

	<b>Quick Facts</b>	
	<b>Immigration detainees (2019)</b>	Not Available
	<b>Detained minors (2017)</b>	Not Available
	<b>International migrants (2019)</b>	249,075
	<b>New asylum applications (2019)</b>	2,725

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/africa/algeria>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

## STATISTICS

### Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2019	Total number of detained minors	Not Available	2017
Criminal prison population	61,000	2014	Percentage of foreign prisoners	3.2	2014
	58,000	2010		1.7	2008
	55,119	2007			
	44,231	2004			
	34,243	2001			
	36,905	1998			
	35,737	1996			
Prison population rate (per 100,000 of national population)	155	2014			
	164	2010			
	161	2007			
	136	2004			
	110	2001			
	123	1998			
	124	1996			

### Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	43,900,000	2020	International migrants	249,075	2019
	41,318,140	2017		249,000	2017
	39,667,000	2015		242,400	2015
International migrants as a percentage of the population	0.6	2017	Estimated number of undocumented migrants	21,073 - 100,000	2016
	0.6	2015			
Refugees	98,599	2019	Ratio of refugees per 1000 inhabitants	2.33	2016
	99,163	2019		2.42	2014
	94,350	2018			
	94,258	2017			
	94,220	2016			
	94,182	2015			
	94,128	2014			
Total number of new asylum applications	2,725	2019			
	1,963	2016			
	29	2014			

## DOMESTIC LAW

### LEGAL TRADITION

Legal tradition	Name	Observation Date
	Muslim law	2017
	Civil law	2017

### LAWS AND REGULATIONS

Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	Articles 44, 67 and 69	1996	2016

### LAWS AND REGULATIONS

Core pieces of national legislation	Name	Year Adopted	Last Year Amended
	Loi n° 08-11 du 21 Joumada Ethania 1429 correspondant au 25 juin 2008 relative aux conditions d'entrée, de séjour et de circulation des étrangers en Algérie	2008	

### LAWS AND REGULATIONS

Additional legislation	Name	Year Adopted	Last Year Amended
	Code Pénal (promulgué par l'Ordonnance n° 66-156 du 18 Safar 1386 correspondant au 8 juin 1966)	1996	

### LAWS AND REGULATIONS

Regulations, standards, guidelines	Name	Year Published
	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	1963

### CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2008

### CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorized entry	730	2008
	Unauthorized re-entry	1825	2008
	Unauthorised stay	1825	2008
	Unauthorized exit	183	1996

### CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Has the country decriminalized immigration-related violations?	Has the country decriminalized immigration-related violations?	Observation Date
	No	2008

**NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)**

<b>Types of non-custodial measures</b>	<b>Name</b>	<b>In Law</b>	<b>In Practice</b>	<b>Observation Date</b>
	Home detention (curfew)	Yes	Yes	2008

**VULNERABLE PERSONS**

<b>Is the detention of vulnerable persons provided in law? Are they detained in practice?</b>	<b>Name</b>	<b>In Law</b>	<b>In Practice</b>	<b>Observation Date</b>
	Unaccompanied minors	Not mentioned	Yes	2017
	Accompanied minors	Not mentioned	Yes	2017

