



FORCED TO LEAVE

STORIES OF INJUSTICE AGAINST MIGRANTS IN ALGERIA

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First published in 2017

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street

London WC1X 0DW, UK

Index: MDE 28/9512/2018

Original language: English

amnesty.org



Cover photo: *Nigerien families, subjected to summary mass expulsions, arrive in Agadez, Niger, after the long journey in crowded open trucks*

© Francesco Bellina

**AMNESTY
INTERNATIONAL**



BACKGROUND

Over the past two decades Algeria has become a country of transit or final destination of many nationals from West and Central Africa looking for employment opportunities in a variety of sectors, mainly construction and agriculture.

Despite the high numbers of Sub-Saharan migrants, asylum seekers and refugees in the country, Algeria still lacks a clear legal framework for migrant workers and does not have a law on asylum, more than fifty years after ratifying the 1951 Refugee Convention. Pending the establishment of a national asylum system in Algeria, the UN Refugee Agency (UNHCR) conducts registration of asylum-seekers as well as refugee status determination through its office in Algiers, but registered refugees and asylum-seekers suffer inadequate protection as the Algerian authorities may not automatically recognize their status and a UNHCR card does not entitle them to a residence permit in the country.



Mohamed works since more than two months for Wahid, bricklayer. He earns about 1.200 Algerian Dinars every day (approximately 10 USD) © BACHIR

In 2008, Algeria adopted Law No. 08-11 governing foreign nationals' conditions of entry, stay and circulation. The law treats irregular migration as a criminal offence punishable by up to two years in prison and establishes legal procedures for migrants' expulsion from the country. Not complying with an expulsion order is punished by up to 5 years in prison. Law No. 09-01 of 25 February 2009 amending the penal code introduced the criminal offence of illegal exit, for a citizen or a foreign national, punishable up to six months in prison. Law No. 81-10 of 1981 related to foreign nationals' employment conditions, establishes that work permits are only granted for positions unable to be filled by an Algerian national. Moreover, foreign nationals are required to obtain a work permit before entering the country in order to be able to apply for a residency permit. The combination of these laws means that 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.

EXPULSIONS

Until 2012, the authorities conducted expulsions of undocumented migrants through the Tinzaouatine border between Algeria and Mali. In 2012, however, the border between Algeria and Mali was officially closed after fighting broke out in northern Mali.

Since the summer of 2014, an increased number of Nigerien nationals headed to Algerian coastal cities, in particular women and children from Niger's rural commune of Kantché in the south-eastern region of Zinder. Many became involved in begging in Algeria. In December 2014, Algeria concluded an agreement with Niger aimed at repatriating undocumented Nigerien nationals from Algeria. During an official meeting in Niamey with Amnesty International researchers in December 2017, the Nigerien Ministry of Interior stated that Algeria should have repatriated all women and children conducting begging activities in the country, "responsible for promoting a negative image of Niger abroad". He said such "repatriations" would have discouraged people from migrating irregularly to Algeria.

Algerian and Nigerien authorities have both claimed that criminal networks were behind the massive flow, arguing that they had forced these people to move and to work in begging networks. The authorities' narrative suggest that these people could potentially be victims of organized crime and thereby entitled to international protection as they would be at risk of further human rights violations if they were repatriated to their home countries.

Nonetheless, following the bilateral repatriation agreement, the Algerian authorities carried out mass arrests and expulsions to Niger of thousands of undocumented Nigerien migrants, targeting first women and children and over time also Nigerien male migrant workers. In 2016, the Algerian authorities expanded the scope of these activities to include migrants, asylum seekers and refugees from other western African countries in addition to Niger - including Mali, Guinea Conakry and Cameroon - forcibly transporting them towards the southern borders of the country. In December 2016, security forces arrested an estimated 1,500 Sub-Saharan African migrants and refugees in Algiers, and arbitrarily expelled hundreds of them to neighbouring Niger within days without individual assessment and legal procedures.¹ At least seven registered asylum-seekers from the Democratic Republic of the Congo were expelled as part of this group. These expulsions happened after clashes between local residents and migrants from Sub-Saharan Africa occurred in Algiers.



↑ Young children from Niger forcibly transported back to Niger © Francesco Bellina

A SPIKE IN MASS EXPULSIONS

While the number of expulsions from Algeria to Niger rose every year after 2014 (from 1,345 in 2014 to more than 9,000 in 2016), the mass expulsion operations of Nigeriens and other Sub-Saharan nationals reached a new and unprecedented level during the summer of 2017 and subsequently.

