



COUNTRY REPORT

IMMIGRATION DETENTION IN

ALGERIA: PANDEMIC PUSHBACKS

JULY 2020



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THE GLOBAL DETENTION PROJECT MISSION

The Global Detention Project (GDP) is a non-profit organisation based in Geneva that promotes the human rights of people who have been detained for reasons related to their non-citizen status. Our mission is:

- To promote the human rights of detained migrants, refugees, and asylum seekers;
- To ensure transparency in the treatment of immigration detainees;
- To reinforce advocacy aimed at reforming detention systems;
- To nurture policy-relevant scholarship on the causes and consequences of migration control policies.

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Front cover images: Screenshots of mobile phone footage, captured by migrants while they were being expelled by Algerian authorities into Niger, June 2018, <https://bit.ly/32PaGcS>

This report is also available online at www.globaldetentionproject.org

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GLOSSARY

BAPRA	<i>Bureau Algérien pour les réfugiés et les apatrides</i>
CMW	UN Committee on Migrant Workers
EU	European Union
GDP	Global Detention Project
IOM	International Organisation for Migration
OHCHR	Office of the High Commissioner for Human Rights
RSD	Refugee Status Determination
UNHCR	UN High Commissioner for Human Rights



KEY FINDINGS

- Sources in Algeria reported that the country suspended collective expulsions in mid-March because of Covid-19, but reports indicate that officials continued forced pushbacks in desert border regions throughout the early months of the pandemic.
- The Global Detention Project has been unable to find any reports indicating whether authorities adopted measures to protect the health and wellbeing of detained migrants and asylum seekers from the spread of Covid-19.
- Algeria’s legal framework explicitly criminalises irregular migration with prison terms of up to five years.
- “The lack of statistical data on cases of placement in administrative custody or judicial detention of migrant workers and members of their families for reasons related to irregular migration” (CMW 2018).¹
- “The inadequate conditions of detention in holding centres for the temporary accommodation of irregular migrants pending their deportation” (CMW 2018).
- “Reports that the administrative detention of foreign nationals awaiting deportation can be prolonged indefinitely” (CMW 2018).
- Algeria has yet to adopt a national asylum system leaving refugees and asylum seekers who have outstanding claims vulnerable to detention, deportation, and other enforcement measures.
- Observers point to rampant racism and racial profiling as helping fuel anti-foreigner sentiment in the county, including mass round ups of migrants and refugees, particularly in the south of the country.
- By its own count, Algeria has deported several tens of thousands of people since 2015, with reports indicating that many are abandoned in the country’s southern desert and left to walk across the border into Niger or Mali.

¹ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/3bgedSi>



1. INTRODUCTION

Unlike many of its North African neighbours, Algeria has largely eschewed cooperation with the European Union (EU) on migration control schemes. While [Libya](#) and [Morocco](#) have struck numerous deals with the EU aimed at blocking migrants and asylum seekers, Algeria has generally rejected EU migration-related collaboration.² Algeria does not regard “itself as a key interlocutor of the EU on migration,” beyond limited cooperation on border control and the return of Algerian nationals from Europe.³ This was notably apparent in the country’s rejection of proposals about establishing EU-funded “disembarkation centres” to process asylum seekers and migrants.⁴

Nevertheless, Algeria has a long migration history with Europe, including the legacy of the *pieds-noirs*, people of French or other European origin who were born in Algeria during the country’s French colonial period (1830-1962). After Algerian independence, hundreds of thousands of “Black Feet” abandoned Algeria, moving mainly to France. In addition, throughout the colonial and post-colonial periods, large numbers of other Algerians migrated to France.⁵

The country’s migration profile has changed dramatically in recent decades as Algeria has become an important destination and transit country for people from across the Maghreb, sub-Saharan Africa, and elsewhere. Large numbers of migrants from West and Central Africa have sought employment opportunities in the country—specifically within the construction and agriculture sectors.⁶ The country has also reported that many migrant workers in an irregular situation in the country come from as far away as China and [Turkey](#).⁷

² L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 26 June 2018, <https://bit.ly/2J5bVtf>

³ T. Abderrahim, “Pushing the Boundaries: How to Create More Effective Migration Cooperation Across the Mediterranean,” *European Council on Foreign Relations*, 15 January 2019, <https://bit.ly/2U4RYJy>

⁴ J. Rankin and J. Henley, “EU to Consider Plans for Migrant Processing Centres in North Africa,” *The Guardian*, 19 June 2018, <https://www.theguardian.com/world/2018/jun/19/eu-migrant-processing-centres-north-africa-refugees>

⁵ Migration Policy Institute, “Migration Facts: Algeria,” April 2013, http://www.migrationpolicycentre.eu/docs/fact_sheets/Factsheet%20Algeria.pdf

⁶ Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>

⁷ UN Committee for the Elimination of Racial Discrimination (CERD), “*Observations finales concernant le rapport de l’Algérie valant vingtième et vingt et unième rapports périodiques*, CERD/C/DZA/CO/20-11,” 21 December 2017, <http://bit.ly/2GwlwqZ>; International Federation of Human Rights (FIDH) and Loujna Tounkaranké, “*Algérie: La chasse aux migrants et aux réfugiés doit cesser*,” 17 Octobre 2017, <https://www.fidh.org/fr/themes/droits-des-migrants/algérie-la-chasse-aux-migrants-et-refugiés-doit-cesser>; Global Detention Project (GDP), “Joint Submission to the UN Committee on Migrant Workers: Algeria—*Algérie: Problèmes Liés À La Détention Des Migrants*,” 20 March 2018, <https://www.globaldetentionproject.org/submission-to-the-un-committee-on-migrant-workers-algeria-2>

Algeria does not have a national asylum system, even though it ratified the [1951 Refugee Convention and its 1967 Protocol](#). Since 2012, Algerian authorities have sought assistance from UNHCR in developing an asylum infrastructure, but to-date this is yet to be established, leaving refugees and asylum seekers who have an unresolved legal status vulnerable to detention, deportation, and other measures. While UNHCR conducts the registration of asylum seekers and refugee status determination, these processes do not necessarily protect them from arrest. UN agencies appear to have little access to detention facilities within Algeria.