## COVID-19 UPDATES

	Update Status	Observation Date
	<p>According to Human Rights Watch (HRW), between early September and early October Algerian authorities expelled more than 3,400 people from at least 20 countries, including 430 children and 240 women, all of whom were sent to Niger. The expulsions followed waves of arrests in no fewer than nine cities, during which children were reportedly separated from their families by security personnel, migrants and asylum seekers were stripped of their belongings, and no efforts were made to screen people for vulnerabilities or protection needs. HRW reported that Algerian authorities crammed Nigeriens into trucks or buses and handed them over to Niger's army, while convoys of mixed nationalities were reportedly left in the desert near the border. As reported previously on this platform, the onset of the COVID-19 pandemic did not deter Algeria from continuing to expel migrants, in contrast to other countries in the region (see 29 May and 15 April Algeria updates on this platform). However, the recent roundups and mass expulsions appear to represent a sharp uptick in these operations. So far this year, Algeria has deported more than 16,000 people, with Nigeriens making up a little over half of all deportees. On 1 October 2020, Algeria's Interior Ministry announced a new operation to combat "illegal migration," claiming it respected human rights. However, on 3 October Algeria expelled 705 adults and children of 18 nationalities to the desert, followed by the forcible return of 957 Nigeriens in a convoy on 5 October, and the expulsion of 660 people of 17 nationalities to the desert on 8 October. Prior to their expulsions, migrants and asylum seekers were detained in police stations, holding centres, and camps. According to HRW, while all the Nigerian convoys are conducted in-line with a 2014 bilateral oral agreement, mass expulsions of mixed-nationality groups to the border are not. Niger's Interior Ministry stated that they had asked Algeria to refrain from expelling non-Nigerien nationals to their border. Six migrants told HRW that Algerian authorities deported them to the border without any due process. In addition, three of the migrants reported that police or gendarmes beat them or their friends during the roundups or in detention. Two migrants said they saw authorities destroy other migrants' documents during the roundups. All six migrants said the authorities had confiscated everything they had on them, including phones and money, and never returned any of it. Non-African nationals have also been expelled in this manner, including Yemeni, Syrian, and Palestinian asylum seekers. According to HRW, of the 3,400 migrants expelled by Algeria between 5 September and 8 October, around 1,800 were Nigeriens driven into Niger in "official" convoys; the remaining 1,600 people--mostly West and Central Africans, in addition to 23 Sudanese, two Somalis, two Eritreans, two Mauritians, one Pakistani, and one Libyan--were left at the border. HRW stated that the Algerian military stripped migrants of all their personal belongings, abandoning them and ordering them to walk 15 kilometers to Assamaka. Migrants expelled in July described similar experiences: "they pushed us into the desert and left us there, saying: 'this is the way to Niger'. I had no shoes; I walked barefoot. It took us five or six hours." Some of the deported migrants stated that Algerian authorities adopted certain measures to avoid the spread of COVID-19 by undertaking temperature checks, wearing or distributing masks, and disinfecting vehicles. Yet, others have contested this saying no precautions were taken. None of the deported migrants reported any coronavirus testing procedures. As HRW noted, by placing hundreds of migrants together while denying them access to medical care, and deporting large groups of people without testing for COVID-19, Algeria has put many lives at risk. On 23 July, four Sahrawi refugees reportedly tested positive for COVID-19. HRW denounced the practice stating that as a party to the UN Migrant Workers Convention, Algeria is prohibited from conducting collective expulsions and should examine each case individually. In addition, HRW emphasised that as a party to the UN and African Refugee Convention and the Convention Against Torture, Algeria is bound by the principle of non-refoulement, prohibiting the forced return of anyone to countries where they could face torture or threats to their lives or freedom. This means that governments should ensure that asylum seekers' claims are fully examined before initiating any removal proceedings. As regards the country's prisons, as of 22 May, 150 correctional officers had reportedly resigned from their positions since the end of February protesting against the lack of protective equipment. Following the death of a prisoner in April at the Koléa prison (see 6 May Algeria update on this platform), two other prisoners died from COVID-19 at the El Harrach prison in mid-July. On 29 July however, several prisoners and staff members tested positive for the virus in the El Harrach prison: some were transferred to a hospital while others were cared for in the prison.</p>	2020
Latest Update	<p>Responding to the Global Detention Project's Covid-19 survey, a non-governmental actor in Algeria reported that expulsions of undocumented people have been halted since 21 March 2020, though information from news sources appears to contradict this claim. The source, who asked to remain anonymous but whose identity was verified by the GDP, said that they did not have any information regarding whether a moratorium on new immigration detention orders had been put in place or if the country had adopted new immigration and/or asylum policies. The source also stated that they were not aware if immigration detainees were being tested for Covid-19 or whether detainees had been released at all. On 5 May, however, reports indicated that between mid-March and mid-April, hundreds of migrants were forcibly expelled from Algeria and now find themselves stranded in transit centres across Niger in harsh conditions in makeshift quarantine camps in Agadez. As previously reported (see 6 May update on this platform), refugee camps such as the Sahrawi camps are particularly vulnerable to the spread of Covid-19. Reports indicate that as of 8 May, more than 170,000 people were living in the Sahrawi refugee camps, where healthcare centres have no ventilators and are not equipped to deal with the consequences of a Covid-19 spread. In the Tindouf province, where the camps are located, nine cases of Covid-19 have been confirmed. Oxfam's Country Director in Algeria, Haissam Minkara said: "The new confirmed cases are very close to the camps, which means the risk of an outbreak is now imminent and would be disastrous for the refugee population - one that has already suffered four decades of conflict." Because refugees in the camps are living in close quarters and many of them suffer from health conditions, including acute malnutrition, diabetes, and anemia, an outbreak