. In nonfelony cases and in cases of individuals held on charges of terrorism and other subversive activities that have exceeded a 12-day period plus any authorized extension, the law calls for the release of suspects on provisional liberty, referred to as “judicial control,” while awaiting trial. Under provisional liberty status, authorities subjected suspects to requirements such as reporting periodically to the police station in their district, stopping professional activities related to the alleged offense committed, surrendering all travel documents required to leave the country, and, in some terrorism-related cases, residing at an agreed-upon address.

Judges rarely refused prosecutorial requests (prior to the July amendment) to extend pretrial detention, which by law may be appealed. Should the detention be overturned, the defendant has the right to request compensation. Most detainees had prompt access to a lawyer of their choice as accorded by the law, and the government provided legal counsel to indigent detainees. There were reports that authorities held some detainees without access to their lawyers and reportedly abused them physically and mentally.

According to various newspapers, on August 27, security services arrested retired major general Abdelkader Ait Ouarabi (also known as “General Hassan”), former head of the intelligence service’s counterterrorism unit, on charges of insubordination, creating an armed organization, withholding information, and possessing weapons of war. Ait Ouarabi’s attorney, Mokrane Ait Larbi, said that authorities prevented him from visiting his client for several weeks following his detention, rejected his request for provisional liberty, and were late to inform him officially of Ait Ouarabi’s transfer to an Oran court to stand trial. On November 26, an Oran court convicted Ait Ouarabi of lesser charges and sentenced him to five years’ imprisonment.

Various press outlets reported that in October National Gendarmerie officers told a Cameroonian female migrant, who claimed a group of Algerian men assaulted and raped her, that they could not file charges because she was an illegal migrant. The victim reported that several hospitals refused to provide her treatment and to issue her a certificate documenting her sexual assault. After social media and local civil society organizations mobilized over the issue, authorities accepted her complaint and arrested two of the eight alleged actors. As of December the two whom authorities arrested remained in detention, and the status of charges against them was not known.

Arbitrary Arrest: Although the law prohibits arbitrary arrest and detention, authorities sometimes used vaguely worded provisions, such as “inciting an unarmed gathering” and “insulting a government body,” to arrest and detain individuals considered to be disturbing public order or criticizing the government. Amnesty International (AI) and other human rights organizations criticized the law prohibiting unauthorized gatherings and called for its amendment to require only notification as opposed to application for authorization. These observers, among others, pointed to the law as a significant source of arbitrary arrests intended to suppress activist speech. Police arrested protesters in Algiers and elsewhere in the country throughout the year for violating the law against unregistered public gatherings.

In September 2014 a Ghardaia court reaffirmed the two-year prison term and DZD 100,000 (\$952) fine it imposed in June 2014 on Youcef Ouled Dada. Authorities arrested Dada in March 2014 for “harming a national institution” and “insulting a government body” when he posted a video on Facebook that captured three police officers while looting during riots in the city of Ghardaia. As of November, Dada remained in prison.

Pretrial Detention: Prolonged pretrial detention remained a serious problem. Nongovernmental observers believed pretrial detainees comprised a significant portion of the total detainee and prisoner population but admitted they did not have specific statistics. The Ministry of Justice stated that July changes to the penal code limited the grounds for pretrial detention and that before it could be imposed, a judge must assess the gravity of a crime and whether the accused was a threat to society or a flight risk.

Farouk Ksentini, president of the National Consultative Commission for the Promotion and Protection of Human Rights (CNCPPDH), denounced the abuse of pretrial detention, asserting that its overuse had turned the presumption of innocence as outlined in the penal code to a “presumption of guilt.” AI alleged that authorities sometimes detained individuals on security-related charges for longer than the 12-day prescribed period.

Authorities held Abdessami Abdelhai, a radio journalist and former correspondent for the newspapers *Mon Journal* and *Djaridati*, in pretrial detention in the Bir El Ater prison for 24 months. Authorities arrested Abdelhai in August 2013 for allegedly assisting his former boss, Hichem Aboud, to flee the country illegally. Family members claimed that they requested provisional liberty five times for



Abdelhai due to his poor health, but the Tebessa court rejected the requests until September 21 when it released him on provisional liberty pending trial.

On July 23, the government instituted changes in the criminal procedure code that prohibit the use of pretrial detention for crimes with maximum punishments of less than three years imprisonment. The revised law, however, exempts infractions that resulted in deaths and persons considered a “threat to public order.” In these cases the revised law limits the use of pretrial detention to one month, nonrenewable. The government also amended the criminal procedure code to state that in all other criminal cases, pretrial detention may not exceed four months. Adoption of this amendment demonstrated governmental efforts to control the overuse of pretrial detention, but there was no measure of its impact by year’s end.

Amnesty: In July as he did in 2014, President Bouteflika pardoned detainees convicted of misdemeanor-level crimes. Although the government did not publish the exact number, it stated it released prisoners convicted of minor offenses who had passed their high school, university, or vocational school exams.

#### **e. Denial of Fair Public Trial**

While the constitution provides for the separation of powers between the executive and judicial branches of government, the executive branch’s broad statutory authorities limited judicial independence. The constitution grants the president authority to appoint all prosecutors and judges. These presidential appointments are not subject to legislative oversight but are reviewed by the High Judicial Council, which consists of the president, minister of justice, chief prosecutor of the Supreme Court, 10 judges, and six individuals outside the judiciary chosen by the president. The president serves as the president of the High Judicial Council, which is also responsible for the appointment, transfer, promotion, and discipline of judges. The judiciary was not impartial and was often subject to influence and corruption.

#### **Trial Procedures**

The constitution provides for the right to a fair trial, but authorities did not always respect legal provisions that protect defendants’ rights. The law presumes defendants are innocent and have the right to be present and to consult with an attorney provided at public expense if necessary. Most trials are public, except when the judge determines the proceedings to be a threat to public order or “morals.” For example, the November 26 trial of Ait Ouarabi was closed to the

public, reportedly due to the sensitivity of the defendant's previous role in the security services.

Only criminal courts employ a jury. A special government committee develops a list of potential jurors in advance of the trial. Court clerks randomly select two jurors the day before proceedings, with the defense entitled to three vetoes and the prosecution entitled to two. The jurors serve to offer the trial judge their recommendations, but the judge makes the final verdict. Defendants may confront or question witnesses against them or present witnesses and evidence on their behalf. There were a few reports that courts occasionally denied defendants and their attorneys' access to government-held evidence. Defendants have the right not to be compelled to testify or confess guilt, and have the right to appeal. The testimony of men and women has equal weight under the law.

On February 11, a Laghouat court convicted eight members of the National Committee for the Defense of the Rights of Unemployed Workers (CNDDC) for "unauthorized gathering" and "exercising pressure on the decisions of magistrates." In a public statement issued on February 12, defense attorneys for the defendants denounced the trial, which they deemed unjust. The lawyers, members of the Algerian Network of Human Rights Defenders, criticized the court's refusal to permit witnesses and family members from attending what they referred to as a "closed-door" trial.

On August 25, lawyers for Kameleddine Fekhar announced that police and prosecutors had not disclosed to the defense team any evidence of criminal wrongdoing, following the July 9 arrest of Fekhar and 24 other persons. The NGO Human Rights Watch (HRW) called for authorities to inform Fekhar and his defense team promptly of any evidence substantiating the charges levied against him.

On August 12, attorney and human rights activist, Salah Debouz, denounced the government for not notifying him of his client's August 11 hearing for provisional liberty. Police arrested Debouz's client, Nacer Eddine Hadjadj, former mayor of Beriane municipality and member of the Rally for Culture and Democracy party, on July 25. Press reports indicated authorities detained Hadjadj for questioning regarding the violent events that took place in Ghardaia, but the government did not confirm this. The judge rejected his request for provisional liberty, and he remained in pretrial detention as of November.

### **Political Prisoners and Detainees**

International and local observers alleged that authorities used antiterrorism laws and restrictive laws on freedom of expression and public assembly to detain political activists and outspoken critics of the government.

In March the National Coordination of Families of Political Prisoners called for the release of 160 persons that have remained incarcerated since the 1990s. In April Prime Minister Abdelmalek Sellal stated that the government held no political prisoners. He said that courts convicted the detainees in question of violent crimes, making them ineligible for government pardons under the National Charter for Peace and Reconciliation. The government permitted the ICRC to visit detainees held for “security reasons.”