Since August 2017 the security forces have launched a discriminatory crackdown against foreign nationals, rounding up and summarily expelling more than 34,550 Sub-Saharan African migrants from a range of countries to neighbouring Niger and Mali, without any due process.² These have included migrants in irregular situations, but also migrants with valid visas or consular papers. In the same period, Amnesty International confirmed the authorities also arrested several hundred asylum-seekers and refugees. Some were released after UNHCR intervened with Algerian authorities, while others managed to escape after their arrest and detention. However, dozens of asylum seekers and refugees registered with UNHCR in Algeria were expelled to Niger and to Mali without individual assessment or the opportunity to challenge the expulsion.

The scale of crackdown against Sub-Saharan citizens also resulted in an increased number of migrants who have asked the International Organization for Migration (IOM) for support to be “voluntarily returned” to their home countries, while others chose to risk a dangerous crossing into the Moroccan border, officially closed

¹ Amnesty International, *The state of the world's human rights 2016/17* (Index: POL 10/4800/2017).

² Amnesty International, *Algeria: Mass racial profiling used to deport more than 2,000 sub-Saharan migrants* (Press release, 23 October 2017).

and fortified on both sides. Those who could raise the money independently booked passage back to their home countries.

GOVERNMENT RESPONSE

In parallel, the situation of migrants in the country was at the heart of an intense political debate in Algeria. On the one hand, Prime Minister Tebboune - appointed after legislative elections in May 2017 - announced his commitment to grant to Sub-Saharan migrants appropriate reception and to issue residency cards to refugees in the country in order to recognise their right to work.³ Minister of Internal Affairs Noureddine Bedoui has publicly recognized that the country requires foreign workers in the labour force, particularly in construction, and announced a project to regularise the status of undocumented migrant workers.⁴



↑ Knife wound suffered by A. during a fight with his Algerian neighbours © BACHIR

On the other hand, the Director of the President's Cabinet, Ahmed Ouyahia, referred in July 2017 to migrants as a source of criminality, including trafficking of drugs.⁵ The xenophobic rhetoric against Sub-Saharan migrants intensified after Ahmed Ouyahia took office as prime minister in August 2017, replacing Tebboune.

While the virulent narrative of the authorities has encouraged xenophobic comments on social media blaming migrants for spreading HIV and taking Algerians' jobs, the crackdown has simultaneously inspired initiatives of solidarity and support with the Sub-Saharan population. Algerian civil society organizations in May 2018 launched the "We are all migrants"⁶ petition which gained support from more than 80 national and regional civil society organizations.

LAWS ON MIGRATION-RELATED DETENTION, EXPULSION AND REFUGEES

CRIMINALIZATION OF IRREGULAR MIGRATION

Algerian Law No. 08.11 of 25 June 2008, on the Conditions of Entry, Stay and Circulation of Foreigners in Algeria considers irregular entry, stay, and exit as criminal offences punishable by imprisonment up to five years. As a matter of policy, Amnesty International opposes the criminalization of irregular migration (i.e. irregular entry to, stay in and exit from a country). Irregular entry, stay, and exit should be treated as administrative offences.

³ Le Quotidien d'Oran, *Tebboune : La présence des migrants subsahariens en Algérie sera réglementée*, 27 June 2017, www.lequotidien-oran.com/index.php?news=5246277 (in French).

⁴ Huffpost Maghreb, *Un fichier national recensant les ressortissants africains en Algérie en cours de préparation*, 19 June 2017, www.huffpostmaghreb.com/2017/06/20/ressortissants-africains_n_17216582.html (in French).

⁵ TSA Algérie, *Ouyahia: L'immigration africaine est "source de crime, de drogue et de plusieurs autres fléaux"*, 9 July 2017, www.tsa-algerie.com/ouyahia-immigration-africaine-est-source-de-crime-de-drogue-et-de-plusieurs-autres-fleaux/ (in French).

⁶ Avaaz, *Le gouvernement algérien : Halte aux expulsions massives*, 18 May 2018, www.secure.avaaz.org/fr/petition/Le_Gouvernement_Algerien_Halte_aux_expulsions_massives/ (in French).

MIGRATION-RELATED DETENTION

Under international law, in order not to be arbitrary, detention must be prescribed by law, necessary in the specific circumstances and proportionate to the legitimate aim pursued. Migration-related detention should always be used as a last resort and for the shortest time possible. It must be based on an individualized assessment. The individuals affected must be informed of the reasons of their detention and allowed to challenge its lawfulness detention. Recognized refugees should never be detained for migration-related purposes. None should be subjected, individually or collectively, to arbitrary arrest or detention.