During the past decade, and particularly since 2015, Algeria has appeared to adopt an increasingly hard line on migration issues with officials frequently blaming social ills on foreigners.⁸ Human rights groups accuse authorities of racial profiling and of arbitrarily rounding up large numbers of sub-Saharan migrants on the streets, during night-time raids, or at their workplaces, regardless of their legal status. They are reportedly taken to one of a series of detention facilities in urban centres along the Mediterranean coastline before being transferred to a police-administered camp in Tamanrasset, in the country's far south.⁹

According to migrant testimonies, media reports, and reports from human rights groups, Algerian authorities regularly force detainees into the deserts close to either the Algerian-Nigerien or Algerian-Malian borders. Some observers report that that men, women—including pregnant women—and even children have been forced to leave the country in this way, sometimes at gunpoint or under threat of violence.¹⁰ In June 2018, various media outlets reported that approximately 13,000 migrants had been abandoned in the desert in this way in the preceding 14 months,¹¹ while that same year Algerian officials admitted to having deported some 27,000 people since 2015.¹²

Algeria has in recent years deported tens of thousands of people to [Niger](#), both Nigeriens and third-country nationals, including people from Guinea, Mali, Ivory Coast, Senegal, Burkina Faso, Nigeria, Niger, Liberia, Cameroon, and Sierra Leone.¹³ In December 2014, Algeria and Niger signed a “voluntary repatriation” agreement aimed at returning thousands of Nigerien nationals back across the southern border within a matter of months.¹⁴ However,

⁸ Ennahar TV, “بالجزائر الأفارقة اللاجئين إقامة تقنين إلى يدعو أويحيى: سياسة,” *YouTube*, 8 July 2017, <https://www.youtube.com/watch?v=Bxg0TB6O310>; Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

⁹ Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

¹⁰ L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 26 June 2018, <https://apnews.com/9ca5592217aa4acd836b9ee091ebfc20>; *Associated Press*, “Algeria Stops Forcing Migrants into Sahara After Outrage,” 13 July 2018, <https://www.cbc.ca/news/world/algeria-migrants-sahara-desert-1.4745366>

¹¹ L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 26 June 2018, <https://apnews.com/9ca5592217aa4acd836b9ee091ebfc20>

¹² Reuters, “Algeria has Repatriated 27,000 African Migrants Since 2015 – Minister,” 22 March 2018, <https://reut.rs/33xzX9X>

¹³ Amnesty International, “Algeria: Mass Racial Profiling Used to Deport More than 2,000 Sub-Saharan Migrants,” 23 October 2017, <https://bit.ly/2WwdYib>

¹⁴ L. Beratto, “Nigériens d’Algérie: expulsions ou départs volontaires?” *RFI*, 16 October 2015, <http://www.rfi.fr/hebdo/20151016-niger-algerie-reprise-expulsions-departs-volontaires-agadez-tamanrasset-mendicite>

Nigerien authorities questioned the extent to which returns can be voluntary given that they usually occur on the back of arrests and periods of detention.

UN agencies and local civil society groups have heavily condemned these expulsions. In an unprecedented call from Algerian civil society in May 2018, some 200 human rights activists, researchers, and artists denounced the wave of mass arrests and deportations targeting non-nationals.¹⁵ The UN and human rights groups have also emphasised that mass expulsions of mostly sub-Saharan African migrants goes against the country's obligations under international law.¹⁶

With the onset of the Covid-19 pandemic, Algeria adopted some migration-related measures, according to sources from international organisations operating in the country. Responding to the Global Detention Project's (GDP) online [Covid-19 survey](#),¹⁷ representatives from the UN High Commissioner for Refugees (UNHCR) and an international non-governmental organisation reported that the country halted collective expulsions in March 2020. Other reports, however, indicated that officials continued to make forced, ad hoc expulsions in various border regions, particularly into Niger.¹⁸ At the time of this report's publication, the GDP had been unable to find any reports indicating whether the country had taken steps to protect detained migrants or refugees. Instead, reports suggest that despite the virus' spread, Algerian authorities have continued their efforts to block unauthorised migration from sub-Saharan states, including detaining *migrants clandestins* and arresting alleged traffickers.¹⁹

¹⁵ EuroMed Rights, "Algeria: 'We Are All Migrants'," 23 May 2018, https://euromedrights.org/publication/algeria-we_are_all_migrants/

¹⁶ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), "Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2," 25 May 2018, <https://bit.ly/2xbmZIZ>

¹⁷ Global Detention Project, Covid-19 Detention Survey, <https://tinyurl.com/yb9c6n3w>

¹⁸ Global Detention Project, Covid-19 Platform – Algeria Updates, 29 May 2020, 6 May 2020, 3 April 2020, <https://www.globaldetentionproject.org/covid-19-immigration-detention-platform#Algeria>

¹⁹ Algérie Presse Service, "Ghardaïa: démantèlement d'un réseau de déplacement de migrants clandestins du Sud vers le Nord," 25 March 2020, <https://bit.ly/2ygRQxW>



2. LAWS, POLICIES, PRACTICES

2.1 Key norms.

Core pieces of national legislation providing a framework for immigration detention	<ul style="list-style-type: none"> • <i>Code Pénal [Promulgué par l'Ordonnance N° 66-156 du 18 Safar 1386 Correspondant au 8 Juin 1966]</i> • <i>Décret n° 1963-274 du 1963 fixant les modalités d'application de la Convention de Genève du 28 juillet 1951 relative au statut des Réfugiés</i> • <i>Loi N° 08-11 du 21 Jomada Ethania 1429 Correspondant au 25 juin 2008 Relative aux Conditions d'Entrée, de Séjour et de Circulation des étrangers en Algérie</i>
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Legal provisions related to legal entry, stay, and exit in Algeria, as well as immigration-related detention, are included in various legal instruments—including the 1966 Criminal Code (*Code Pénal [Promulgué par l'Ordonnance N° 66-156 du 18 Safar 1386 Correspondant au 8 Juin 1966]*) and *Décret n° 1963-274 du 1963 fixant les modalités d'application de la Convention de Genève du 28 juillet 1951 relative au statut des Réfugiés*.

In 2008, Algeria passed Law No. 08-11 Relating to the Conditions of Entry, Stay and Movement of Foreigners in Algeria ((Law No.08-11) *Loi N° 08-11 du 21 Jomada Ethania 1429 Correspondant au 25 juin 2008 Relative aux Conditions d'Entrée, de Séjour et de Circulation des étrangers en Algérie*). The law establishes conditions for legal entry, stay, and exit in Algeria, as well as grounds for criminal incarceration if these conditions are not met.

2.2 Covid-19 response.

Did authorities issue a moratorium on new detention orders?	No
Were any detainees released during the pandemic?	Information unavailable
Were all deportations and/or pushbacks ceased?	No

On 1 April 2020, Algerian President Abdelmadjid Tebboune pardoned and ordered the release of 5,037 prisoners (specifically, those on remand and those with a sentence of less than 18 months). However, the president's statement did not clarify whether this release—which followed the release of 10,000 prisoners in February—was related to the virus.²⁰ Also, there was no indication that any steps were taken to release immigration detainees from the

²⁰ H. Jibril, "Algerian President Pardons Over 5,000 Prisoners," AA, 1 April 2020, <https://www.aa.com.tr/en/africa/algerian-president-pardons-over-5-000-prisoners/1788147>

country's migrant detention facilities. Moreover, it appeared that migrants continued to be arrested and detained during the crisis.²¹

The vulnerability of people living in refugee camps in Algeria, including in particular the Sahrawi camps in Tindouf, quickly became a matter of concern to the international community because of overcrowding, insufficient sanitary facilities, and limited availability of health care. Authorities announced the closure of the camps to the outside world, travel between the camps was suspended, non-essential businesses were closed, and NGOs such as Oxfam suspended many of their activities.²² Already chronically under-resourced prior to the crisis, camp health care facilities received protective equipment and hygiene items, while Oxfam also installed handwashing units throughout the camp to mitigate the virus' spread.²³