On February 11, a Laghouat court sentenced eight members of the CNDDC to one year in prison, with six months suspended, for “unauthorized gathering” and “exercising pressure on the decisions of magistrates” as prohibited by law. On January 28, police arrested the individuals in front of the court where they were protesting the trial of Mohamed Reg, another CNDDC activist, whom the court sentenced to 18 months in prison on similar charges.

### **Civil Judicial Procedures and Remedies**

The judiciary was neither independent nor impartial in civil matters and lacked independence in some human rights cases. Family connections and status of the parties involved influenced decisions. Individuals may bring lawsuits, and administrative processes related to amnesty may provide damages to the victims or their families for human rights violations and compensation for alleged wrongs.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution provides for the protection of a person’s “honor” and private life, including the privacy of home, communication, and correspondence, although government authorities infringed on citizens’ privacy rights. According to human rights activists, citizens widely believed that the government conducted frequent electronic surveillance of a range of citizens, including political opponents, journalists, human rights groups, and suspected terrorists. Security officials reportedly searched homes without a warrant. Security forces conducted unannounced home visits.

The government issued a presidential decree on October 8 calling for the creation of a new anticybercrime agency charged with coordinating anticybercrime efforts and engaging in preventive surveillance of electronic communications in the interests of national security. Falling under the purview of the Ministry of Justice, the agency has exclusive authority for monitoring all electronic surveillance activities but the decree did not provide details regarding the limits of surveillance authority or corresponding protections for persons subject to surveillance.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, and a handful of independent media outlets criticized the government, but the government severely restricted these rights. The government's techniques included harassment of critics, arbitrary enforcement of vaguely worded laws, informal pressure on publishers, editors, advertisers, and journalists, and control of a significant proportion of the country's advertising money and printing capabilities. Some media figures alleged the government used its control over most printing houses and large amounts of public sector advertising funding preferentially, and that the lack of clear regulations over these practices permitted it to exert undue influence on press outlets.

Freedom of Speech and Expression: Individuals were limited in their ability to criticize the government publicly without reprisal. Authorities arrested and detained citizens for doing so, and citizens practiced self-restraint in voicing public criticism. The law criminalizing speech about the conduct of the security forces during the internal conflict of the 1990s remained in force, although there were no cases of arrest or prosecution under the law during the year. The law provides for up to three years' imprisonment for tracts, bulletins, or flyers that "may harm the national interest" or up to one year for defaming or insulting the president, parliament, army, or state institutions. Government officials monitored political meetings. Authorities used laws against slander of public officials to restrict public discussion.

Arrested for posting an ironic comment on Facebook regarding anti-shale-gas protests, an El Oued court convicted CNDDC activist Rachid Aouine on March 9 of "inciting an unarmed gathering" and sentenced him to six months in prison, which the court later reduced to four months. On May 11, a judge convicted him of "insulting a government body" for allegedly posting a video online showing

several gendarmes beating a young protester. Although a judge reversed this two-year sentence and cleared Aouine of the charges in June, the prosecutor appealed this decision, and on October 28, another judge ruled him innocent and again cleared him of the charges. This second appeal transferred the case to the Supreme Court where, as of December, there was no final verdict.

On October 20, police arrested and confiscated the computer of human rights activist Zoulikha Belarbi. Although authorities did not confirm the reasons for her arrest, human rights activists alleged that because police seized her personal computer, it was likely due to a satirical photomontage she posted on Facebook that included the face of President Bouteflika and a caption describing his rule as a “saga turned nightmare.”

Press and Media Freedoms: The National Agency for Publishing and Advertising (ANEP) controls public advertising for print media. According to the NGO Reporters without Borders, private advertising existed but frequently came from businesses with close links to the ruling political party. In September, ANEP stated that it represented only half of the total advertising market, while non-governmental sources assessed the majority of daily newspapers depended on ANEP-authorized advertising to finance their operations. The government’s lack of transparency over its use of state-funded advertising permitted it to exert undue influence over print media.

On October 12, Algiers police raided the headquarters of El-Watan El-Djazairya, a private, foreign-based television station broadcasting in the country, and closed down the station upon orders of the Algiers mayor. Minister of Communication Hamid Grine accused the television station on October 7 of “harming a state symbol” during an interview it aired on October 3 with the former emir of the Islamic Salvation Army, Madani Mezrag. During the interview Mezrag indirectly threatened President Bouteflika after the president affirmed that the government would not let Mezrag form a political party due to his connection to terrorist activities. The Ministry of Communication stated that El-Watan El-Djazairya--which operated without official accreditation--violated the law requiring government authorization for opening television channels. Several days before this event, Minister Grine affirmed that only five of 43 private television channels operated with official government accreditation.

Many civil society organizations, government opponents, and political parties, including legal Islamist parties, had access to independent print and broadcast media and used them to express their views. Opposition parties also disseminated

information via the internet and published communiques but stated that they did not have access to the national television and radio. Journalists from independent print and broadcast media expressed frustration over the near impossibility of receiving information from public officials. With the exception of several daily newspapers, the majority of print media outlets relied on the government for physical printing materials and operations.

Police arrested Hassan Bouras, journalist for Al Magharibia satellite station and a board member of the LADDH, on October 2 for insulting a government body and inciting armed conflict against the state. On October 4, a judge ordered him to remain in pretrial detention instead of provisional liberty but reportedly did not inform Bouras or his defense attorney of the basis for the charges against him. Witnesses reported that police broke into Bouras' home on October 2, detained him, and took his computers, telephones, money, cameras, notebook, passport, and national identity card. Nouredine Ahmine, a defense lawyer for Bouras, said that as of November 6, the judge did not provide any evidence to support the charges against Bouras or announce the trial date, and Bouras remained detained at El Bayadh prison.

Organizations wishing to initiate regular publications must obtain authorization from the government. The law requires the director of the publication to hold Algerian citizenship. The law additionally prohibits local periodicals from receiving direct or indirect material support from foreign sources. The CNCPPDH, a governmental organization, noted in its 2014 annual report that lack of a law controlling advertising was the largest hurdle to improving transparency of the distribution of public advertising (see also section 5).

In October the Ministry of Communication stated that there were 269 accredited, written publications that included 140 daily newspapers, 16 weekly and 31 monthly magazines, and other specialized publications. Of the daily printed publications, the ministry stated six were state operated.

The ministry's Media Directorate is responsible for issuing and renewing accreditations to foreign media outlets operating in the country. Although this accreditation is required to operate legally, the vast majority of foreign media were not accredited, but the government tolerated their operations. The ministry also issues and renews accreditation of foreign correspondents reporting in the country. According to the ministry, 13 accredited foreign press agencies reported during the year. In addition to five private Algerian television channels, 11 foreign broadcasting channels and two foreign radio stations operated throughout the year.

The law mandates that online news outlets must inform the government of their activities but does not require them to request authorization to operate.

Violence and Harassment: News sources critical of the government reported instances of government harassment and intimidation due to their reporting. Government officials arrested and temporarily detained journalists.

On November 19, a Meghair court sentenced cartoonist Tahar Djehiche to six months in prison for “insulting the president” and “inciting an unarmed gathering.” A judge acquitted Djehiche in May of the same charges after he published cartoons critical of the exploitation of shale gas in the southern province of Ain Salah on Facebook. An unknown party appealed this May verdict, resulting in the November trial.

In March 2014 nine gendarmes in plainclothes raided the Al-Atlas headquarters and studios in Algiers and confiscated dozens of video cameras and photography equipment. Al-Atlas remained closed at year’s end.

Censorship or Content Restrictions: Some major news outlets faced direct and indirect retaliation for criticism of the government.

Following the April 24 broadcast of the satirical weekly show *El Djazairia Weekend*, El Djazairia television broadcasting Director Karim Kardache announced the cancellation of the program. Several days prior, President of the Audiovisual Regulatory Authority (ARAV) Miloud Chorfi summoned Kardache and issued a public statement warning the television channel about a show that “lapses into sarcasm and mocks people as well as state symbols and senior officers of government institutions.” The April 17 broadcast of *El Djazairia Weekend* reported on the findings of a French book that described high-end French properties owned by Algerian leaders, including an apartment owned by the family of Prime Minister Sellal.