UNLAWFUL EXPULSION

Algerian Law No. 08.11 of 25 June 2008 allows the authorities to expel foreign nationals who irregularly entered or stayed in the country, including those whose visas have expired. However, the same law requires the authorities to notify the individual with an expulsion order issued by the Ministry of Interior. Depending on the charges, the individual has between 48 hours and 15 days to leave the country, and up to five days to appeal the expulsion order before an interim relief judge at the administrative tribunal, who can rule within the following 20 days on the expulsion decision. Lodging an appeal suspends the expulsion. Foreign nationals who receive an expulsion order have the right to contact their consular representative in Algeria, a lawyer and an interpreter. Expulsions in violation of these procedures would be unlawful under Algerian and international law.

SUMMARY MASS EXPULSION

As each foreigner is entitled to an individual decision on their expulsion, mass expulsions (i.e. expulsions without due process and without consideration of individual circumstances) are prohibited under customary international law. Moreover, mass expulsions prevent the proper identification of individuals entitled to international protection, including refugees. They contravene both Law 08-11 of 2008 and Algeria's international commitments, including the Convention on Migrant Workers and Article 12 of the African Union's (Banjul) Charter on Human and Peoples' Rights, which Algeria has ratified. A general prohibition on collective expulsions follows from procedural safeguards against arbitrary expulsions, such as those in Article 13 of the International Covenant on Civil and Political Rights. Mass expulsions are prohibited for all foreign nationals irrespective of their status, including irregular migrants.

NON-REFOULEMENT

Refoulement is the forcible transfer of an individual to a place where they would be at real risk of persecution or other serious human rights violations. The principle of *non-refoulement* prohibits such transfers. This principle is the cornerstone of international refugee law and is set out, inter alia, in Article 33 of the 1951 UN Convention relating to the Status of Refugees and in Article 2.3 of the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa. Moreover, this principle applies to all individuals, not only refugees, as international human rights law does not allow anyone to be transferred to a real risk of serious human rights violations. The claims of anyone expressing such fears should be examined in full and fair procedures while the person remains in the country.

ARBITRARY ARRESTS

Since August 2017, the Algerian police and gendarmerie – police forces who report to the Ministry of the Defence - have conducted large-scale raids in the streets, migrants' homes and work places, particularly construction sites, rounding up Sub-Saharan migrants from a range of countries, mainly Niger but also Mali, Ivory Coast, Guinea Conakry, Guinea Bissau, Cameroon, Nigeria, Benin, Burkina Faso, Gambia, Liberia, and Senegal.



 ↑ *A young Guinean man recently expelled from Algeria to Niger by Algerian authorities in a convoy of more than 800 people. He is showing traces of injuries that resulted from his arbitrary arrest in Algeria. © Samuel Gratacap*

The authorities detained tens of thousands of people in massive waves of arrests in the Algiers suburbs and in several other cities including Blida, Bejaya, Tamanrasset, Tizi Ouzou, Setif, Tipaza, Mostaganem, Adrar, Bechar, Bordj Badji Mokhtar and Oran, according to local civil society organisations and lawyers. In some cases, the authorities used batons and kicked migrants as they arrested them.

Migrants arrested told Amnesty International the security forces used racial profiling when arresting them, using as a basis the colour of their skin or their assumed country of origin, in many cases without seeking to ascertain whether the migrants had the documentation necessary to stay in the country. After the launch of the crackdown, Amnesty International conducted more than fifty interviews with Sub-Saharan nationals arrested and deported, during a fact-finding mission in Niger in December 2017 and by phone. Dozens of migrants who spoke to Amnesty researchers said there was no individual assessment of their cases and they were not informed of the reasons for their detention. In many cases, the authorities also denied their right to receive consular assistance.

Some of those arrested and deported were undocumented migrants, while others had valid visas or residence cards.

In October 2017, the security forces also detained hundreds of refugees and asylum-seekers registered in Algeria and expelled at least one Malian asylum seeker to Niger. Since January 2018, dozens of refugees and asylum-seekers have been expelled to Niger and Mali. According to local organizations, November 2018 has seen an increased number of arrests of asylum seekers and refugees.

