
ALGERIA

People's Democratic Republic of Algeria

Population: 31.3 million (12.7 million under 18)

Government armed forces: 127,500 (estimate)

Compulsory recruitment age: 19

Voluntary recruitment age: unknown in regular armed forces, unregulated in paramilitary forces

Voting age: 18

Optional Protocol: not signed

Other treaties ratified (see glossary):

CRC, GC AP I and II, ILO 138, ILO 182; ACRWC

Although the voluntary recruitment age remained unclear, children did not appear to have been recruited into government armed forces. There were unconfirmed reports of under-18s being used by government-allied paramilitary forces and armed political groups, but little documented evidence was available.

Context

The armed conflict that has claimed between 100,000 and 150,000 lives in more than a decade continued, although there was a marked reduction in the intensity of hostilities.¹ Support for armed opposition groups was weakened by sustained government military and paramilitary operations, arrests and a presidential amnesty for combatants. From April 2001, coordinated civil disobedience in the Kabylia region was met with government repression.

Government

National recruitment legislation and practice

The legal basis for conscription into the regular armed forces is the National Service Code. Algerian men are liable for 18 months' national service between the ages of 19 and 30, and an additional six months' service as a reservist up to the age of 50. Women are not allowed to perform military service. There was a considerable reduction in the number of conscripts.² This resulted in part from the creation and functioning of local self-defence militias, the continuation of a 1999 "regularization program" that increased the numbers who could claim exemption from military service, and logistical constraints.³

Government-backed paramilitaries

There were no safeguards to prevent recruitment of under-18s into local militias or government-allied paramilitary groups authorized and supported by the authorities.⁴

Such groups include "communal guards", created in 1996 to defend public order. "Communal guards are recruited amongst candidates of at least 19 years of age who have gained the best marks in tests" (Executive Decree 96-266, Article 21).⁵

Groupes de légitime défense (GLD), Legitimate Defence Groups, are self-defence militias established under Executive Decree 97-04 of January 1997. Authorized by joint order of the Ministries of Defence and Interior, they are supplied with arms by the authorities (Article 8) and required to wear distinctive uniforms.⁶ According to government officials, enlistment is voluntary and, although no minimum age for recruitment is specified, recruitment is on the same basis as for the armed forces. The minimum age for carrying firearms in Algeria is 19.⁷ In 2003 the GLD were estimated to have up to 300,000 members.⁸

One study by Algerian human rights activists was given evidence of children being recruited and carrying automatic weapons in a family-run GLD headed by local officials.⁹

Armed political groups

At least five distinct armed groups remained active, although their numbers appeared to be in decline. Following a visit to Algeria in September 2002, the UN Special Rapporteur on freedom of religion and belief reported that most remaining members of armed groups were aged over 30 and that the supply of post-teenage replacements was less abundant than previously.¹⁰ In December 2002 undisclosed security sources estimated the total number of armed group members to be more than 8,000.¹¹ However, in June 2003 the Algerian Chief of Staff estimated that they numbered fewer than 700.¹²

Members breaking away from the *Groupe islamique armé* (GIA), Armed Islamic Group, reduced its numbers, estimated at less than 30 in the Algerian capital, Algiers, by an Algerian military source and at about 60 in total by the Special Rapporteur on freedom of religion and belief.¹³ The strongest of the splinter groups, the *Groupe salafiste de prédication et de combat* (GSPC), Salafist Group for Preaching and Combat, reportedly had three to four hundred members and recruited people who had trained in Afghanistan with *al-Qaeda*.¹⁴ According to official sources and the Special Rapporteur, three other operational groups had a total of nearly 200 members.¹⁵

Developments

In 2003 Algeria ratified the African Charter on the Rights and Welfare of the Child.¹⁶ Algeria has not reported on its implementation of the UN Convention on the Rights of the Child (CRC) although it is required to do so every five years.

In 2000 UNICEF and the *Institut national de la magistrature* (INM), Algeria's only school providing full-time three-year postgraduate training for future magistrates, entered into a partnership to strengthen the understanding and fulfilment of child rights through implementation of ratified international treaties such as the CRC. This included in-depth teaching about the CRC and its Optional Protocols and their practical application.¹⁷

As a member of the African Union, Algeria supported the Common African Position, agreed at the Pan-African Forum for Children in Cairo in May 2001. The document included provisions to stop children, defined as anyone under the age of 18, being used as soldiers and to protect former child soldiers. The Common Position was presented to the Special Session of the UN General Assembly on Children on 8 May 2002.¹⁸

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- 1 Amnesty International (AI), *Algeria: Steps towards change or empty promises?*, September 2003, <http://web.amnesty.org/library/engindex>.
 - 2 Immigration and Nationality Directorate, United Kingdom (UK) Home Office, *Algeria Country Report*, October 2003, <http://www.ind.homeoffice.gov.uk>.
 - 3 Immigration and Refugee Board of Canada, DZA42247.FE, 7 January 2004, and DZA30915.E, 12 January 1999 updating DZA22551.F, 14 December 1995, <http://www.cisr-irb.gc.ca> (Refinfo).
 - 4 Information from Coalition member, 9 March 2004.
 - 5 Communication from Algerian embassy, London, 9 May 2001.
 - 6 Décret exécutif 97-04 "fixant les conditions d'exercice de l'action de légitime défense dans un cadre organisé".
 - 7 Communication from Algerian embassy, op. cit.
 - 8 AI, op. cit.
 - 9 Salah-Eddine Sidhoum and Algeria-Watch, *Les milices dans la nouvelle guerre d'Algérie*, December 2003.
 - 10 UN Special Rapporteur on freedom of religion or belief, report to UN Commission on Human Rights: Visit to Algeria (16-26 September 2002), UN Doc. E/CN.4/2003/66/Add.1, <http://www.ohchr.org>.
 - 11 Luis Martinez, *Algérie: Les nouveaux défis*, citing *El-Fajr* newspaper (4 December 2002), Centre d'études et de recherches internationales (CERI), March/April 2003; AI, op. cit.
 - 12 AFP, *Al Watan* (Qatar), 18 June 2003.

- 13 Middle East Online, "The Algerian Army Arrests the leader of the GIA", 20 November 2003; UN Special Rapporteur on freedom of religion or belief, op. cit.
- 14 See for example *Al-Riyadh* (Riyadh, Saudi Arabia) "Washington Imposes Economic Sanctions on an Algerian group accused of terrorism", 22 October 2003, <http://www.alriyadh-np.com>.
- 15 Luis Martinez, op. cit.; UN Special Rapporteur on freedom of religion or belief, op. cit.
- 16 African Union, <http://africa-union.org>.
- 17 UNICEF press release, "Promotion of the Convention on the Rights of the Child and the legal protection of children and adolescents", Algeria, 2002.
- 18 The African Common Position as Africa's contribution to the special session of the General Assembly on children: Declaration, Pan-African Forum on the Future of Children, Africa Fit for Children, Egypt, 28-31 May 2001, in UN Doc. A/S-27/13, 16 April 2002, <http://www.unicef.org/specialsession/documentation/documents/A-S27-13E.pdf>.