On February 25, the Ministry of Communication’s director of accreditation for foreign correspondents informed Boualem Goumrassa, a correspondent for 11 years for the London-based Saudi newspaper *Asharq Al-Awsat*, that it would not renew his accreditation. On March 11, Minister of Communication Grine stated in a press conference that “the Algerian state has the right not to renew the accreditation of correspondents of foreign newspapers and channels who insult, defame, or make use of verbal or written violence.”

Libel/Slander Laws: NGOs and observers criticized the law on defamation as vaguely drafted and the definitions therein as failing to comport with internationally recognized norms. The law defines defamation as “any allegation or imputation of a fact offending the honor or consideration of a person, or of the body to which the fact is imputed.” The law does not require that the fact alleged or imputed be false or that the statement within which it is contained be made with malicious intent to damage another individual’s reputation. Defamation is not a crime but carries a fine ranging from DZD 100,000 to DZD 500,000 (\$952 to \$4,760). The Ministry of Justice asserted that 99 percent of defamation claims originated from private citizens and not the government.

### **Internet Freedom**

Access to the internet generally was unimpeded, although the government monitored certain e-mail and social media sites. Individuals and groups may engage in the expression of views via the internet, including by e-mail. Several activists reported that the slightest misstep in a Facebook update could result in arrest and questioning; thus, observers widely understood that the intelligence services closely monitored the activities of political and human rights activists on social media sites, including Facebook.

The law on cybercrime establishes procedures for using electronic data in prosecutions and outlines the responsibilities of service providers to cooperate with authorities. Under the law the government may conduct electronic surveillance operations to prevent offenses amounting to terrorist or subversive acts and infractions against state security, pursuant to written authorization from a competent judicial authority.

By law internet service providers face criminal penalties for the material and websites they host, especially if subject matters are “incompatible with morality or public opinion.” The Ministries of Justice, Interior, and Post, Information Technology, and Communication have oversight responsibilities. The law provides sentences of six months to five years in prison and fines between DZD 50,000 and DZD 500,000 (\$476 and \$4,760) for users who do not comply with the law, including the obligation to cooperate with law enforcement authorities against cybercrime.



In May 2014 the Oxford Business Group reported there were 12 million internet users in the country, up from the 11 million users announced by the minister of post, information technology, and communication.

### **Academic Freedom and Cultural Events**

Academic seminars and colloquia occurred with limited governmental interference.

On October 25, the commissioner for the Algiers International Book Fair announced that the governmental interministerial planning committee prevented 54 foreign publishing houses from participating in the fair because they failed to respect the country's "internal regulations." The planning committee also banned the inclusion of 106 books that allegedly encouraged violence, extremism, and discrimination or that attacked the national liberation war or state symbols.

### **b. Freedom of Peaceful Assembly and Association**

Although the constitution provides for freedom of assembly and association, the government severely restricted the exercise of these rights.

#### **Freedom of Assembly**

The constitution provides for the right of assembly, but the government continued to curtail this right. A ban on demonstrations in Algiers remained in effect. Authorities utilized the ban to prohibit assembly within the city limits. Nationwide, the government required citizens and organizations to obtain permits from the government-appointed local governor before holding public meetings. The government restricted licenses to political parties, NGOs, and other groups to hold indoor rallies or delayed permission until the eve of the event, thereby impeding publicity and outreach efforts by organizers. Nonetheless, in some cases authorities allowed unauthorized protests to proceed while negotiations continued regarding the protesters' demands or when government attempts to disperse protests potentially risked igniting violence.

On January 16, police used tear gas and dispersed demonstrations in Algiers against *Charlie Hebdo*, the French satirical newspaper. It is unclear how many were arrested or injured during the clashes.

In January large protests erupted in the southern town of Ain Salah over the government's decision to drill for shale gas. The protest spread to numerous cities,

grew to include tens of thousands of individuals, and lasted approximately eight months. Protests occasionally turned violent when protesters reportedly attempted to burn vehicles, several government buildings, and private international oil company facilities and used Molotov cocktails against security forces. Security services used tear gas to disperse protesters. Domestic and international media reported that confrontations between protesters and security services resulted in two protesters killed and more than 100 injured as well as 40 injured security force members.

Hotels in Algiers and other major cities continued their historic practice of refusing to sign rental contracts for meeting spaces with political parties, NGOs, and civil associations without a copy of a written authorization from the Ministry of Interior for the proposed gathering.

Throughout the year police dispersed unauthorized gatherings or prevented marching groups of protesters from protesting. Police typically dispersed protesters shortly after a protest began and arrested and detained organizers for a few hours. The HRW, AI, and other NGOs criticized the government's use of the law to restrict peaceful assembly.

On February 21, Algiers police prevented members of opposition group Barakat (Enough) from conducting a sit-in at the post office to protest a Laghouat court's decision to sentence nine labor activists to jail. Police released the arrested individuals after several hours of detention.

On April 20, security services closed the highway outside the city of Boufarik to prevent nearly 300 communal guards from marching to Algiers to demand recognition of their status and re-evaluation of various benefits from their service during the 1990s.

On September 23, the governor of the state/province of Bejaia issued a decree prohibiting the use of all provincial cinemas, theaters, and youth and cultural centers for uses "other than that for which they are intended." Civil society organizations decried the decision because these locations were the only free spaces available for use by associations that lacked government accreditation.

### **Freedom of Association**

The constitution provides for the right of association, but the government severely restricted this right.

The law's extensive requirements and uneven enforcement served as major impediments to the development of civil society. The law grants the government wide-ranging oversight of and influence in the day-to-day activities of civil society organizations. It requires civil organizations to apply to the Ministry of Interior for permission to operate. Once registered, organizations must inform the government of their activities, funding sources, and personnel, including notification of personnel changes. The law imposes an additional requirement that associations obtain government preapproval before accepting foreign funds. If organizations fail to provide required information to the government or attempt to operate with or accept foreign funds without authorization, they are subject to fines between DZD 2,000 and DZD 5,000 (\$19 and \$48) and up to six months' imprisonment. The law prohibits formation of a political party with a religious platform, but observers stated they knew some political parties were Islamist.

According to the Ministry of Interior, associations that apply for accreditation as required by law are entitled to receive a response regarding their application within two months for national and interregional organizations, 45 days for province-level associations, and 25 to 30 days for communal organizations. While the Ministry of Interior oversees the accreditation process for most associations, the president of a local assembly approves applications for communal associations.

The Ministry of Interior may deny a license to or dissolve any group regarded as a threat to the government's authority or to public order, and on some occasions failed to grant in an expeditious fashion official recognition to NGOs, associations, religious groups, and political parties. According to the Ministry of Interior, organizations receive a deposit slip after submitting their application for accreditation, and after the time periods listed above, this slip is legally sufficient for them to begin operating, to open a bank account, and to rent office or event space. If the application is approved, the Ministry of Interior issues a final accreditation document.

Many organizations reported that they never received a deposit slip and that even with the deposit slip it was difficult to conduct necessary administrative tasks without the formal accreditation. Other organizations reported that they never received any written response to their application request. An engineer who applied to form a science and technology-based association reported that police questioned him about his motivation for creating such an association. He said he never received a response from the Ministry of Interior about his application. The ministry maintained that organizations refused accreditation or that did not receive

a response within the specified time periods were able to submit an appeal to the State Council, the administrative court responsible for cases involving the government.

During the year the Youth Action Movement, a civil society youth organization, was again unsuccessful in renewing its license despite submitting all paperwork required by the Ministry of Interior. The ministry also did not renew the accreditations of the NGOs SOS Disparu (Missing) and LADDH, which submitted their renewal applications in 2013. According to members of the National Association for the Fight Against Corruption, the Ministry of Interior refused to approve the organization's request for accreditation, stating that the application did not comply with the law on associations, but did not provide any further information. The organization first submitted its application for accreditation in 2012.