In the western city of Oran, from March until November 2018 the authorities conducted house-to-house searches in the middle of the night in some neighbourhoods where many migrants live, arresting them and forcing them to leave all their belongings behind. In some cases, these raids also separated families. For example, during a house search on 8 November, the authorities arrested a Cameroonian national and separated him from his wife and three-month-old son, transporting him to Tamanrasset. He managed to escape before the deportation. In June, the family filed a request for the "voluntary return program" with IOM in Algeria, but the authorities refused to verify the related documents upon the arrest.

DETENTION

Dozens of migrants and refugees who were arrested have told Amnesty International that when they were detained, the authorities did not provide a written decision or oral notification with the reasons of their detention, did not allow them access to a lawyer and didn't grant them the opportunity to challenge their expulsion. Detention without legitimate cause or without legal process constitutes arbitrary detention.

The security forces have held migrants and refugees arrested in Algiers in Zeralda camp, a facility previously used for tourism camps and run by the Algerian Red Crescent, converted into an informal detention centre for migrants before their forcible deportation to the far south. Migrants and refugees arrested in Oran were taken to a facility in Bir El Djir, few kilometres east from Oran, run by the Algerian Red Crescent and policed by gendarmes. The authorities usually held migrants – children, women and men all together – for one to three days in the camp before being deported, and made them sleep on the floor, providing them with insufficient water and food provisions.



↑ *Young woman and children from Niger held in Zeralda camp, Algiers* © Louiza Ammi/Liberté

Lawyers and international organizations have been denied access to the centres during the mass arrests since August 2017.

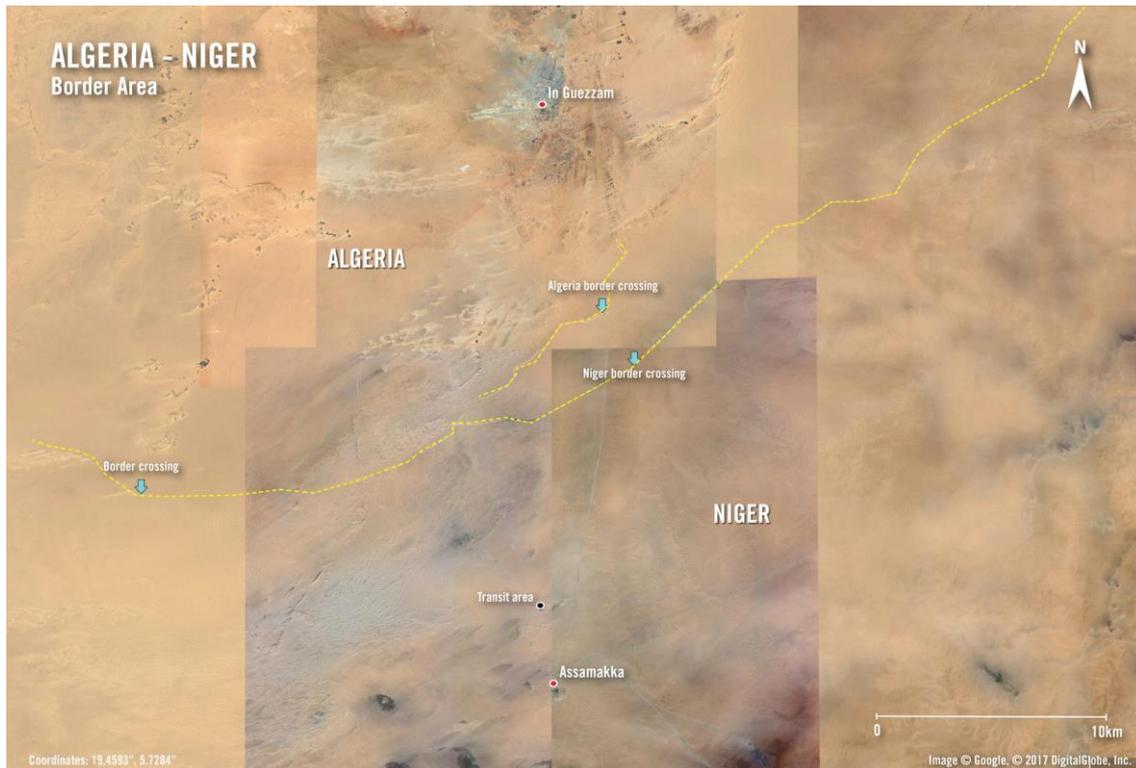
SUMMARY MASS EXPULSIONS TO NIGER

After a short period ranging from one to three days in detention, the authorities forced large numbers of migrants and dozens of refugees onto buses and then transferred them more than 2,000 kilometres away to Tamanrasset, in the south of Algeria, without providing adequate food or water. In some cases, the authorities held migrants for prolonged periods, up to few months. At least ten migrants interviewed by Amnesty International said the authorities beat them during the transfer.