would be devastating. Oxfam reported that within the camps, health centres are already experiencing a shortage of beds, medical supplies, protective equipment for staff, and hygiene products. In addition, all non-essential businesses have been closed in the camps and travel between the five camps has been restricted by Algerian authorities. Oxfam stated that although suspending humanitarian aid activities is essential for preventing an outbreak, this also complicates life for people already on the brink. As camps are geographically and economically isolated, and with most economic activities in the camps halted, refugees' ability to purchase food and hygiene items is increasingly limited. Oxfam and its partners report that they are providing protective equipment and hygiene items to meet the needs of the 33 health facilities and clinics in the camps in addition to manufacturing and installing handwashing units throughout the camps. Oxfam is appealing to the international community to support funding needed to help respond to the crisis. Oxfam's country director stated: "The Sahrawi refugee crisis has been overlooked for four decades and now, more than ever, the stakes couldn't be higher for those already left behind by the international community. We are mobilising resources, but it will not be enough. Oxfam is looking to the international community for support to strengthen our capacity to deal with an outbreak." On 18 April, the country has also opened sewing workshops in 30 of its penitentiaries with the aim of producing 200,000 masks. An extension of this initiative is being planned, by which prisoners would also produce protective suits for medical personnel and disinfection cabins.</p>	2020
	<p>In correspondence with the Global Detention Project (GDP), UNHCR Algeria reports that the Algerian Government "suspended collective expulsions of migrants in irregular situations in Algeria in mid-March due to the Covid-19 crisis. However, it is reported that groups of nationals from Niger continued to be moved to Niger in March and April, although in smaller numbers than before. However, cross-border movement restrictions taken to contain the spread of Covid-19 might currently impact on the possibility for refugees to access the territory and asylum, which must be maintained even as governments take measures to protect public health." UNHCR Algeria also told the GDP that "Algeria has not adopted any new asylum policies or practices in response to the Covid-19 crisis. UNHCR office in Algiers receives and registers asylum applications and conducts refugee status determination. Due to the Covid-19 situation, the number of asylum applications received has decreased since March 2020. Reception and appointment for refugees and asylum-seekers in UNHCR office have been temporarily suspended to prevent the virus transmission, and remote pre-registration and interviewing modalities were introduced. Through its Call Centre numbers, Hotline and UNHCR Help website for Algeria (<a href="https://help.unhcr.org/algeria/">https://help.unhcr.org/algeria/</a>), UNHCR is providing practical information and assistance on a daily basis on procedures and services available to refugees and asylum-seekers during the Covid-19 situation." As of 5 May 2020, Algeria had recorded 4,648 Covid-19 cases and a total of 465 deaths related to the disease. The government enacted two Decrees (No. 20-69 and 20-70) on 21 and 24 March, establishing social distancing measures, confinement facilities, movement restrictions, and specific rules on commercial activities. Public transport, flights, trains and taxis have all been suspended. The government has announced that these measures will remain in place until 14 May. Refugee camps like the Sahrawi refugee camps, located a few kilometers from Tindouf, are particularly vulnerable to the spread of Covid-19. Due to the lack of medical staff and health care material, the spread of Covid-19 within these camps could cause a catastrophe. A Saharawi doctor, Abdala Banani Saaid, stated that the health personnel has just 600 pairs of gloves and 2000 masks for a population of between 180,000 and 200,000 people. She added that "no health centre is really ready. Even the national hospital does not have respiratory equipment. Let's hope we don't get any case, because we really don't have anything here." UNHCR, UNICEF, WFP and five NGO partners have called attention to the challenges faced by Sahrawi refugees. A plan requiring US\$ 15 million has been drawn up by the these organisations outlining measures to: "(1) prevent transmission of Covid-19 among Sahrawi refugees; (2) provide adequate care for patients affected by Covid-19 and to support their families and close contacts; and (3) adapt programmes in health, education, food security, protection, and water, sanitation and hygiene (WASH) to mitigate the worst effects of the pandemic." Agostino Mulas, UNHCR representative in Algeria stated that "as governments across the world are taking extraordinary measures to contain the spread and mitigate the impact of Covid-19, we must not forget vulnerable populations such as the Sahrawi refugees. I would like to express our gratitude to the Algerian Government for its continued support to this refugee population and for including them in all the Covid-19 national response strategies ... I humbly call on all donors, whether governments, foundations or individuals, to support these efforts and help the humanitarian community working in the Tindouf camps to face this unprecedented crisis." On 1 April 2020, the Algerian President, Abdelmadjid Tebboune, ordered the release of 5,037 prisoners. Prisoners on remand and those with a sentence of less than 18 months were released while those convicted of terrorism, espionage, murder or other violent crimes will remain in prison. In the Koléa prison, a prisoner died from Covid-19 on 9 April 2020. Following the death, the prison was placed in isolation and movements in and out of the prison have been suspended, including prisoners attending their hearings in Court. In the Blida prison, 59 prisoners were released to alleviate overcrowding and avoid the spread of Covid-19. While the country has taken measures to protect prisoners from Covid-19, the GDP has been unable to find reports indicating that authorities have taken measures to assist migrants in detention.</p>	2020
	<p>With the Covid-19 crisis provoking a state of "panic" across Algeria, the country has announced a "plan d'urgence." Authorities have continued their efforts to block unauthorised migration from sub-Saharan countries, including detaining "migrants clandestins" and arresting alleged traffickers. However, simultaneously, the Ministry of Justice announced that it was temporarily suspending court functions. In addition, all visits to prisons have been suspended and lawyers may only see their clients through a glass separation. The GDP has been unable to find any reports indicating that authorities have taken measures to assist migrants and asylum seekers, including those in detention.</p>	2020