The government issued licenses and subsidies to domestic associations, especially youth, medical, and neighborhood associations. According to the Ministry of Interior, there were 95,000 local and 1,500 national associations registered. A 2015 study conducted by several prominent domestic civil society organizations found, however, that nearly two-thirds of the approximately 93,000 associations registered with the government when the law on associations went into force in 2012, were either inactive or no longer operating. Unlicensed NGOs did not receive government assistance, and citizens at times hesitated to associate with these organizations.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution provides for freedom of movement, but the government restricted the exercise of this right.

The government generally cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, and other persons of concern.

In-country Movement: The government maintained restrictions for security reasons on travel into the southern locales of El-Oued and Illizi, near hydrocarbon industry installations and the Libyan border, respectively. Citing the threat of terrorism, the government also prevented overland tourist travel between the southern cities of Tamanrasset, Djanet, and Illizi. Newspapers reported that the government restricted foreign tourists from traveling through trails in Tassili and Hoggar, as well as certain areas in and around Tamanrasset, due to security concerns.

Foreign Travel: The law does not permit those under age 18 to travel abroad without a guardian's permission. Married women under 18 may not travel abroad without permission from their husbands, but married women over 18 may do so. The government did not permit young men eligible for the draft, who had not completed their military service, to leave the country without special authorization, although the government granted such authorization to students and persons with special family circumstances. The Ministry of Interior affirmed that in 2014 the government ended its requirement for background checks on passport applicants.

### **Protection of Refugees**

The government provided protection to an estimated 90,000 to 165,000 Sahrawi refugees who departed Western Sahara after Morocco took control of the territory in the 1970s. UNHCR, the World Food Program (WFP), the Algerian Red Crescent, the Sahrawi Red Crescent, and other organizations also assisted Sahrawi refugees. Neither the government nor the refugee leadership allowed UNHCR to conduct registration or complete a census of the Sahrawi refugees. In the absence of formal registration, UNHCR and the WFP based humanitarian assistance on a planning figure of 90,000 refugees with an additional 35,000 supplementary food rations.

Access to Asylum: While the law provides generally for asylum or refugee status, the government has not established a formal system through which refugees can request asylum. There were no reports that the government granted refugee status and asylum to new refugee applicants during the year. According to UNHCR the government did not accept UNHCR-determined refugee status for individuals. UNHCR offices in Algiers reported an estimated 200 to 300 asylum requests per month, mostly from Syrian, Palestinian, and sub-Saharan African individuals coming from Mali, Guinea, Central African Republic, Cote d'Ivoire, and the Democratic Republic of the Congo (DRC). Those determined by UNHCR to have valid refugee claims were primarily from the DRC, Cote d'Ivoire, Iraq, and the

Central African Republic. There was no evidence of any pattern of discrimination toward asylum applicants, but the lack of a formal asylum system made this difficult to assess.

As of September the Ministry of National Solidarity, Family, and the Status of Women reported that since the start of the conflict in Syria, it accepted more than 24,000 Syrian refugees. Other organizations estimated the number to be closer to 43,000 Syrians. Starting in January the government instituted visa requirements for Syrians entering the country. Since 2012 UNHCR registered approximately 5,500 Syrians. The Algerian Red Crescent, which is subordinate to the Ministry of Solidarity, maintained “welcome facilities” that provided food and shelter for those Syrians without means to support themselves. The facilities were located at a summer camp in the seaside area of Algiers known as Sidi Fredj. The government did not grant UNHCR access to these reception centers.

Since the outbreak of violence in northern Mali in 2012, international observers reported an influx of individuals into Algeria across the Malian border inconsistent with traditional migratory movements. Prime Minister Sellal estimated in April that 20,000 illegal migrants resided in the country, while other sources assessed there were 9,000 Nigeriens in Tamanrasset alone. The Algerian Red Crescent managed a small refugee camp for Malians near the southern city of Bordj Badj Mokhtar but did not confirm the number of persons there.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened because of their race, religion, nationality, membership in a particular social group, or political opinion. Due to security concerns and the instability in northern Mali, the government stopped deporting sub-Saharan Africans in 2012. UNHCR reported that while migrants continued to be at risk of arrest, the government did not utilize refoulement.

The government, led by the Algerian Red Crescent, repatriated more than 7,000 Nigeriens to their country, allegedly at the request of the government of Niger. Various international humanitarian organizations and observers criticized the operation, citing unacceptable conditions of transport, primarily on the Niger side of the border, and what they described as a lack of coordination between the Algerian Red Crescent and the government and Red Cross of Niger.

Employment: UNHCR provided registered refugees with modest food assistance and lodging support. Because the government does not formally allow refugee

employment, many worked in the informal market and were at risk of labor exploitation due to their lack of legal status in the country. Other migrants, asylum seekers, and Malians and Syrians who had a “special status” with the government, relied largely on remittances from family, the support of local family and acquaintances, and assistance from the Algerian Red Crescent and international aid organizations.

Access to Basic Services: Sahrawi refugees lived predominantly in five camps near the city of Tindouf, administered by the Popular Front for the Liberation of the Saguia el Harma and Rio de Oro (Polisario). The Polisario, UNHCR, WFP, and partner NGOs largely provided basic services including food aid, health care, and education. The remote location of the camps and lack of government presence resulted in a lack of access by police and courts. Other refugees, asylum seekers, and migrants had access to free public hospitals, but independent NGOs reported instances of migrants turned away.

In August the Ministry of Education instructed all school administrators to allow migrant and refugee children to enroll in primary school through high school and only require that they present their passport and documentation showing their level of schooling from their home country. Despite this, refugees and international organizations reported the children had trouble in their attempts to integrate into the educational system.

Durable Solutions: The government did not accept refugees from foreign countries for resettlement. The Sahrawi refugees have not sought local integration or naturalization during their 40-year stay in the refugee camps near Tindouf, and their government-in-exile, the Polisario, continued to call for a referendum on independence in Western Sahara.

Temporary Protection: The law does not address formal temporary protection, but authorities did provide informal, temporary protection to groups such as Syrians and Malians. The government continued its practice of declining to deport migrants expressing a credible fear of return to their home country based on political instability.

### **Section 3. Freedom to Participate in the Political Process**

The constitution states “the people shall choose their representatives freely” and the law provides for universal and equal suffrage, but it does not expressly provide citizens the ability to change their government through free and fair elections.

Restrictions on freedom of assembly and association as well as restrictions on political party activities greatly inhibited the activity of opposition groups.

### **Elections and Political Participation**

The law states that members of local, provincial, and national assemblies are elected for five-year mandates, and that presidential elections occur within 30 days prior to the expiration of the presidential mandate. There were no presidential term limits in 2015. The Ministry of Interior maintains oversight of the election and voting processes. There was no independent electoral commission.

Recent Elections: Presidential elections took place in April 2014, and voters re-elected President Abdelaziz Bouteflika for a fourth term. Although he did not personally campaign, Bouteflika won approximately 81 percent of the votes, while his main rival and former prime minister, Ali Benflis, placed second with slightly more than 12 percent.

Several hundred international election observers from the United Nations, Arab League, African Union, and Organization of Islamic Cooperation monitored voting. Foreign observers characterized the elections as largely peaceful but pointed to low voter turnout and a high rate of ballot invalidity. *El Watan*, a large, opposition-leaning daily newspaper, reported that almost 10 percent of ballots cast were invalid. The Ministry of Interior did not provide domestic or foreign observers with voter registration lists. The president of the Constitutional Council, Mourad Medelci, announced voter participation in the elections was just under 51 percent, a sharp drop from the slightly more than 74 percent turnout during the previous presidential election in 2009.

Ali Benflis rejected the results and claimed that fraud marred the elections. He appealed to the Constitutional Council without result. A coalition of Islamic and secular opposition parties boycotted the election, describing it as a masquerade and asserting that President Bouteflika was unfit to run due to his health. Several candidates withdrew from the race claiming that the outcome was a foregone conclusion.

Political Parties and Political Participation: The Ministry of Interior must approve political parties before they may operate legally.



The government maintained undue media influence and opposition political parties claimed they did not have access to public television and radio. Security forces dispersed political opposition rallies and interfered with the right to organize.