In Tamanrasset, the authorities detained the migrants and refugees in a transit site run by the gendarmerie, where people were not allowed to leave. Some migrants who spoke to Amnesty International said the authorities had moved them from Tamanrasset within hours, while others were held for several days. They told Amnesty International that the authorities forcibly loaded them into large open trucks and transported them south towards the border.

The Algerian security forces transferred the **Nigerien nationals** to Assamaka, in the north of Niger, where the Nigerien authorities, together with the IOM, transported them to Agadez to profile them and return them to their region of origin. Since August 2017, at least 19,500 citizens of Niger and 750 other Sub-Saharan African nationals loaded in the same trucks with the Nigeriens have been summary expelled to Niger through organized convoys. This number included children and unaccompanied children. These expulsions were conducted without any individual risk assessments or due process.

In parallel, the authorities forcibly transported **non-Nigerien nationals** from Tamanrasset to a remote desert area 15 kilometres from the border with Niger, in the Algerian southern village of In Guezzam. In dozens of cases documented by Amnesty International the Algerian authorities forced at gunpoint the migrants and refugees to cross the border and walk over six hours through the desert to reach Assamaka, the first village on the Nigerien side, located 26 kilometres south of In Guezzam. After August 2017, the Algerian authorities conducted summary unlawful expulsions of at least 14,100 migrants, including children, pregnant women, asylum seekers and refugees of multiple nationalities, without considering the potential risks to their lives and security.



  Assamakka is a small town located approximately 26 kilometres south of In Guezzam. A transit area with buses and trucks is located three kilometres north of Assamakka. A tarmac road travels south from In Guezzam to the Algeria border crossing where the roads turn to sand. A long border wall – highlighted above with yellow lines – stretches through the desert region with two main crossings where vehicles can pass.

Following the waves of mass expulsions in January and February 2018, Nigerien Minister of Interior Mohamed Bazoum argued that Niger was open to receive undocumented Nigeriens who had been staying in Algeria but at the same time he publicly criticized Algeria for deporting to Niger a large number of third country nationals.⁷

In a response to the UN Committee of Migrant Workers in April 2018, the Algerian authorities said that they had repatriated about 27,000 Sub-Saharan migrants in the last five years, in particular women and children involved in begging activities and prostitution.⁸ They argued that these were not collective expulsions, but voluntary repatriation operations conducted at the request of their country of origin by the Algerian authorities, with the assistance of United Nations Agencies, in the context of bilateral cooperation agreements and in compliance with the principle of human dignity and due process.

Despite the declarations of government officials, the evidence from the expulsions undermines the authorities' claims. In particular:

- Individuals were expelled *en masse*, without an individualized determination of their individual situation and irrespective of their migration status, including migrant workers, in both regular and irregular situations, refugees and asylum seekers from Sub-Saharan Africa and members of their families to Niger. These expulsions, carried out summarily and without any legal procedure, breach both the national law and Algeria international commitments. Mass expulsions are prohibited under international customary law. Algeria is a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, which prohibits collective expulsions of migrant workers and their families irrespective of their status and states that each case of expulsion must be examined individually.⁹ The mass expulsion of non-nationals is also prohibited by Article 12 of the African Union's (Banjul) Charter on Human and Peoples' Rights, which Algeria has ratified;

⁷ Nigerian Minister of Interior Mohamed Bazoum Twitter's account, "*Nous sommes prêts à accueillir tous les Nigériens que les Algériens ne souhaiteraient plus voir sur le territoire, par contre, nous avons dit aux autorités algériennes de cesser de nous envoyer des jeunes.*", 21 February 2018, www.twitter.com/mohamedbazoum/status/966381042478276608 (in French).

⁸ 128th session of the Committee on Migrants Workers, INT/CMW/STA/DZA/30862.

⁹ UN General Assembly, Resolution adopting the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families, UN Doc. A/RES/45/158.

- The authorities violated existing legal provisions and the procedural safeguards set out in the Convention on migrant workers and in national law on expulsion, including the absence of any formal notification of the expulsion decision, access to lawyers, the effective right to a suspensive appeal and oversight of the legality of the procedure, and the refusal to allow the persons concerned to receive consular assistance. Non-Nigerien Sub-Saharan migrants were often abandoned in desert areas at the Algerian-Nigerien border and were forced to cross the border walking. Amnesty International has reviewed satellite imagery of the border and videos transferred by migrants, documenting the crossing, that confirm the dynamics of the expulsions. The temperature at the desert border area can reach up to 45 degrees and exposes people to dehydration.