Reports indicate that although Algerian authorities suspended collective expulsions on 21 March 2020 in a bid to contain the spread of the virus, migrants continued to be forcibly expelled from border areas during the pandemic. Several media outlets reported that between mid-March and mid-April, hundreds of migrants were expelled into Niger, where they found themselves stranded in camps across the country—including makeshift quarantine camps in Agadez.²⁴ UNHCR Algeria confirmed these reports in communications with the GDP, although it noted that the numbers expelled were smaller than prior to the crisis.²⁵

With borders closed, the number of asylum applications significantly decreased. Reception and appointments for refugees and asylum seekers in UNHCR's office had to be suspended temporarily, and remote pre-registration and interviewing modalities were instead introduced. UNHCR also provided practical information and assistance on a daily basis on procedures and services available via the UNHCR Help website.²⁶

2.3 Grounds for administrative migration-related detention.

Are grounds for administrative migration-related detention provided in law?	No
Are there reports of arbitrary migration-related detention?	Yes

²¹ Algerie Presse Service, "Ghardaïa: démantèlement d'un réseau de déplacement de migrants clandestins du Sud vers le Nord," 25 March 2020, <http://www.aps.dz/regions/103401-ghardaia-demantelement-d-un-reseau-de-deplacement-de-migrants-clandestins-du-sud-vers-le-nord>

²² M.S. Labat, "Western Saharan Camps: Still No Cases of Covid-19," *GlobalBar*, 22 May 2020, <http://globalbar.se/2020/05/western-saharan-camps-still-no-cases-of-covid-19/>

²³ Oxfam, "Covid-19: New Cases Confirmed Near Sahrawi Camps, 173,000 Refugees at Risk," 8 May 2020, <https://www.oxfam.org/en/press-releases/covid-19-new-cases-confirmed-near-sahrawi-camps-173000-refugees-risk>

²⁴ J. Burke, "Coronavirus Border Closures Strand Tens of Thousands of People Across Africa," *The Guardian*, 5 May 2020, <https://www.theguardian.com/world/2020/may/05/coronavirus-border-closures-strand-tens-of-thousands-of-people-across-africa>

²⁵ UN High Commissioner for Refugees (UNHCR) Algeria, Email exchange with Michael Flynn (Global Detention Project), May 2020.

²⁶ UN High Commissioner for Refugees (UNHCR) Algeria, Email correspondence with Michael Flynn (Global Detention Project), May 2020.

Migration-related detention in Algeria is framed as a criminal offence rather than an administrative procedure (see 2.4 Criminalisation). Law No. 08-11 includes provisions that can lead people to be imprisoned for detention. The law regards irregular migration as a criminal offence punishable with up to two years' imprisonment. It also sets out legal guidelines for the removal of foreigners from Algerian territory.

In recent years, reports indicate that Algerian authorities have increasingly used detention arbitrarily to confine and enforce the removal of non-citizens including refugees, asylum seekers, and migrants.²⁷ However, previously, in the early 2010s, researchers reported that migrants were usually detained upon arrest, “sometimes accompanied with an expulsion order,” which had to be issued by the Interior Ministry as opposed to the judge presiding over the particular case.²⁸ “Expulsion is usually applied to migrants who commit repeated offences or those who commit serious crimes or disturb the public peace,” the EuroMed report added. “As to the remainder, they are set free after they have gone through Police Headquarters, and they are given an order to leave Algerian territory within a fifteen-day deadline.”²⁹

Migrant testimonies and documentation by human rights groups point to growing rates of arrests as well as expulsion orders. Since 2015 in particular, expulsions have been used increasingly regularly and are not simply applied to repeat offenders or migrants found to have committed serious crimes. Numerous testimonies also suggest that expulsion orders have been issued against migrants who were simply picked up in the street or during arrest campaigns within migrant communities.

2.4 Criminalisation.

Does Algeria impose punitive measures for migration-related violations?	Yes
Can migration-related infractions be penalised with imprisonment?	Yes

Articles 4, 7, 8, and 9 of Law No. 08-11 govern the basic tenets of legal entry, stay, and exit. Article 4 states that a foreigner must enter Algeria with a passport or travel document and valid visa in order for their entry to be legal. Articles 7, 8, and 9 also state the requirements for maintaining legal stay and as well as legally exiting Algeria. According to Article 44, should a foreigner fail to abide by these articles, they can be liable to an imprisonment term of between six months and two years, and a fine of 10,000 to 30,000 DZD (approximately 83 to 248 USD).

Article 42 states that a non-national who does not comply with a deportation order, or who attempts to return to Algeria following their deportation, will be liable to imprisonment for two to five years. (This is unless the individual can prove that it is impossible for them to be

²⁷ Amnesty International, “Algeria: Mass Racial Profiling Used to Deport More than 2,000 Sub-Saharan Migrants,” 23 October 2017, <https://bit.ly/2WwdYib>; Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

²⁸ EuroMed Rights/Euro-Mediterranean Human Rights Network, “Asylum and Migration in the Maghreb—Fact Sheet by Country: Algeria,” December 2012, https://euromedrights.org/wp-content/uploads/2012/12/EMHRN-Factsheet-Algeria_EN_15JAN203_WEB.pdf

²⁹ EuroMed Rights/Euro-Mediterranean Human Rights Network, “Asylum and Migration in the Maghreb—Fact Sheet by Country: Algeria,” December 2012, https://euromedrights.org/wp-content/uploads/2012/12/EMHRN-Factsheet-Algeria_EN_15JAN203_WEB.pdf

returned to their country of origin (in the case of refugees and asylum seekers) or to a third country.) This same charge can be imposed on a non-national who fails to present the correct travel documents to authorities. According to Article 48, meanwhile, marriage “for the sole purpose” of obtaining residency or Algerian nationality is punishable with imprisonment of between two and five years, as well as fines.

In February 2009, Algeria amended its criminal code when it introduced Law No. 09-01 (25 February 2009). This made illegal exit, whether by a citizen or non-citizen, a criminal offence punishable by two to six months in prison, a fine, or a combination of the two penalties.³⁰

2.5 Asylum seekers.

Is the right to asylum incorporated into national law?	No
Are there reports of refugees and asylum seekers being detained	Yes
Number of refugees and asylum seekers in Algeria	99,163 (March 2019)

As of March 2019, there were 99,163 refugees and asylum seekers in Algeria—including 90,000 Sahrawi refugees (from Moroccan-occupied Western Sahara) in Tindouf, western Algeria, and more than 9,000 registered refugees and asylum seekers (many of them from Syria) in Algiers.³¹

Despite ratifying the 1951 Refugee Convention and the 1967 Protocol, the country has not incorporated the right to asylum in law.³² Algerian authorities have previously sought assistance from UNHCR in developing a national asylum system, but no progress has yet been made.³³ UNHCR thus maintains responsibility for conducting Refugee Status Determination (RSD) in the country, while also advocating for the release of vulnerable persons from detention and providing specialised assistance.