Pursuant to the constitution, all parties must have a “national base.” A party must have received 4 percent of the vote or at least 2,000 votes in 25 provinces in one of the last three legislative elections to participate in national elections, making it very difficult to create new political parties. The law prohibits parties based on religion, ethnicity, gender, language, or region, but there were various political parties commonly known to be Islamist, notably members of the Green Alliance. According to the Ministry of Interior, in September there were 71 registered political parties.

The law does not place significant restrictions on voter registration, but implementation of voter registration and identification laws proved inconsistent and confusing during past elections.

Membership in the Islamic Salvation Front, a political party banned since 1992, remained illegal. The law also bans political party ties to nonpolitical associations and regulates party financing and reporting requirements. According to the law, political parties may not receive direct or indirect financial or material support from any foreign parties. The law also stipulates the collection of resources from contributions by the party’s members, donations, and revenue from its activities, in addition to possible state funding.

As of November 20, parliamentarian and founder of the Democratic and Social Union (UDS) party, Karim Tabbou, awaited authorization from the Ministry of Interior to hold his party’s congress. Originally scheduled in 2014, the UDS could not hold its congress because the party had not received the authorization for its required regional congresses. Ali Benflis, who waited much of 2014 for the approval of his political party, Vanguard of Liberties, held his party’s congress in June and received official accreditation from the ministry in September.

Participation of Women and Minorities: The law requires that the government promote political rights for women by encouraging increased female representation within elected assemblies. The law mandates that 30 percent of all candidates on electoral tickets be women. In accordance with this provision, of the 462 candidates elected to parliament in 2012, 147 were women, increasing their rate of representation from 8 percent in 2007 to 31 percent. Two women served on the council of the Speaker of parliament.

Four women held seats in the cabinet with the portfolios of national education, telecommunications, national solidarity, and handicrafts with the latter being a Minister-Delegate. Four women also led political parties and four of 1,514 mayors were women.

The ethnic Amazigh (Berber) population of approximately 10 million participated freely and actively in the political process and represented more than one-third of government officials.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides for criminal penalties of two to 10 years in prison for official corruption, but the government generally did not implement the law effectively. Corruption remained a problem as reflected in the Transparency International corruption index.

Corruption: While many organizations are involved in the fight against corruption, the Central Office for the Suppression of Corruption is the government's main actor on the subject. The Ministry of Justice reviews cases referred to it by the inspectors general of mainline ministries, including the Ministry of Finance, the General Direction of Customs, and law enforcement agencies. The National Organization for the Prevention and Fight Against Corruption plays a consultative and preventive role regarding corruption.

The government introduced a law by presidential decree and published it in the official gazette on July 23. This law amended the criminal code to stipulate that charges related to theft, embezzlement, or loss of public and private funds may only be initiated against senior, public sector "economic managers" by the board of directors of the institution. Critics of the law asserted that by only permitting senior officials of state businesses to initiate investigations, the law protects high-level government corruption and promotes impunity.

The government brought several major corruption cases to trial resulting in dozens of convictions. Media reporting and public opinion viewed the absence of charges against any or former senior government officials as an indication of impunity for government officials. On June 23, a Blida court sentenced Abdelmoumene Khalifa to 18 years in prison for forming a gang, counterfeiting and using counterfeit documents, theft, bribery, breach of trust, fraud, and fraudulent bankruptcy. Observers believed Khalifa embezzled between DZD 157.5 billion and DZD 525

billion (\$1.5 billion and \$5 billion) from the government. His defense attorneys criticized the trial for the absence of important witnesses, namely several sitting ministers and senior government officials whose presence the presiding judge did not require. Of the 51 other defendants in the case, several received prison sentences, but most were cleared of all charges.

On May 7, an Algiers court convicted financial consultant Chani Medjdoub, former director of studies at the National Agency of Highways Khelladi Mohamed, and former director of planning at the Ministry of Transportation Salim Hamdan Rashid on charges of bribery, abuse of function, abuse of power, receiving undeserved gifts and advantages, waste of public funds, money laundering, violation of currency legislation, and the illegal movement of capital abroad. The court sentenced them to prison terms of seven to 10 years and fined them DZD 1 million to DZD 3 million (\$9,520 to \$28,600) resulting from their involvement in the construction of the “East-West Highway.” Started in 2006 and estimated to span approximately 756 miles and cost DZD 630 billion (\$6 billion), the infrastructure project officially cost the government DZD 1.15 trillion (\$11 billion), with unofficial estimates ranging from DZD 1.37 trillion to DZD 1.79 trillion (\$13 billion to \$17 billion). Despite a number of unresolved allegations, the presiding judge did not summon former minister of public works and transport Amar Ghoul, who oversaw the planning and implementation of the project. The court charged but ultimately acquitted a former secretary general and a former chief of staff of the Ministry of Public Works. The judge fined seven international companies involved in the case an estimated DZD 5 million (\$47,600) on charges of corruption.

Corruption throughout the government stemmed largely from the bloated nature of the bureaucracy and a lack of transparent oversight. The National Consultative Commission for the Promotion and Protection of Human Rights (CNCPPDH), a government human rights organization, stated in its 2014 annual report that public corruption remained a problem and hindered development. The National Association for the Fight Against Corruption noted the existence of effective anticorruption law but stated that the government lacked the “political will” to apply the law.

Financial Disclosure: The law stipulates that all elected government officials and those appointed by presidential decree must declare their assets the month they commence their jobs, if there is substantial change in their wealth while they are in office, and at the end of their term. Few government officials made their personal wealth public, and there was no enforcement of the law.

Public Access to Information: Lack of government transparency remained a serious problem. Most ministries had websites, but not all ministries regularly maintained them with updated information. Analysts, academics, and other interested parties often had difficulty obtaining even routine and nominally public economic data from government ministries.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A variety of domestic human rights groups operated with varying degrees of government restriction and cooperation. The law requires all civil associations to apply for operating permission, and at year's end several major civil associations remained unrecognized but tolerated.

AI maintained an office and actively reported on human rights issues, but it did not receive official authorization to operate from the Ministry of Interior.

Although the government did not renew the accreditation of LADDH, the organization had members countrywide, received independent funding, and was the most active independent human rights group. The smaller Algerian League for Human Rights, a separate but also licensed organization based in Constantine, had members throughout the country monitoring individual cases.

During the year LADDH affirmed that members of several of its offices around the country, specifically its human rights defense lawyers, experienced intimidation, harassment, and electronic surveillance by security forces. Following the arrests of Hassan Bouras and Zoulikha Belarbi in October, Farouk Ksentini, president of the CNCPPDH, called for ending the imprisonment of human rights activists.

The United Nations or Other International Bodies: The government extended an invitation to the UN Working Group on Enforced or Involuntary Disappearances in 2014 and again in September, but as of December no visit occurred. The country joined the Human Rights Council in January 2014 but continued to deny requests for visits from the UN special rapporteurs on extrajudicial executions (pending since 1998) and on human rights and counterterrorism (pending since 2006) and the UN Working Group on arbitrary detention (pending since 2009).

Government Human Rights Bodies: The CNCPPDH, a government institution, plays a consultative and advisory role to the government. It issues an annual report

on the status of human rights in the country. Published in July the 2014 report highlighted government advances in social rights with improvements in the provision of public housing and improved public health services. The commission identified its principal concerns as public corruption, overuse of pretrial detention, heavy bureaucracy, and impediments limiting citizens' access to justice.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution prohibits discrimination based on birth, race, gender, language, beliefs, or “any other condition or social circumstance.” The government generally enforced the law, although women and members of the LGBTI community continued to face legal and social discrimination.

### **Women**

Rape and Domestic Violence: Rape, both spousal and nonspousal, occurred. The law criminalizes nonspousal rape but does not address spousal rape. Prison sentences for nonspousal rape range from one to five years, and authorities generally enforced the law. Many women did not report incidents of rape because of societal and family pressures.

Domestic violence was widespread. The law states that a person claiming domestic abuse must visit a “forensic physician” for an examination to document injuries and that the physician must determine that the victim suffered from injuries that “incapacitated” the person for 15 days. The law also requires that the physician provide the victim with a “certificate of incapacity” attesting to the injuries, which the victim presents to authorities as the basis of the criminal complaint.