 ↑ Agadez, Niger. Reception camp for Nigerien nationals expelled by Algeria © Amnesty International

The Government of Niger has delegated to the IOM responsibility for the assistance of third country nationals from Sub-Saharan Africa expelled from Algeria if they signed up to be “voluntarily” returned to their countries of origin.¹⁰ The Special Rapporteur on the human rights of migrants visited Niger in October 2018 and concluded that, “The voluntariness of such returns is questionable when these migrant persons are not offered any other assistance or alternative to return.”¹¹

SUMMARY MASS EXPULSIONS TO MALI

From August 2017 to November 2018, the authorities also conducted mass arbitrary expulsions of at least 3,100 Sub-Saharan nationals, including asylum seekers, to a lawless area at the Malian border, according to IOM and Maison des Migrants, a Malian organisation in Gao.¹² They were arrested in several waves of arrests in different Algerian cities, including Tlemcen, Maghnia, Oran and Ghardaya, and gathered in an open-air detention centre in Reggane, in the southern region of Algeria. According to reports from migrants, after a short period of detention, the security forces forcibly bussed them to Bordj Badji Mokhtar, the last Algerian city before the border with Mali. They forced the Sub-Saharan migrants and refugees at gunpoint to walk for six hours across the desert to the Malian city of In Khalil, 18 kilometres away.

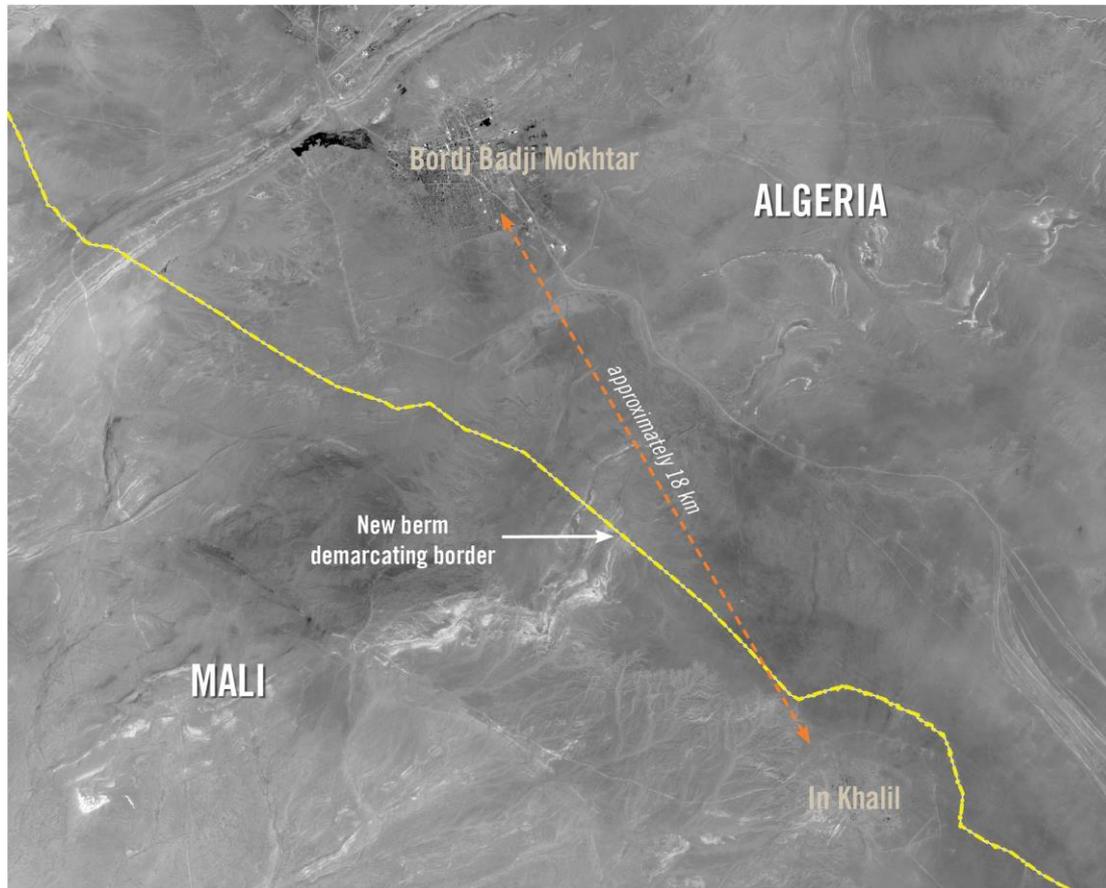
¹⁰ IOM, *IOM Niger's Voluntary Return Assistance of Migrants Eclipses 2017 totals*, 27 July 2018, www.iom.int/news/iom-nigers-voluntary-return-assistance-migrants-eclipses-2017-totals