## INTERNATIONAL LAW

Relevant international treaties and date of ratification			
<b>International treaties</b>	Name	Ratification Year	
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1972	
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1989	
	ICCPR, International Covenant on Civil and Political Rights	1989	
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1996	
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1989	
	CRC, Convention on the Rights of the Child	1993	
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	2005	
	VCCR, Vienna Convention on Consular Relations	1964	
	CRSR, Geneva Convention Relating to the Status of Refugees	1963	
	CRSSP, Convention Relating to the Status of Stateless Persons	1964	
	CRPD, Convention on the Rights of Persons with Disabilities	2009	
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2004	
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2004	
<b>Ratio of relevant international treaties ratified</b>	13/19		
Relevant international treaties and date of ratification			
<b>International treaty reservations</b>	Name	Reservation Year	Observation Date
	ICESCR Article 13	1989	2017
	CRC Article 14	1993	2017
Relevant international treaties and date of ratification			
<b>Individual complaints procedure</b>	Name	Acceptance Year	
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1989	
	ICERD, declaration under article 14 of the Convention	1989	
	CAT, declaration under article 22 of the Convention	1989	
Relevant international treaties and date of ratification			
<b>Ratio of complaints procedures accepted</b>	Number	Observation Date	
	3/8	2017	

Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Committee on the Elimination of Discrimination Against Women	45 (a) ensure that refugees and asylum-seekers, in particular women and girls, are not penalized for illegal entry and stay in the country , that detention of asylum-seekers is only used as a last resort where necessary and for as short period as possible , and that safeguards against refoulement are fully implemented; and develop cooperation mechanisms with unhcr to identify persons in need of international protection;	2012
	Committee on Migrant Workers	"take steps to ensure that the detention of migrant workers in an irregular situation is only a measure of last resort and that, in all circumstances, such detention is carried out in conformity with articles 16 and 17 of the convention."	2010
Regional treaties, regulations, and directives			
Regional legal instruments	Name	Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)	
	ACHPR, African Charter on Human and Peoples Rights	1987	
	ACRWC, African Charter on the Rights and Welfare of the Child	2003	
Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	Spain	2004	2017
	Italy	2006	2017
	Switzerland	2007	2017
	United Kingdom	2007	2017
	Germany	2006	2017
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2008	2017
	No	2012	2017
	No	2017	2017

INSTITUTIONAL INDICATORS				
Governing structures				
Federal or centralized governing system	Federal or centralized governing system		Observation Date	
	Centralized system		2017	
Institutions responsible for immigration detention				
Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
		Ministre de l'Intérieur et des Collectivités Locales	Interior or Home Affairs	2017

## Institutions responsible for immigration detention

Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
												Yes			2016

## Detention monitoring institutions

Do international and/or regional bodies (IRBs) visit immigration-related detention facilities?	Do international and/or regional bodies (IRB) regularly visit immigration-related detention facilities?	Observation Date
	Yes	2020

More information about immigration detention in Algeria is available at the website of the Global Detention Project  
[www.globaldetentionproject.org](http://www.globaldetentionproject.org)