According to statistics released by the Surete Nationale (DGSN), 7,091 women were victims of violence in the first nine months of 2014. Out of this total, authorities reported 5,160 cases of repeated physical abuse and 4,113 cases of domestic violence. The Ministry of Justice announced that it prosecuted 15,707 men in 2014 for domestic violence, although the sentences were unknown. According to statistics stemming from women's advocacy groups published in the local press, between 100 and 200 women die each year from domestic violence.

The Information and Documentation Center on the Rights of Children and Women (CIDDEF), a network of local organizations that promoted the rights of women,

managed call centers in 15 provinces and reported that each center received 500-600 calls during the year from female victims of violence seeking assistance.

In December the Council of the Nation adopted a law that strengthened punishments for violence against women. The law introduced sentences of one to 20 years' imprisonment for domestic violence and six months to two years' incarceration for men who withheld property or financial resources from their spouses. While supporting the draft law, AI and domestic women's rights groups criticized its "forgiveness" clause that permitted the annulment of charges if the abused spouse pardoned her husband.

Sexual Harassment: The punishment for sexual harassment is one to two years' imprisonment and a fine of DZD 50,000 to DZD 100,000 (\$476 to \$952); the punishment doubles for a second offense. Women's groups reported that official statistics on harassment were not available but that the majority of reported cases of harassment occurred in the workplace.

Reproductive Rights: The government promoted reproductive rights and couples and individuals had the right to decide the number, timing, and spacing of their children, manage their reproductive health, and have access to the information to do so with limited societal discrimination and coercion. Conservative elements of society challenged the government's family planning program, including the provision of free contraception. Married and unmarried women had access to contraceptives, although there were reports of pharmacists who refused to sell contraception to unmarried women. A study by a prominent women's group found during the year that approximately 68 to 70 percent of women used contraception, the majority of whom took birth control pills. Women did not need permission to obtain birth control pills, but doctors required permission of the partner for women who sought out tubal ligation.

Societal and family pressure restricted women from making independent decisions about their health and reproductive rights.

Discrimination: Although the constitution provides for gender equality, many aspects of the law and traditional social practices discriminated against women. In addition religious extremists advocated practices that led to restrictions on women's behavior, including freedom of movement. In some rural regions, women faced extreme social pressure to veil as a precondition for freedom of movement and employment. In May an Algiers University guard barred a female student from sitting for a law school examination for wearing a skirt that he

deemed was too short. The university president called the incident “regrettable” but did not sanction the guard. The law contains traditional elements of Islamic law. It prohibits Muslim women from marrying non-Muslims, although authorities did not always enforce this provision. Muslim men may marry non-Muslim women. A woman may marry a foreigner and transmit citizenship and nationality to both her children and spouse.

Women may seek divorce for irreconcilable differences and violation of a prenuptial agreement. In a divorce the law provides for the wife to retain the family’s home until children reach age 18. Authorities normally awarded custody of children to the mother, but she may not make decisions about education or take the children out of the country without the father’s authorization. Women were more likely to retain the family’s home if they had custody of the children.

The law affirms the religiously based practice of allowing a man to marry as many as four wives. The law permits polygamy only upon the agreement of the first wife and the determination of a judge as to the husband’s financial ability to support an additional wife. A joint Ministry of Health and UN study from 2013 estimated that 3 percent of marriages were polygamous. It was unclear whether authorities followed the law in all cases.

Amendments to the law supersede the religiously based requirement that a male sponsor consent to the marriage of a woman. The sponsor represents the woman during the religious or civil ceremony. Although the law has formally retained the requirement of a sponsor to contract the marriage, the woman may choose any man that she wishes to be her sponsor. Some families subjected women to virginity tests before marriage.

Women suffered from discrimination in inheritance claims and were entitled to a smaller portion of an estate than male children or a deceased husband’s brothers. Women did not often have exclusive control over assets that they brought to a marriage or that they earned. Women may take out business loans and use their own financial resources. Women enjoyed rights equal to those of men concerning property ownership, and property titles listed female landowners’ names.

Women faced discrimination in employment. Leaders of women’s organizations reported that discrimination was common and women were less likely to receive equal pay for equal work or promotions. In urban areas there was social encouragement for women to pursue higher education or a career. Girls graduated from high school more frequently than boys.

According to a study released by CIDDEF, women represented 19.5 percent of the active workforce with 61 percent of these women working in the public sector. At the beginning of 2014, female unemployment was higher than that of men, with 16.3 percent of women unemployed compared to 8.3 percent of men. While the presence of women in the workforce grew, access to management positions remained limited. Women served at all levels in the judicial system. The government employed an increasing number of female police. Women may own businesses, enter into contracts, and pursue careers similar to those of men.

## **Children**

Birth registration: The mother or father may transmit citizenship and nationality. By law children born to a Muslim father are Muslim, regardless of the mother's religion. The law did not differentiate between girls and boys in registration of birth.

Education: Education was free, compulsory, and universal through the secondary level to age 16. The UN Children's Fund (UNICEF) reported that the attendance of girls was higher in secondary school due to instances of boys leaving school after the primary level. The UN estimated primary school enrollment at more than 97 percent.

Child Abuse: Child abuse is illegal but was a serious problem. Experts assumed that many cases went unreported because of family reticence. Adberahmane Arrar, head of the country's Network for the Defense of Children's Rights, reported that the NGO's free helpline received more than 18,000 calls requesting assistance from June 2014 through May. The DGSN reported 1,663 cases of child sexual abuse in 2014, and the National Gendarmerie reported 380 cases.

Kidnapping for any reason is a crime. Laws prohibiting parental abduction do not penalize mothers and fathers differently. In January 2014 legislation strengthened the punishment for convicted kidnappers to include the death penalty. The DGSN commissioner for the National Office of Child Protection reported the kidnapping of 52 children for the period of January through August.

Early and Forced Marriage: The legal minimum age of marriage is 19 for both men and women, but minors may marry with parental consent, regardless of gender. The law forbids legal guardians from forcing minors under their care to marry against the minor's will. The Ministry of Religious Affairs required that



couples present a government-issued marriage certificate before permitting imams to conduct religious marriage ceremonies.

UN statistics from 2013 showed that 6 percent of women ages 20 to 49 were married by or before age 18.

Sexual Exploitation of Children: The law prohibits solicitation for prostitution and stipulates prison sentences of between 10 and 20 years when the offense is committed against a minor under age 18. By law the age for consensual sex is 16. The law stipulates a prison sentence of between 10 and 20 years for rape when the victim is a minor. The law does not call for prosecuting a man accused of raping a female minor if he legally marries the victim, and there were no available reports of this practice during the year. The law prohibits pornography and establishes prison sentences from two months to two years as well as fines up to DZD 2,000 (\$19).

Passed by parliament in May and written into the official gazette in July, the government enacted a new law improving protection for children. The law created a national council to address children's issues, improved social services and protection for children, gave judges authority to remove children from an abusive home, and allowed sexually abused children to provide testimony on video rather than in court.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html) and country-specific information at [travel.state.gov/content/childabduction/en/country/Algeria.html](http://travel.state.gov/content/childabduction/en/country/Algeria.html).

### **Anti-Semitism**

Some religious leaders estimated that the country's Jewish population numbered fewer than 200 persons. Local Jewish community leaders estimated the number to be in the low hundreds. The media did not publish any known derogatory political cartoons or articles directed at the Jewish community, but observers found anti-Semitic postings on social media sites.

Jewish leaders reported that the Jewish community faced unofficial, religion-based obstacles to government employment and administrative difficulties when working with government bureaucracy.

In August opponents of the Minister of National Education and her proposal to teach primary schools in the local dialect instead of Arabic resulted in social media smear campaigns accusing her of having Jewish heritage.

On October 16, the presidential chief of staff and secretary general of the National Democratic Rally political party, Ahmed Ouyahia, accused Ferhat Mehenni, singer and leader of the Kabyle Independence Movement, of “selling Algeria to the Jews.”

In October several young Algerians published an online video entitled “Jews in the Streets of Algeria: What Will Happen?” The video depicted a young man wearing a kippah, pretending to be Jewish, and the numerous insults and harassment he received by people on the street of Algiers. The makers of the video concluded what they called a “social experiment” by stating, “Algerians do not want to smell the odor of Jews in their country.” Within a week the anti-Semitic video received more than 100,000 views, more than 1,000 likes, and several hundred dislikes.