¹¹ OHCHR, *End of mission statement of the UN Special Rapporteur on the human rights of migrants, Felipe González Morales, on his visit to Niger*, 8 October 2018, www.shar.es/aaZ6At

¹² IOM, *UN Migration Agency in Mali Assists Over 1,100 Sub-Saharan Migrants at Algerian Border*, 8 May 2018, www.iom.int/news/un-migration-agency-mali-assists-over-1100-sub-saharan-migrants-algerian-border

International and local humanitarian organizations could not access the In Khalil border area due to the growing insecurity in the north of Mali, as underlined by the report of the UN Secretary General in September 2017.¹³ People expelled had no choice but to pay for private trucks to drive them to Gao, 800 kilometres away. Amnesty International interviewed ten people abandoned by Algerian authorities in Bordj Badji Mokhtar between November and April 2018, who reported they had been beaten and robbed by armed militant groups controlling the area.

Mass expulsions to Northern Mali breach Algerian Law and international standards, as well as violating the principle of *non-refoulement*, as migrants are at particular risk of serious human rights violations.



 ↑ Mali border area where Sub-Saharan migrants are abandoned and forced to walk. The dotted lines represent walled perimeters. The landscape is barren with only one small probable border crossing point. © Copernicus Sentinel data (2108)/ESA

RECOMMENDATIONS

Algeria's treatment of migrants and refugees has been subjected to close and critical scrutiny by international human rights bodies.

During Algeria's second periodic review under the Convention on the protection of the Rights of All Migrant Workers and Members of Their Families, the UN Committee declared that Algeria had contravened a series of articles of the Convention and voiced concerns about collective arrests and expulsions implemented "with a great deal of brutality".¹⁴ The committee also raised concerns about agreements signed by Algeria with southern neighbours that have been used as a pretext to expel migrants from any other country.

The UN Committee of Migrant Workers has urged Algeria to:¹⁵

¹³ Security Council, Report of the Secretary-General on the situation in Mali, UN Doc. S/2017/811.

¹⁴ OHCHR, *Committee on Migrant Workers examines Algeria's report*, 11 April 2018, www.shar.es/aaZ6xd

¹⁵ Concluding Observations of UN Committee on the Protection of the Rights of All Migrants Workers and Members of Their Families: Algeria, UN Doc. CMW/C/DZA/CO/2.

- Immediately stop the practice of collective and arbitrary arrests and summary expulsions of migrants and asylum seekers in degrading and inhumane conditions;
- Amend its legislation governing expulsion/deportation procedures so as to explicitly prohibit collective expulsion;
- Respect the right to seek and enjoy asylum, and the principle of *non-refoulement* and, to that end, refrain from turning away migrants at its borders or forcibly returning them when that would expose them to the risk of persecution or torture or other cruel, inhuman or degrading treatment or punishment.

In addition, the UN Human Rights Committee, which reviewed Algeria's record on civil and political rights in July 2018, urged the authorities to adopt a law on asylum in line with the International Covenant on Civil and Political Rights and other international standards.¹⁶

The Special Rapporteur on the human rights of migrants published a statement in October 2018, following his mission in Niger, calling on Algerian authorities to halt immediately the illegal collective expulsions of migrant persons to Niger.¹⁷

Amnesty International is calling on the Algerian authorities to:

1. Stop the practice of collective and arbitrary arrests and summary expulsions without due process of migrants, asylum seekers and refugees from Algeria into Niger and Mali;
2. Ensure the effective implementation of the procedural safeguards in case of expulsions, including the right of suspensive appeal, and amend Law No. 08.11 of 25 June 2008 to explicitly prohibit collective expulsions;
3. Amend Law No. 08.11 of 25 June 2008 and Law No. 09.01 of 25 February 2009 to decriminalize irregular entry, stay, and exit and ensure they are treated as administrative offences rather than criminal offences;
4. Ensure international protection for asylum seekers and refugees recognized by UNHCR, with a view to adopting national legislation implementing the 1951 Convention relating to the Status of Refugees and its 1967 Optional Protocol, as well as other international laws and standards for the protection of persons in need of international protection; and
5. Ensure migrants, asylum seekers and refugees have access to an effective remedy, including access to justice and reparations, in case of unlawful arrest, detention and expulsion.