The main legal framework governing refugees in Algeria is a 1963 decree that founded the Algerian Office for Refugees and Stateless Persons (*Bureau Algérien pour les réfugiés et les apatrides* - BAPRA), which is the “institutional body responsible for deciding upon asylum requests and recognising refugee status determined by UNHCR.”³⁴

Crucially, by registering with UNHCR as either an asylum seeker or refugee, the individual does not qualify for a residency permit.³⁵ Sub-Saharan Africans without a residency permit

³⁰ Immigration and Refugee Board of Canada, “Algeria: Treatment of Failed Refugee Claimants Returned to Algeria – 007 – July 2014,” 11 August 2014, <https://www.refworld.org/docid/540428854.html>

³¹ UN High Commissioner for Refugees (UNHCR), “Operational Update: Algeria - 1 January-31 March 2019,” <https://bit.ly/397rkUL>

³² Avocat Algerien, “Droit d’Asile: L’Algérie Appelée à Revoir sa Réglementation,” 21 June 2018, <https://avocatalgerien.com/droit-dasile/>

³³ UN High Commissioner for Refugees (UNHCR), “Country Operations Profile—Algeria, UNHCR Global Appeal 2013 Update,” 2013, <https://www.unhcr.org/publications/fundraising/50a9f8260/unhcr-global-appeal-2013-update-algeria.html>

³⁴ Migration Policy Institute, “Migration Facts: Algeria,” April 2013, http://www.migrationpolicycentre.eu/docs/fact_sheets/Factsheet%20Algeria.pdf

³⁵ UN High Commissioner for Refugees (UNHCR), “Country Operations Profile—Algeria, UNHCR Global Appeal 2013 Update,” 2013, <https://www.unhcr.org/publications/fundraising/50a9f8260/unhcr-global-appeal-2013->

or an alternative document issued by Algerian authorities may not have their refugee status recognised by BAPRA. As such, possession of a UNHCR-issued refugee card does not protect persons from arrest and “does not protect them from expulsion or being returned to the border, these being carried out on the basis of an order issued by judges who also are not adequately informed about the 1951 Convention and the role of UNHCR.”³⁶

Arbitrary arrests by Algerian authorities thus appear to have been conducted without consideration as to whether an individual is registered with UNHCR. In 2018, Human Rights Watch found that arrests were conducted by police “without considering their legal status in Algeria or their individual vulnerabilities.”³⁷ And while Algerian authorities legally have the grounds to detain a non-national for irregular stay in the country, Human Rights Watch documented cases in which refugees, asylum seekers, and migrants were not even given the opportunity to show documentation or prove their status. One individual, interviewed by the human rights group, said that he was carrying a “certificate issued by the UNHCR, when the police caught me, but I was told in the commissariat that it doesn’t mean anything and that they would still deport me.” UNHCR reportedly assured the man not to worry, however he was subsequently transferred to Zeralda and then Tamanrasset (prior to eventual deportation).³⁸

Amidst reports³⁹ that Algerian authorities forcefully expel detainees—including pregnant women and children—by leaving them in the desert and forcing them to cross into Niger or Mali on foot, various groups have directed criticisms at the Algerian government regarding its treatment of migrants, refugees, and asylum seekers. In response to criticism from the International Organisation for Migration (IOM), the Algerian government claimed that it would put a moratorium on expulsions towards Niger from late 2018 until the end of Ramadan (early June) 2019.⁴⁰ Although the GDP could not independently verify whether expulsions had taken place during that period, UNHCR expressed concern in early 2019 regarding the fate of some 120 people—including Syrian and Yemeni refugees and asylum seekers—after they were reportedly transported towards the Nigerien border by Algerian authorities.⁴¹ In response, Algerian authorities claimed that the individuals in question posed a security

[update-algeria.html](#); Migration Policy Institute, “Migration Facts: Algeria,” April 2013, http://www.migrationpolicycentre.eu/docs/fact_sheets/Factsheet%20Algeria.pdf

³⁶ S. Guillet, “Asylum and Migration in the Maghreb—Fact Sheet by Country: Algeria,” *Euro-Mediterranean Human Rights Network*, December 2012, https://euromedrights.org/wp-content/uploads/2012/12/EMHRN-Factsheet-Algeria_EN_15JAN203_WEB.pdf

³⁷ Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

³⁸ Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

³⁹ L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 26 June 2018, <https://apnews.com/9ca5592217aa4acd836b9ee091ebfc20>; Associated Press, “Algeria Stops Forcing Migrants into Sahara after Outrage,” 13 July 2018, <https://www.cbc.ca/news/world/algeria-migrants-sahara-desert-1.4745366>

⁴⁰ Afriactuel, “Algérie: le gouvernement suspend temporairement le rapatriement des migrants subsahariens,” 20 May 2018, <https://afriactuel.com/2018/05/20/algerie-le-gouvernement-suspend-temporairement-le-rapatriement-des-migrants-subsahariens/>

⁴¹ RFI Afrique, “Algérie: le HCR dénonce l’expulsion de réfugiés par les autorités,” 4 January 2019, <http://www.rfi.fr/afrique/20190104-algerie-le-hcr-denonce-expulsion-refugies-autorites>

threat to Algeria and instead accused UNHCR of breaking the law by not respecting the procedures for granting refugee status.⁴²

2.6 Children.

Does migration law provide specific detention measures for children?	No
Are there reports of children being placed in migration detention?	Yes
Number of detained children	Information unavailable

Reports indicate that children are arbitrarily detained in Algeria, sometimes alongside unrelated adults. This occurs in both detention facilities and sites deemed to be “informal” places of detention. According to media reports and testimonies collected by human rights groups, this appears to be consistent through most—if not all—sites used for detentions prior to deportations from Algerian soil.

UN agencies have also expressed concerns that asylum seeker and refugee children, including those actually registered with UNHCR, “were generally considered and treated as illegal migrants and faced arrest, detention and occasionally expulsion.”⁴³ In reports of forced expulsions to Niger and Mali, some have also reported the presence of minors within larger groups made to walk through the desert with no food or water.⁴⁴

2.7 Other vulnerable groups.

Does migration law provide specific detention measures for other vulnerable groups?	No
Are there reports of other vulnerable groups being placed in migration detention?	Yes

Algerian authorities—like those of other North African countries such as [Morocco](#) and [Libya](#)—have been accused of anti-black racism and racial profiling, particularly since circa 2015. According to human rights groups, authorities have been known to round up hundreds of sub-Saharan migrants on the streets, during night-time raids, and from workplaces, regardless of their legal status within the country.⁴⁵ Following arrest, such groups have been detained, and many have been forcefully removed from Algerian territory.

