

# Algeria - Human Rights Scorecard <sup>1</sup>

Algeria, officially People’s Democratic Republic of Algeria, is a North African country with a Mediterranean coastline and a Saharan desert interior. Its capital and most populous city is Algiers, located in the country’s far north. With an area of 2,381,741 square kilometres (919,595 sq mi), Algeria is the tenth-largest country in the world, and the largest in Africa and the Arab world.

**Official languages:** Arabic; Tamazight

**Ethnic groups:** 99% Berber and Berber-Arab; 1% other

**Government:** Unitary semi-presidential republic

- President: Abdelaziz Bouteflika

- Prime Minister: Abdelmalek Sellal

**Death penalty:** Abolitionist in practice

**Population:** 39.5 millions

**Life expectancy:** 72.9 years

**Under-5 mortality (m/f):** 35/31 per 1000

**Adult literacy:** 72.6 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



**Respected** <sup>2</sup>

There were no reports of government or security forces unlawfully or arbitrarily killing civilians or detainees.

### Freedom from disappearance



**Largely disrespected** <sup>3</sup>

In May 2014 the UN Human Rights Council Working Group on Enforced or Involuntary Disappearances submitted 17 cases of enforced or involuntary disappearances to the government. The Algerian government has not insufficiently addressed these cases.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



**Largely disrespected** <sup>4</sup>

The law prohibits torture, but various reports have been issued by local and international human rights organizations condemning the Algerian government for its use of torture and unpunished police brutality. These instances have not been sufficiently addressed by the government.

### Freedom from arbitrary arrest or detention



**Largely disrespected** <sup>5</sup>

The use of pretrial detention is one of the most significant continuing human rights problems in Algeria. In 2011 authorities adopted legislation authorizing the practice of holding alleged terrorists in secret residences for up to nine months.

### Freedom from denial of fair public trial



**Largely disrespected** <sup>6</sup>

While the constitution provides for an independent judiciary, the president exercises supreme judicial authority and the judiciary is often subject to influence and corruption. Authorities do not always respect legal provisions regarding defendants’ rights.

### Freedom from arbitrary interference with privacy, family, home or correspondence



**Largely disrespected** <sup>7</sup>

Widespread surveillance practices which run contrary to Algerian law have been highlighted by human rights activists.

## Section 2: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>8</sup>



**Score: 36.63, Rank: 119 / 180 – Highly controlled, limited or intimidated**<sup>9</sup>

Although the constitution provides for freedom of speech and press, the government restricts these rights in practice, using techniques such as informal pressure on journalists and arrest and detention of citizens criticizing the government.

### Freedom from academic censorship



**Largely disrespected**<sup>10</sup>

Some major news outlets face direct and indirect retaliation for criticism of the government.

### Freedom of peaceful assembly and association



**Largely disrespected**<sup>11</sup>

Although the constitution provides for freedom of assembly and association, the government severely restricts the exercise of these rights. In 2014, for example, the authorities maintained a ban on all demonstrations in Algiers.

### Freedom of religion



**Partially respected**<sup>12</sup>

The constitution establishes Islam as the state religion and prohibits institutions from engaging in behaviour incompatible with Islamic morality. The constitution provides for religious freedom, but non-Muslim groups experience difficulty when attempting to register with the government.

### Protection of refugees and stateless persons



**Respected**<sup>13</sup>

The government generally cooperates with the UNHCR and other humanitarian organizations in providing protection and assistance to refugees and stateless persons

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>14 15</sup>



**5 / 7 – Partly free**<sup>16</sup>

The media and the legal system are frequently influenced by pressure from the government. The government also plays a dominant role in the economy and controls the main labour federation. NGOs require a permit to operate.

## Section 3: Respect for Political Rights

*Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..*

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>17</sup>



**6 / 7 – Not free**<sup>18</sup>

Each of President Bouteflika's four elections to the presidency has been tainted by accusations of fraud by his chief adversaries. Increasing ethnic and sectarian communal violence attests to the perception of political marginalization and alienation experienced by most Algerians.

## Section 4: Corruption and Lack of Transparency in Government

*The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.*

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>19</sup>



**Score: 36%, Rank: 100 / 175 – Highly corrupt**<sup>20</sup>

In Algeria, a lack of government transparency, low levels of judicial independence, and bloated bureaucracies contribute to widespread corruption.

## Section 5: Governmental Response to Criticism

*This section deals specifically with the response heads of state have to civil society or international human rights reports.*

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### **Largely disrespected**<sup>21</sup>

Many independent organizations report difficulties and long delays in obtaining visas for entering and working in the country. Some also experience intimidation, harassment, arbitrary detention of staff, and electronic surveillance by security forces.

## Section 6: Discrimination and Societal Abuses

*Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.*

### Rights of women (World Economic Forum Gender Gap Index)<sup>22</sup>



#### **Score: 61.8%, Rank: 126 / 142 – Very unequal rights**<sup>23</sup>

Although the law dictates equality, prevailing societal norms mean that women still face widespread discrimination in employment, marriage rights, inheritance rights, access to credit and other areas. Domestic violence is widespread, but the law makes it difficult for women to report it.