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services, although the government did not effectively enforce these provisions. Persons with disabilities faced widespread social discrimination. Few government buildings were accessible to persons with disabilities. Few businesses abided by the law that they reserve 1 percent of jobs for persons with disabilities. Business that did not meet the 1-percent quota received a DZD 140,000 (\$1,330) fine. It was unclear if the government enforced payment of fines. Social security provided payments for orthopedic equipment. The Ministry of National Solidarity, Family, and the Status of Women provided some financial support to health-care-oriented NGOs, but for many NGOs such financial support represented a small fraction of their budgets.

Government statistics from 2013 stated there were two million individuals with disabilities in the country, and NGOs working with persons with disabilities agreed that number remained accurate. The Ministry of Solidarity stated that it paid disability benefits to 830,000 persons with disabilities, which accounted for those who registered with the government.

In November dozens of persons with disabilities and their families protested in Algiers to call for increased disability benefits.

The Ministry of Solidarity reported that it ran 232 centers throughout the country that provided psychopedagogical support for persons with intellectual, auditory, visual, and physical disabilities. The ministry stated that it began in concert with the Ministry of Education a pilot program to integrate children with disabilities into public schools to promote inclusion. The majority of the ministry's programs for children with disabilities remained in social centers for children with disabilities rather than in formal educational institutions. Advocacy groups reported that children with disabilities rarely attended school past the secondary level. Many schools lacked teachers trained to work with children with disabilities, threatening the viability of efforts to mainstream children with disabilities into public schools. Numerous private schools existed but, according to advocacy organizations, staff acted more as caretakers than teachers due to a lack of training.

In April 2014 the Ministry of National Solidarity, Family, and the Status of Women established the National Council of Handicapped Persons in response to a 2006 presidential decree. It serves as a consultative organ to study issues such as accessibility for persons with disabilities, autism, and the education of children with disabilities. In March the ministry signed a memorandum of understanding with the NGO Handicap International that formalized their partnership and cooperation.

Many persons with disabilities faced challenges in voting due to voting centers that lacked accessible features.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law criminalizes public and consensual same-sex sexual relations by men or women with penalties that include imprisonment of six months to three years and a fine of DZD 1,000 to DZD 10,000 (\$9.50 to \$95). The law also stipulates penalties

that include imprisonment of two months to two years and fines of DZD 500 to DZD 2,000 (\$4.76 to \$19) for anyone convicted of having committed a “homosexual act.” If a minor is involved, the adult may face up to three years’ imprisonment and a fine of DZD 10,000 (\$95).

LGBTI activists reported that the vague wording of laws identifying “homosexual acts” and “acts against nature” permitted sweeping accusations that resulted during the year in multiple arrests for same-sex sexual relations but no known prosecutions.

LGBTI persons faced strong societal and religious discrimination. While some lived openly, the vast majority did not, and most feared reprisal from their families or harassment from authorities. One activist reported that of the 100 LGBTI persons he knew, only three had “come out.” During a May radio interview, Minister of Religious Affairs Mohamed Aissa said that combatting individuals who promote the deviation of morality and the dismantling of the family (a reference to the behavior of LGBTI individuals) was more important than the fight against Da'esh. In April popular Imam Sheikh Chemseddine openly called for the mistreatment and beating of LGBTI persons during his regular television program.

Activists said that the government did not actively condemn LGBTI behavior, but that was complicit in the hate speech propagated by conservative, cultural, and religion-based organizations, some of which associated LGBTI individuals with pedophiles and encouraged excluding them from family and society. Arabic-language media outlets, such as Ennahar TV and Echourouk TV, aired programs that demonized LGBTI persons. One documentary, entitled *The Plot*, asserted that a gay activist collaborated with the French, maintained ties to the Barakat movement (a political movement that opposed President Bouteflika’s campaign for a fourth term in office), and liaised with terrorist organizations. On November 23, the president of the ARAV, Miloud Chorfi, summoned the director of the private television channel Beur TV following its November 16 broadcast of a program on LGBTI behavior. Chorfi said that the content of the program was “an attack against decency” and warned that the government would take legal action if the television station did not “respect the ethics and morals of our society.”

Due to the hacking of one LGBTI organization’s website and increased offensive and derogatory media coverage specifically denouncing LGBTI practices, activists reported the need to focus their advocacy on personal safety and minimized their activities during the year. Activists reported that members of the LGBTI community declined, and thus lessened their capacity to report cases of

homophobic abuse and rape due to fear of reprisal by authorities. Reporting that access to health services could be difficult because medical personnel often treated LGBTI patients unprofessionally, activists noted that some organizations maintained a list of “LGBTI-friendly” hospitals and several NGOs operated mobile clinics specifically for vulnerable communities.

Employers refused jobs to LGBTI persons, particularly men perceived as effeminate. Activists also reported cases of individuals denied drivers licenses due to their perceived sexual orientation. Community members said that obtaining legal assistance was also a challenge due to similar discrimination. Members of the LGBTI community reported that forced marriage was a problem, particularly for lesbians.

Abu Nawas and Alouen, Algiers-based and Oran-based LGBTI advocacy groups, respectively, continued cyberactivism on behalf of the LGBTI community.

### **HIV and AIDS Social Stigma**

HIV/AIDS was widely considered a shameful disease. There were more reported cases in men than women, with the exception of women between ages 15 and 24. The government continued to offer free antiretroviral treatment to all persons, including migrants. Authorities have virtually eliminated new HIV infections among children. The Joint UN Program on HIV/AIDS (UNAIDS) reported the existence of more than 2,000 centers offering free testing and counseling services, 1,500 of which the government managed. Strong social stigma towards the vulnerable groups in which HIV/AIDS was most concentrated--commercial sex workers, men who have sexual relations with men, and drug users--deterred testing of these groups. A 2014 study found a 5-percent prevalence rate of HIV/AIDS among commercial sex workers in Oran, the country’s second largest city. Another NGO reported the prevalence rate of the same community at nearly 10 percent.

A Ministry of Health report found that there were 845 new cases of HIV/AIDS in 2014, contributing to an official estimate of 9,103 persons living with HIV/AIDS. Of this estimate, the government provided treatment to more than 6,000 individuals. UNAIDS estimated that 10,000 persons lived with HIV/AIDS in 2014, 300 of whom were under age 15.

Led by the Ministry of Health, the government established the National AIDS Committee, which met quarterly during the year. The committee brought together

various government and civil society actors to discuss implementation of the national strategy to combat HIV/AIDS.

In August the Green Tea Association, an NGO working in the field of HIV/AIDS treatment, opened an information and orientation center in Tamanrasset, a province known for its large and diverse population of migrants.

### **Other Societal Violence or Discrimination**

Conflict between the Mozabite Ibadite Muslims and Arab Malikite Muslims--the latter ethnic-religious group representing the majority of Algerians--continued during the year in the southern city of Ghardaia. Beginning in January and lasting into July, street clashes between the two communities resulted in the destruction of large numbers of vehicles and homes, hundreds of civilian injuries, and approximately 30 deaths. The most deadly clashes occurred July 7 when violent confrontations between the communities resulted in more than 22 fatalities, according to a statement by the Minister of Interior. Media reported that the inability or unwillingness of security forces to prevent further violence and destruction of property in the communities exacerbated the conflict. In June the prime minister, the ministers of interior and justice, and the National Gendarmerie and DGSN heads visited and met with local leaders in attempts to ease communal tensions. In July, President Bouteflika held an emergency meeting at which he directed the military to assume responsibility for security in Ghardaia from police and gendarmes.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution provides workers with the right to join and form unions of their choice provided they are citizens. The country has ratified the International Labor Organization's (ILO) conventions on freedom of association and collective bargaining but failed to enact legislation needed to implement these conventions fully.

The law requires that workers obtain government approval to form a union, and the Ministry of Labor must approve or disapprove a union application within 30 days. The law also provides for the creation of independent unions, although the union's membership must account for at least 20 percent of an enterprise's workforce. Although unions have the right to form and join federations or confederations, the

government only recognized the General Union of Algerian Workers (UGTA), which represented a majority of public sector workers. Unions may recruit members at the workplace. The law prohibits discrimination by employers against union members and organizers and provides mechanisms for resolving trade union complaints of antiunion practices by employers.