⁴² RFI Afrique, “Algérie: les autorités répondent au HCR,” 5 January 2019, <http://www.rfi.fr/afrique/20190105-algerie-autorites-repondent-hcr>

⁴³ UN Convention on the Rights of the Child (CRC), “Consideration of Reports Submitted by States Parties under Article 44 of the Convention—Concluding Observations: Algeria,” 18 July 2012, <https://bit.ly/2vzhEo2>; UN General Assembly, “Compilation on Algeria: Report of the Office of the United Nations High Commissioner for Human Rights, Human Rights Council/Working Group on the Universal Periodic Review 27th Session, 17, A/HRC/WG.6/27/DZA/2,” February 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/034/77/PDF/G1703477.pdf?OpenElement>

⁴⁴ See: L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 26 June 2018, <https://apnews.com/9ca5592217aa4acd836b9ee091ebfc20>; Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 20 December 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>

⁴⁵ Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

According to Amnesty International, Algerian immigration legislation also leaves sub-Saharan nationals at particular risk of detention: “sub-Saharan nationals who migrate to Algeria in search of work are very often undocumented, cannot regularise their position while in Algeria and are therefore at risk of prosecution, imprisonment and harassment by the authorities.”⁴⁶ (See 2.2 Grounds for detention).

2.8 Length of detention.

Maximum length of administrative immigration detention	Not applicable
Maximum length of migration-related imprisonment	Five years
Are there reports of non-nationals experiencing indefinite detention?	Yes

When a person is incarcerated for migration-related infractions, they are to be given a specific sentence. The maximum length of detention is five years, either for irregular entry, stay, or exit, or for failing to comply with a deportation order.

However, reports suggest that arbitrary detention of non-nationals awaiting removal from Algerian soil can be indefinite. The UN Committee on Migrant Workers (CMW) highlighted in 2018 reports it had received indicated “that the administrative detention of foreign nationals awaiting deportation can be prolonged indefinitely.”⁴⁷ Indeed, given the increasing use of arbitrary detention in Algeria, refugees, asylum seekers, and migrants who find themselves in situations of arbitrary detention can remain as such for prolonged periods of time with no limit.

2.9 Procedural standards.

Does the law provide procedural guarantees for detainees?	Yes
Are there reports of lack of access to legal remedies?	Yes

Algeria’s 1989 Constitution, revised through the so-called Constitutional Revision in 1996, details several guarantees related to individuals’ rights in migration and also detention. Article 44 of the constitution guarantees the “right of entry and exit from the national territory,” while Article 67 states that “any foreigner being legally on the national territory enjoys the protection of his person and his properties by the law [sic].” Article 69 also protects those seeking international protection from deportation or *refoulement* by stating that “in no case, a political refugee having legally the right of asylum can be delivered or extradited [sic].”⁴⁸ However, no definition of what constitutes a “political refugee” is provided in the text of the constitution.

⁴⁶ Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 20 December 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>

⁴⁷ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/2U6z1Gj>

⁴⁸ Constitution of the People’s Democratic Republic of Algeria, 1989 (amended by the constitutional revision of 1996), http://confinder.richmond.edu/admin/docs/local_algeria.pdf

Law No. 08.11 allows authorities to expel foreign nationals, however the same law requires authorities to notify an individual due to be expelled with an expulsion order issued by the Ministry of Interior. Dependent on the charges, the individual subsequently has between 48 hours and 15 days to leave the country, or up to five days to appeal the expulsion order before an administrative tribunal. The tribunal is to rule on the case within 20 days following the expulsion decision. An appeal suspends the expulsion order, and foreign nationals in this situation have the right to contact their consular representative in Algeria, a lawyer, and an interpreter.⁴⁹

Despite these legal provisions, the CMS highlighted in 2018 the lack of access to effective remedies in the country, stating that it is concerned “by reports that migrant workers and members of their families, especially those in an irregular situation, face many obstacles when attempting to exercise an effective remedy, such as the explicit refusal of the authorities to register their complaint, fear of arrest if they go to a police station, and the impossibility of filing a complaint on account of the expeditious nature of arrest, detention and expulsion procedures.” It also noted that “insufficient information has been provided about the number of cases and/or proceedings brought by migrant workers or members of their families, including those in an irregular situation, for violations of their rights.”⁵⁰

2.10 Detaining authorities and institutions.

What authorities are responsible for detention and other migration-control measures?

- *Gendarmerie Nationale (Groupement des Gardes Frontières)*
- *Sûreté Nationale (Frontier and Immigration Police Directorate)*

Law and order activities are conducted by two branches of the security forces—the *Gendarmerie Nationale*, which falls under the authority of the Ministry of Defense, and the *Sûreté Nationale*, or national police force, which falls under the Ministry of Interior.⁵¹

Generally deployed in rural areas rather than urban centres, the *Gendarmerie Nationale* has traditionally played an important role in border security and its *Groupement des Gardes Frontières* (Frontiers Guards Group) has played a number of roles including “operations against smuggling, drugs and arms trafficking, illegal immigration and terrorist infiltration.”⁵²

The *Sûreté Nationale* is responsible for routine police duties as well as border controls. A sub-division of this, the Frontier and Immigration Police Directorate, is explicitly responsible for border control activities including “monitoring the movement of persons and goods across the borders of the state, whether by land, air or sea; enforcing the law in relation to the

⁴⁹ Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 20 December 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>

⁵⁰ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/3bgedSi>

⁵¹ UK Home Office/Border Agency, “Algeria: Country of Information (Col) Report,” 17 January 2013, https://www.ecoi.net/en/file/local/1257523/1226_1359360623_report-17jan13.pdf

⁵² Jane’s Sentinel Country Risk Assessments, “Algeria: Security and Foreign Forces,” 21 May 2012; UK Home Office/Border Agency, “Algeria: Country of Information (Col) Report,” 17 January 2013, https://www.ecoi.net/en/file/local/1257523/1226_1359360623_report-17jan13.pdf

movement of arms, explosives and prohibited goods; and countering illegal immigration.”⁵³ A number of sub-directorates subsequently focus on particular specialties, including one that is focused on irregular migration.

2.11 Domestic monitoring.

Is the national human rights institution (NHRI) recognised as independent?	No
Can independent NGOs carry out visits?	No

Shortcomings in independent domestic monitoring in Algeria have repeatedly been highlighted by observers. In its 2018 review, the CMW stated: “The Committee notes with satisfaction that the National Human Rights Council was established by constitutional means in 2016. It notes, however, that ‘B’ status was awarded to the former National Advisory Commission for the Promotion and Protection of Human Rights in 2010 by the International Coordinating Committee of National Human Rights Institutions, notably owing to the lack of transparency in the process of selecting, nominating and removing Council members, the insufficient measures taken to guarantee their independence and the lack of interaction with civil society.”⁵⁴

The CMW also underscored the threats and intimidation faced by civil society groups, noting its concern over how “officials from organizations involved in the defense of migrant rights have been subjected to intimidatory measures and arrests, and arbitrary detentions and dismissals.”⁵⁵

The Algerian Red Crescent maintains a presence in some detention sites around the country. However, international rights organisations have called into question the Red Crescent’s role in these centres, suggesting that its supervision of people at [Zeralda Camp](#) in western Algiers “did not in any way prevent [migrants] rights from being violated.”⁵⁶ It is, however, unclear exactly what role the Red Crescent could feasibly play in preventing the violation of rights, given the extent of arbitrary detentions and mass expulsions in Algeria in recent years.