### Rights of Children (KidsRights Index Overall Score)<sup>24</sup>



#### **Score: 78%, Rank: 67 / 165 – Protected**<sup>25</sup>

Education is free, compulsory, and universal through the secondary level to age 16. Primary school enrolment is thus close to 95%.

### Rights of persons with disabilities



#### **Partially respected**<sup>26</sup>

Although Algerian law prohibits discrimination against persons with disabilities, the government does not effectively enforce these provisions. Persons with disabilities face widespread social discrimination, as well as challenges in voting due to voting centers that lack accessible features.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### **Partially respected**<sup>27</sup>

About a quarter of the Algerian population is Berber. They participate freely and actively in the political process and represent more than one-third of the government. However, the Christian and Jewish minorities still face discrimination.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### **Largely disrespected**<sup>28 29</sup>

The Algerian law prohibits homosexuality and homosexuals risk up to three years of imprisonment.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



#### **Largely disrespected**<sup>30</sup>

The country ratified the International Labour Organization's (ILO's) conventions on freedom of association and collective bargaining but failed to enact legislation needed to implement these conventions fully. The rights of unions are thus greatly restricted in Algeria.

### Freedom from forced or compulsory labour



#### **Largely disrespected**<sup>31</sup>

The constitution prohibits all forms of forced or compulsory labour, but forced labour conditions exist for migrant workers and the law does not fully protect them.

## Freedom from forced labour for children, and a minimum age of employment



### Largely disrespected<sup>32</sup>

The Algerian law addresses only partially questions of child labour. According to the UN Children’s Fund, 5 percent of children ages five to 14 are economically active.

## Right to acceptable conditions of work



### Largely disrespected<sup>33</sup>

The national minimum wage of DZD 18,000 (\$225) per month does not provide a decent standard of living for a worker and family. The Labour Ministry has made efforts to enforce labour standards but enforcement remained broadly insufficient and ineffective.

## Right to employment



### 9.7% - High unemployment<sup>34</sup>

While the unemployment rate in Algeria is still much higher than it should be, it has dropped significantly over the last ten years, and is projected to drop further in the coming years.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> "Country Reports on Human Rights Practices for 2014 Algeria." U.S Department of State. January 1, 2013. Accessed January 11, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>3</sup> Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.

<sup>4</sup> Ibid. U.S Department of State.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>9</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed January 11, 2016. <http://rsf.org/index2014/en-index2014.php>.

<sup>10</sup> "Country Reports on Human Rights Practices for 2014 Algeria." U.S Department of State. January 1, 2014. Accessed January 20, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>11</sup> "Algeria." World Report 2014: Algeria. January 1, 2014. Accessed January 20, 2016. <http://www.hrw.org/world-report/2014/country-chapters/algeria>.

<sup>12</sup> "Algeria." International Religious Freedom Report for 2014. January 1, 2014. Accessed January 20, 2016.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>13</sup> "Algeria." World Report 2014: Algeria. January 1, 2014. Accessed January 20, 2016. <http://www.hrw.org/world-report/2014/country-chapters/algeria>.

<sup>14</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>15</sup> Freedom House’s Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed January 20, 2016

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>16</sup> "Algeria." Freedom in the World 2015: Algeria. January 1, 2015. Accessed January 20, 2016. <https://freedomhouse.org/report/freedom-world/2015/algeria>

<sup>17</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed January 20, 2016 <https://www.freedomhouse.org/report/freedom-world-2015/methodology#.VldwWzHF98F>

<sup>18</sup> "Algeria." Freedom in the World 2015: Algeria. January 1, 2015. Accessed January 20, 2016. <https://freedomhouse.org/report/freedom-world/2015/algeria>

<sup>19</sup> Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>20</sup> "Algeria." Corruption by Country. January 1, 2014. Accessed January 20, 2016. <http://www.transparency.org/country#DZA>.

<sup>21</sup> "Country Reports on Human Rights Practices for 2014 Algeria." U.S. Department of State. January 1, 2014. Accessed January 20, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>22</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>23</sup> "Algeria." World Economic Forum. January 1, 2014. Accessed January 20, 2016. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=DZA>

<sup>24</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>25</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed January 20, 2016. <http://www.kidsrightsindex.org/>

<sup>26</sup> "Country Reports on Human Rights Practices for 2014 Algeria." U.S. Department of State. January 1, 2014. Accessed January 20, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>27</sup> Ibid. U.S. Department of State.

<sup>28</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2015. Accessed January 20, 2016. <http://ilga.org/>. See also Ibid. U.S. Department of State.

<sup>29</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>30</sup> "Country Reports on Human Rights Practices for 2014 Algeria." U.S. Department of State. January 1, 2014. Accessed January 20, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>31</sup> Ibid. U.S. Department of State.

<sup>32</sup> Ibid. U.S. Department of State.

<sup>33</sup> Ibid. U.S. Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>34</sup> "Global Employment Trends." International Labour Organization. January 1, 2014. Accessed January 20, 2016. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).