The law permits unions to affiliate with international labor bodies and develop relations with foreign labor groups. For example, the UGTA is a member of the International Confederation of Free Trade Unions. Nevertheless, the law prohibits unions from associating with political parties and receiving funds from foreign sources. The courts are empowered to dissolve unions that engage in illegal activities. The government may invalidate a union's legal status if authorities perceive its objectives to be contrary to the established institutional system, public order, good morals, law, or regulations in force.

The law provides for collective bargaining by all unions, and the government permitted the exercise of this right for authorized unions. Nevertheless, the UGTA remained the only union authorized to negotiate collective bargaining agreements.

The law provides for the right to strike, and workers exercised this right, subject to conditions. Striking requires a secret ballot of the whole workforce. The government may restrict strikes on a number of grounds, including economic crisis, obstruction of public services, or the possibility of subversive actions. Furthermore, all public demonstrations, including protests and strikes, must receive prior government authorization. By law workers may strike only after 14 days of mandatory conciliation or mediation. The government occasionally offered to mediate disputes. The law states that decisions reached in mediation are binding on both parties. If mediation does lead to an agreement, workers may strike legally after they vote by secret ballot to do so. The law requires that a minimum level of essential public services must be maintained during public-sector service strikes. The ILO noted that the list of essential services was broad and included services such as banking, radio, and television. It expressed concern regarding what it deemed excessive penalties ranging from eight days to two months' imprisonment imposed by the government on workers participating in peaceful strikes.

The government affirmed that it registered nine new trade union and employer's organizations. Independent labor organizations stated that no new, independent unions formed during the year. In 2014 the National Autonomous Union of Workers of the National Society for Electricity and Gas, workers for the state electric and gas company, successfully registered. Many trade unions remained

unrecognized by the government; they identified delayed processing and administrative hurdles imposed by the government as the primary obstacles to establishing legal status. In March the ILO Committee on Freedom of Association expressed concern at the particularly long delays in registration of certain trade unions in the public sector despite the fact that the organizations appeared to have met all administrative conditions.

Attempts by new unions to form federations or confederations suffered similar challenges. Representatives of the National Autonomous Union for Public Administration Personnel (SNAPAP) stated that the union continued to function without official status. At the ILO International Labor Conference in June, the government stated that it “had no problem with SNAPAP” or with the Autonomous National Union of Secondary and Technical Teachers. According to the government, approximately 100 unions were registered.

Formed in 2013 but not recognized by the government, the General Autonomous Confederation of Workers in Algeria (CGATA) included public and economic sector unions and committees. In March the Ministry of Labor refused to register CGATA as a national confederation, thus preventing it from establishing an independent multisector confederation that would include private sector employees. CGATA membership included workers from eight unions representing state oil and gas employees, university professors, public transport and postal workers, students, and unemployed workers. The confederation also included migrants working in the country.

SNAPAP and other independent unions faced government interference throughout the year, including official obstruction of general assembly meetings and police harassment during sit-in protests. Furthermore, unions in multi-national companies, specifically in oil and gas production, were virtually nonexistent due to antiunion practices, threats, and harassment by employers.

In February and March, a strike conducted by more than seven teacher unions over the ranking and promotion system and bonuses in the education sector severely affected middle and high school activity. Members of the National Autonomous Council of Secondary and Vocational Teachers (CNAPEST) and the Algerian High School Council (CLA) led negotiations with the minister of national education that ended the strike and resulted in further discussions between labor groups and the ministry. In November, the minister of education and representatives of eight out of 10 autonomous education unions signed the Charter of Education Ethics that outlined the rights and responsibilities of administrators



and teachers. Representatives of CNAPEST and the CLA said that the nonbinding charter did not address their unions' existing grievances, primarily related to pay and retirement benefits, and refused to sign the document.

Health sector unions engaged in a series of strikes throughout the year that began in January over grievances mainly related to promotions and bonuses. In June the National Union of Public Health Practitioners, SNAPAP, and the National Federation of Health reached agreement with the Ministry of Health to resolve the dispute.

The Committee of Experts at the International Labor Conference in June requested that the government reinstate employees that the committee determined were fired based on antiunion discrimination, ensure that there are no obstacles to the registration of trade unions (in law and practice), and act expeditiously to process pending trade union registration applications.

Antiunion intimidation was commonplace, and there were several strikes launched in reaction to the government's refusal to extend official recognition to fledgling new unions and its practice of engaging only with the UGTA. Four members of the Algeria Post Workers' Collective reportedly were fired after taking part in a strike in January.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of human trafficking, including forced labor. There were reports from NGOs that such practices occurred. Forced labor conditions existed for migrant workers, and the law did not fully protect them. Construction workers and domestic workers were reportedly vulnerable. The government did not take an active role in combatting the problem.

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### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits participation by minors in dangerous, unhealthy, or harmful work or in work considered inappropriate because of social and religious considerations. The minimum legal age for employment is 16, but younger children may work as apprentices with permission from their parents or legal guardian. The law prohibits workers under age 19 from working at night and

establishes a list of hazardous occupations prohibited to minors. Approximately half of those working in the informal sector were under age 30.

Although specific data was unavailable, children reportedly worked mostly in the informal sales market, often in family businesses. There were isolated reports that children were subjected to commercial sexual exploitation (see section 6, Children). According to UNICEF 6 percent of children ages five to 14 were economically active.

The Ministry of Labor is responsible for enforcing child labor laws. There is no single office charged with this task, but all labor inspectors are responsible for enforcing laws regarding child labor. The ministry conducted inspections and in some cases investigated companies suspected of hiring underage workers. Monitoring and enforcement practices for child labor were inconsistent and hampered by an insufficient number of inspectors.

The Ministry of Solidarity leads a national committee composed of 12 ministries and NGOs that meets yearly to discuss child labor issues. The committee was empowered to propose measures and laws to address child labor as well as conduct awareness campaigns.

In July the government implemented Article 139 as an amendment to the penal code that provides for imprisonment of one to three years and a fine of DZD 50,000 to DZD 100,000 (\$476 to \$952) for anyone found guilty of economically exploiting a child.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination with respect to employment, salary, and work environment based on age, gender, social and marital status, family links, political conviction, disability, and affiliation with a union. The law does not prohibit discrimination with respect to employment based on sexual orientation, HIV-positive status, or religion. The government did not adequately enforce the law since discrimination reportedly existed, specifically against migrant workers who lacked a legal means to address unfair working conditions.

#### **e. Acceptable Conditions of Work**

A tripartite social pact among business, government, and the official union established the national minimum wage of DZD 18,000 (\$171) per month in 2012.

The standard workweek was 40 hours, including one hour for lunch per day. Employees who worked longer than the standard workweek received premium pay on a sliding scale from time-and-a-half to double time, depending on whether the overtime occurred on a normal workday, a weekend, or a holiday.

In August the government enacted a law that separated benefits such as social security from the minimum wage. While the actual wage remained unchanged, the exclusion of certain benefits in the wage increased workers' total compensation. The government applied the law retroactively to cover the whole year.

The law contains occupational health and safety standards that were not fully enforced. There were no known reports of workers dismissed for removing themselves from hazardous working conditions. If workers face such conditions, they may reserve the right to renegotiate their contract or, failing that, resort to the courts. While this legal mechanism exists, the high demand for employment in the country gave an advantage to employers seeking to exploit employees. Labor standards did not protect economic migrants from sub-Saharan Africa and elsewhere working in the country without legal immigration status, which made them vulnerable to exploitation. The law does not adequately cover migrant workers employed primarily in construction and as domestic workers.

On August 31, the director general of social security at the Ministry of Labor announced that employers had not declared 15 percent of workers to the government. He said that the government would fine employers found not to be officially declaring their employees to the Ministry of Labor, and thereby not paying social security benefits. Fines range from DZD 100,000 to DZD 200,000 (\$952 to \$1,900) and DZD 200,000 to DZD 500,000 (\$1,900 to \$4,760) for repeat offenders. Employers had until September 20 to comply.

The Labor Ministry generally enforced labor standards, including providing for compliance with the minimum wage regulation and safety standards. Nevertheless, broad enforcement remained insufficient.