⁵³ UK Home Office/Border Agency, “Algeria: Country of Information (Col) Report,” 17 January 2013, https://www.ecoi.net/en/file/local/1257523/1226_1359360623_report-17jan13.pdf

⁵⁴ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/3bgedSi>

⁵⁵ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/3bgedSi>

⁵⁶ EuroMed Rights, “Algeria: Illegal Arrests, Detention and Forced Removal of Hundreds of Migrants,” 23 October 2017, <https://euromedrights.org/publication/algeria-illegal-arrests-detention-forced-removal-hundreds-migrants/>

2.12 International monitoring.

Are international monitoring bodies guaranteed access to detention facilities	Only ICRC
Most recent UN Universal Periodic Review	2017
Most recent report by international human rights mechanism or treaty body	Committee on the Rights of Persons with Disabilities, 2018
Key issues raised by UN monitoring instruments	<ul style="list-style-type: none"> • Indefinite detention • Arbitrary detention • Persistence of racist stereotypes • Hate speech directed at migrants, refugees, and asylum seekers

International organisations and human rights institutions have scrutinised Algeria’s treatment of migrants and refugees even as the country has sought to limit access to its detention facilities. Since August 2017, lawyers and international organisations have even been denied access to centres partly administered by the Algerian Red Crescent that are used to detain migrants prior to their expulsion—namely Zeralda Camp and another facility in *Bir el Djir*.⁵⁷

International rights bodies have highlighted and expressed concerns on a range of detention-related issues, including indefinite and arbitrary detention (as noted previously in this report)⁵⁸ and the impact of racism. Algeria’s review its 2017 UN Universal Periodic Review (UPR) included calls from other UN states for an end to the "persistence of racist stereotypes and hate speech against the Amazigh, asylum seekers, refugees and sub-Saharan Africans."⁵⁹ The Committee on the Elimination of Racial Discrimination expressed similar concerns about “racist stereotypes and ... hate speech” directed at those groups.⁶⁰

2.13 Externalisation, readmission, and third-country agreements.

Countries with which Algeria has signed readmission agreements	<ul style="list-style-type: none"> • Spain • Italy • Switzerland • United Kingdom • Germany
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⁵⁷ Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 20 December 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>

⁵⁸ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/3bgedSi>

⁵⁹ UN General Assembly, “Report of the Working Group on the Universal Periodic Review: Algeria, Human Rights Council 36th Session, A/HRC/36/13,” 19 July 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/217/01/PDF/G1721701.pdf?OpenElement>

⁶⁰ UN General Assembly, “Compilation on Algeria: Report of the Office of the United Nations High Commissioner for Human Rights, Human Rights Council/Working Group on the Universal Periodic Review 27th Session, A/HRC/WG.6/27/DZA/2,” 17 February 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/034/77/PDF/G1703477.pdf?OpenElement>

Unlike other North African states, Algeria—with its hundreds of kilometres of Mediterranean coastline—has resisted cooperation with the EU on migration matters. Some of Algeria’s neighbours—[Libya](#), [Niger](#), [Tunisia](#), and [Egypt](#)— have been crucial partners in EU migration control schemes, but Algeria has reportedly rejected EU money intended to address the “migration crisis.”⁶¹

One recent example of this was Algeria’s rejection of EU-funded “disembarkation centres” designed for holding and processing refugees, asylum seekers, and migrants—a longstanding proposal among EU policymakers that some observers suggest lacks realism and political backing in North Africa.⁶² Algeria flatly rejected the proposal, instead stating that it remained focused on working with origin countries to repatriate their nationals from Algeria, and that Europe in fact has the capacity to deal with Mediterranean migration flows. As Algeria’s Foreign Minister Abdelkader Messahel said, “This is their problem. I think [the EU] has the financial resources and the intelligence to confront this problem.”⁶³

However, Algeria does cooperate on some levels with the EU and its member states in some migration-related activities. The country is inextricably tied up with EU policies in neighbouring Niger (which is the country that has received the largest proportion of EU funding through the EU Trust Fund for Africa).⁶⁴ In 2019, an IOM official stated that the “European Union is very satisfied with [Algeria’s] good cooperation with Niger which has made it possible to stem the flow of migration from the South to the North.”⁶⁵

The country has also signed readmission agreements with various EU member states. In September 2018 for example, Algeria agreed to accept the readmission of Algerian nationals living irregularly in Germany. In a joint conference with German Chancellor Angela Merkel, Algerian Prime Minister Ahmed Ouyahia announced that the country would “recover its children,” estimated at between three to five thousand Algerian nationals living irregularly in Germany, “while respecting a number of rules.”⁶⁶ According to German authorities, there were 3,684 Algerian nationals facing removal orders, while another 1,500 were waiting for decisions on asylum cases.⁶⁷

Since 2017, observers have reported rising numbers of irregular departures from Algeria’s Mediterranean coastline. For example, in two days during November 2017, more than 500

⁶¹ L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 25 June 2018, <https://bit.ly/2N52ECg>

⁶² J. Rankin and J. Henley, “EU to Consider Plans for Migrant Processing Centres in North Africa,” *The Guardian*, 19 June 2018, <https://www.theguardian.com/world/2018/jun/19/eu-migrant-processing-centres-north-africa-refugees>

⁶³ T. Hani, “Algeria Refuses to Open Centres to House and Process Illegal Immigrants on its Territory,” *France 24*, 28 June 2018, <https://bit.ly/2WuXh6B>

⁶⁴ Global Detention Project (GDP), “Immigration Detention in Niger: Expanding the EU-Financed Zone of Suffering Through ‘Penal Humanitarianism?’” 26 March 2019, <https://www.globaldetentionproject.org/immigration-detention-niger-2019>

⁶⁵ M. Verdier, “L’Algérie expulse à tout va en plein désert (Algeria expels into the desert),” *La Croix*, 11 January 2019, <https://www.la-croix.com/Monde/Afrique/L’Algérie-expulse-tout-plein-desert-2019-01-11-1200994581>

⁶⁶ Algeria Press Service, “L’Algérie rapatriera tous ses ressortissants en situation irrégulière en Allemagne,” 17 September 2018, <https://bit.ly/33ydRUE>

⁶⁷ Fanack Online, “Migration Flows Push EU to Strengthen Ties with Algeria,” 2 October 2018, <https://fanack.com/algeria/history-past-to-present/merkel-travels-to-algiers-to-boost-repatriation-procedures/>

people (mostly North African migrants) arrived in Spain seemingly from Algeria—a rare migratory trend given Algeria’s relatively securitised Mediterranean coastline.⁶⁸ Should such movement continue to develop, the EU may seek to encourage increased cooperation with Algeria.

As for expulsions on the southern frontiers, Algeria denies wrongdoing and instead claims that deportations are conducted according to pre-existing bilateral agreements with other countries. Algerian officials have repeatedly stated that expulsions are legal, and within Algeria’s rights and legal obligations as a state. Foreign Minister Messahel has claimed that more recent expulsions are “in accordance with international law...and in cooperation with countries from which immigrants come.”⁶⁹ With regards to expulsions to Niger for example, Algeria’s authorities cite a December 2014 “voluntary repatriation” agreements, supposedly signs at the request of Niamey, that would see thousands of Nigerien nationals returned back across the southern border within a matter of months.⁷⁰ However, Nigerien authorities have questioned the extent to which these returns are voluntary given that they usually occur on the back of arrests.

2.14 Transparency and access to information.

Are there reports of lack of transparency in the country's immigration detention system?	Yes
Does the country provide statistics concerning immigration detention?	No

There is very limited transparency surrounding detention in Algeria. International observers and civil society bodies are generally denied access to detention facilities, and the country’s authorities do not publish or provide statistics concerning immigration detention. Accurate information regarding detention is thus hard to ascertain.

Lack of transparency and limited access to data on migration issues in Algeria were highlighted as critical concerns by the CMW in its 2018 review of the country. It stated: “While noting the ongoing programmes to strengthen the capacities of the National Statistics Office in order to launch surveys on labour migration, the Committee is concerned by the lack of statistical data on migration flows into, out of and through the State party and, in particular, on migrant workers and members of their families in an irregular situation, as well as other migration concerns, such as migrant workers in detention in the State party, migrant workers who are nationals of the State party and who are in detention in their country of employment, and the number of unaccompanied migrant children or children who are in the State party and have become separated from their parents. Such information would have allowed the Committee to assess how and to what extent the rights enshrined in the Convention are being exercised in the State party.”⁷¹

⁶⁸ Fanack Online, “Is Algeria North Africa’s New Migration Hub?” 12 December 2017, <https://bit.ly/398qgjp>

⁶⁹ T. Hani, “Algeria Refuses to Open Centres to House and Process Illegal Immigrants on Its Territory,” *France 24*, 28 June 2018, <https://bit.ly/3b9mqYs>

⁷⁰ L. Beratto, “Nigériens d’Algérie: expulsions ou départs volontaires?” *RFI*, 16 October 2015, <http://www.rfi.fr/hebdo/20151016-niger-algerie-reprise-expulsions-departs-volontaires-agadez-tamanrasset-mendicite>

⁷¹ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/2xbmZIZ>



3. DETENTION INFRASTRUCTURE

3.1 Summary. There is a severe lack of clarity about where people are detained in Algeria for migration-related reasons, as noted previously in this report (see 2.14 Transparency and access to information).⁷² What is clear is that Algeria generally uses detention to enforce removals, holding non-nationals in police stations or a variety of camp facilities—usually for a few days—before transferring them to sites located closer to Algeria’s borders with neighbouring Niger and Mali.

While some former detainees have reported that deportations can be quick and over in a matter of days, others have said that refugees, asylum seekers, and migrants can be held for “prolonged periods” (of several months at a time), in poor conditions and at risk of beatings by security forces.⁷³ Detainees are most often deported to Mali or Niger, and it appears that their deportation destination governs which facility they are placed in: those deported to Mali tend to be detained at a facility in **Reggane**, while those deported to Niger are held at **Tamanrasset**.

Following an investigation by the Associated Press in mid-2018, which found that Algeria had deported some 13,000 migrants (including women and children) by abandoning them in the desert close to the Algerian-Nigerien border, the country appeared to halt the practice for several weeks.⁷⁴ However, mass detentions were reportedly ongoing despite the temporary change in policy.⁷⁵ After the Associated Press report was published in June 2018, Algerian officials invited journalists to observe a deportation in action to “prove they were humanely done.”⁷⁶ Just weeks later, in mid-July that same year, the Algerian government resumed expelling migrants into the Saharan Desert.⁷⁷

⁷² Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/2xbmZIZ>

⁷³ Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 20 December 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>

⁷⁴ L. Hinnant, “Walk or Die: Algeria Strands 13,000 Migrants in the Sahara,” *Associated Press*, 26 June 2018, <https://apnews.com/9ca5592217aa4acd836b9ee091ebfc20>; Associated Press, “Algeria Stops Forcing Migrants into Sahara after Outrage,” 13 July 2018, <https://www.cbc.ca/news/world/algeria-migrants-sahara-desert-1.4745366>

⁷⁵ Associated Press, “Algeria Stops Forcing Migrants into Sahara after Outrage,” 13 July 2018, <https://www.cbc.ca/news/world/algeria-migrants-sahara-desert-1.4745366>

⁷⁶ Associated Press, “Algeria Stops Forcing Migrants into Sahara after Outrage,” 13 July 2018, <https://www.cbc.ca/news/world/algeria-migrants-sahara-desert-1.4745366>

⁷⁷ L. Hinnant, “Deadly Algerian Migrant Expulsions Resume in Desert, UN Says,” *Associated Press*, 14 July 2018, <https://www.apnews.com/382c33e689974e4bb6a6756f9a1c1b0e>

A 2013 profile of Algeria’s nationwide detention infrastructure pointed to there being 131 institutions with a total capacity of 68,317 detention spaces. However, there was no mention of migration-related detention beyond mention of “foreign prisoners” (who constituted 3.8 percent of the total imprisoned population in 2015).⁷⁸

3.2 Known detention facilities.

Name	Type	Location
Zeralda Camp	Ad-hoc	Algiers, north Algeria
Blida Camp	Ad-hoc	Algiers, north Algeria
Bir el Djir	Ad-hoc	Oran, west Algeria
Tamanrasset	Ad-hoc	South Algeria
Reggane	Ad-hoc	West Algeria

3.3 Conditions and regimes in detention centres.

3.3a Overview. Given the limited transparency surrounding detention in Algeria, and the fact that observers and civil society groups are generally denied access to facilities, very little information is available concerning the conditions that detainees face in detention or the range of sites at which they may be detained. However, what little is known suggests that conditions are poor. In 2018, the UN Office of the High Commissioner for Human Rights (OHCHR) stated that detention conditions are “reported to be inhuman and degrading.”⁷⁹ The CMW also noted the “inadequate conditions of detention in holding centres for the temporary accommodation of irregular migrants pending their deportation.” Noting such conditions, the committee expressed concern that the administrative detention of non-nationals in such facilities could effectively be extended “indefinitely.”⁸⁰

3.3b Zeralda Camp. This site was at one time a military installation as well as a summer camp for tourists. More recently, Zeralda Camp has been used as a detention site reportedly used by Algeria’s police to detain non-nationals before they are deported across the southern border. In a 2018 statement, the UN referred to Zeralda as a military base;⁸¹ in 2017, Human Rights Watch classified it as a “detention camp.”⁸² Located just outside Zeralda, a town several kilometres west of Algiers, the camp is made up of a series of

⁷⁸ World Prison Brief, “Algeria: World Prison Brief data,” <http://www.prisonstudies.org/country/algeria>

⁷⁹ UN Office of the High Commissioner for Human Rights (OHCHR), “Press Briefing Note on Algeria and Libya,” 22 May 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23114&LangID=E>

⁸⁰ Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), “Concluding Observations on the Second Periodic Report of Algeria, CMW/C/DZA/CO/2,” 25 May 2018, <https://bit.ly/2xbmZIZ>

⁸¹ UN Office of the High Commissioner for Human Rights (OHCHR), “Press Briefing Note on Algeria and Libya,” 22 May 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23114&LangID=E>

⁸² Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

cabins located in a wooded area not far from the Mediterranean coast. Migrants are reportedly forced to sleep on the floor of the cabins in cramped and dirty conditions, with women and children housed in the same areas as men.⁸³ Migrants detained at Zeralda are then usually transported to another detention facility near the southern city of Tamanrasset, where they are detained before they are deported across the border into Niger. The GDP has coded the facility as an ad-hoc military base based on information provided in an OHCHR report from 2018, which appears to be one of the last public mentions of this site as of the time of this report's writing.⁸⁴

3.3c Blida. Cited as another military facility used for the detention of non-nationals, Blida is located in the outskirts of Algiers. The facility, like Zeralda, is used to detain non-nationals arrested in and around Algiers before removal to the south.⁸⁵ It is unclear whether the military base referred to in the 2018 UN statement is actually the Blida military prison, mentioned in local press reports.⁸⁶ The GDP has coded the facility in its immigration detention observatory database as an ad-hoc military base, having been in use in 2018.⁸⁷

3.3d Bir el Djir. Migrants swept up in arrest campaigns outside of Algiers may be taken to Bir El Djir, a detention facility located in a suburb of the western Algerian city of Oran. Like Zeralda and Bilda, migrants are generally detained at Bir el Djir prior to deportations further south, across the border into Niger. A statement by the UN in 2018 referred to the facility as a “compound.”⁸⁸ However, it is unclear if this is a police compound or some other prison that is also used for other purposes. The GDP codes this facility as an ad-hoc detention centre as the country does not have legislation enabling the administrative detention of migrants and asylum seekers, yet the facility does not seem to hold any other category of detainees. In addition, in a report by Human Rights Watch, the rights group refers to the facility as a “detention centre.”⁸⁹

3.3e Tamanrasset. Tamanrasset appears to be the main staging facility used for completing removals to Niger, the principal country to which Algeria deports refugees, asylum seekers, and migrants. The GDP previously recorded two detention facilities in Tamanrasset, denoted as a military facility and a camp. Migrants detained at facilities around the country—including

⁸³ France 24, “Video: Mass Arrests of ‘Black’ Migrants in Algeria,” 7 December 2016, <https://bit.ly/33yszel>

⁸⁴ UN Office of the High Commissioner for Human Rights (OHCHR), “Press Briefing Note on Algeria and Libya,” 22 May 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23114&LangID=E>

⁸⁵ UN Office of the High Commissioner for Human Rights (OHCHR), “Press Briefing Note on Algeria and Libya,” 22 May 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23114&LangID=E>

⁸⁶ Jeune Afrique, “Algérie: Said Bouteflika à la Dérive à la Prison Militaire,” 16 December 2019, <https://www.jeuneafrique.com/mag/869576/politique/algerie-said-bouteflika-a-la-derive-a-la-prison-militaire/>; F. Alilat, “Algérie: à El-Harrach et Blida, quelles conditions d’incarcération pour les détenus ‘VIP’”, Jeune Afrique, 14 July 2019, <https://www.jeuneafrique.com/mag/802351/societe/algerie-a-el-harrach-et-blida-queelles-conditions-dincarceration-pour-les-detenus-vip/>

⁸⁷ UN Office of the High Commissioner for Human Rights (OHCHR), “Press Briefing Note on Algeria and Libya,” 22 May 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23114&LangID=E>

⁸⁸ UN Office of the High Commissioner for Human Rights (OHCHR), “Press Briefing Note on Algeria and Libya,” 22 May 2018, <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=23114&LangID=E>

⁸⁹ Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

Zeralda—appear to be transported to Tamanrasset before they are deported across the border into Niger. An Algerian NGO noted that migrants due to be expelled are “transported by trucks and buses to a camp outside the town of Tamanrasset,” where they are “housed in unsanitary prefabricated houses, while others have had to spend nights outside.”⁹⁰ According to reports, migrants are often arrested collectively and it is only once they arrive at Tamanrasset that “proper identity checks are carried out.”⁹¹ A number of migrants who were detained at Tamanrasset but subsequently released were reportedly barred from accessing public transport following their release.⁹²

3.3f Reggane. In far western Algeria, Reggane contains a former prison facility previously used to hold political opponents and suspected members of the outlawed Islamic Salvation Front during the country’s ruinous civil war.⁹³ The area is located in a remote patch of desert once used by French colonial authorities to test nuclear weapons.⁹⁴ Human rights groups have documented transfers of non-nationals—including women and children, as well as pregnant women—to a detention facility in Reggane, although the GDP could not independently verify if this was the same prison facility.⁹⁵ Those detained at Reggane were subsequently deported across the border to Mali, usually via Bordji Badji Mokhtar, the final Algerian border city before Mali. Amnesty International has described Reggane as an “open-air detention centre,” used to enforce deportations towards Mali.⁹⁶ The GDP has thus coded the centre in the immigration detention observatory as an ad-hoc camp.

⁹⁰ Le Forum Justice et Droits de l’Homme (FJDH), “94th Session of the Committee on the Elimination of All Forms of Racial Discrimination: Parallel Report, Consideration of the 20th and 21st Periodic Reports of the State of Algeria,” 2017, https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/DZA/INT_CERD_NGO_DZA_29336_E.pdf

⁹¹ L. Beratto, “Nigériens d’Algérie: expulsions ou départs volontaires?” *RFI*, 16 October 2015, <http://www.rfi.fr/hebdo/20151016-niger-algerie-reprise-expulsions-departs-volontaires-agadez-tamanrasset-mendicite>

⁹² Amnesty International, “Algeria: Submission to the United Nations Human Rights Committee 123rd Session, 2-27 July 2018,” 2018, <https://www.amnesty.org/download/Documents/MDE2884552018ENGLISH.pdf>

⁹³ M. Zaaf, “Algeria Holds Members of Banned Party in Impenetrable Prisons,” *UPI*, 21 March 1992, <https://www.upi.com/Archives/1992/03/21/Algeria-holds-members-of-banned-party-in-impenetrable-prisons/3119701154000/>

⁹⁴ J. Magdaleno, “Algerians Suffering from French Atomic Legacy, 55 Years After Nuke Tests,” *Al Jazeera America*, 1 March 2015, <http://america.aljazeera.com/articles/2015/3/1/algerians-suffering-from-french-atomic-legacy-55-years-after-nuclear-tests.html>

⁹⁵ Human Rights Watch, “Algeria: Inhumane Treatment of Migrants,” 28 June 2018, <https://www.hrw.org/news/2018/06/28/algeria-inhumane-treatment-migrants>

⁹⁶ Amnesty International, “Forced to Leave: Stories of Injustice Against Migrants in Algeria,” 20 December 2018, <https://www.amnesty.org/download/Documents/MDE2895122018ENGLISH.PDF>



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