¹⁶ Concluding Observations of UN Human Rights Committee: Algeria, UN Doc. CCPR/C/DZA/CO/4.

¹⁷ OHCHR, *End of mission statement of the UN Special Rapporteur on the human rights of migrants, Felipe González Morales, on his visit to Niger*, 8 October 2018, www.shar.es/aaZ6At

TIMELINE

FROM 2000

- Algeria becomes a country of transit or final destination for many Sub-Saharan nationals.

2008

- Algeria adopts 2008 Law No. 08-11 governing foreign nationals' conditions of entry, stay and circulation, which treats irregular migration as a criminal offence punishable by up to five years in prison and establishes legal procedures for migrants' expulsion from the country.
- The authorities regularly start conducting expulsions of undocumented migrants in the country through the Tinzaouatine border between Algeria and Mali.

2012

- The Algerian authorities stop conducting expulsion to Mali, after the war explodes in Northern Mali. The border between Algeria and Mali is officially closed.

2014

- June 2014: There is an increase of circular migration from Niger to Algeria, particularly women and children from the Zinder region heading to practise begging activities in cities. Algerian and Nigerien authorities claim this flow is managed by organized criminal networks.
- December 2014: Niger agrees with Algeria that undocumented Nigerien nationals in Algeria will be repatriated.
- Algerian authorities start to collectively expel Nigerien nationals to Niger. 1345 Nigerien nationals are expelled to Niger by the end of 2014 through 5 convoys.

2015

- At least 5986 Nigerien nationals are expelled to Niger by the end of the year through 20 convoys.

2016

- At least 9290 Nigerien nationals are expelled to Niger by the end of the year through 20 convoys.
- December 2016: The Algerian authorities arrest more than 1,500 Sub-Saharan migrants from a range of countries and deport at least several hundred to Niger without legal procedures, including at least seven UNHCR-registered asylum-seekers from the Democratic Republic of the Congo.

2017

- June 2017: Ministry of Interior Noureddine Bedoui publicly recognizes the need for foreign workers, in particular on building sites, and announces a project aiming at regularizing the status of migrant workers in Algeria.
- August 2017: Ahmed Ouyahia is appointed as Prime Minister, succeeding Abdelmadjid Tebboune.

- Algerian authorities start a severe crackdown against Sub-Saharan nationals in Algeria, irrespective of their status in Algeria. Regular waves of arrests take place in many Algerian cities, followed by systematic mass deportations to the southern city of Tamanrasset and then expulsion to neighbouring Niger or Mali.
- By the end of the year:
 - At least 6,679 Nigerien nationals and 110 third country nationals are expelled through 14 convoys to Niger.
 - At least 1817 Sub-Saharan migrants from West and Central Africa and 704 Nigerien nationals are abandoned at the border and forced to cross to Niger.
 - At least 100 Sub-Saharan migrants from West and Central Africa are abandoned at the border and forced to cross to Mali.

2018

- By the end of the year:
 - At least 12,913 Nigerien nationals and 649 third country nationals are expelled through convoys to Niger, with a particular peak in March and April 2018.
 - At least 11,238 Sub-Saharan migrants from West and Central Africa and 386 Nigerien nationals are abandoned at the border and forced to cross to Niger.
 - At least 3,000 Sub-Saharan migrants from West and Central Africa are abandoned at the border and forced to cross to Mali, with a particular peak in May 2018.

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STORIES OF INJUSTICE AGAINST MIGRANTS IN ALGERIA

Over the past two decades Algeria has become a country of transit or final destination of many nationals from West and Central Africa looking for employment opportunities in a variety of sectors, mainly construction and agriculture. Yet despite the large number of Sub-Saharan migrants, asylum seekers and refugees in the country, Algeria still lacks a clear legal framework for migrant workers and has a law criminalizing irregular migration making it an offence punishable by up to five years in prison.

Arbitrary arrests and mass expulsions of migrants from Sub-Saharan Africa have reached an all-time high, in stark contradiction of Algeria's ratifying of the 1951 Refugee Convention, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Sub-Saharan migrants shared their stories with Amnesty International. Their experiences illustrate the injustice when they are confronted to forcible expulsions regardless of their migration status, and the urgent need for Algerian authorities to stop the arbitrary mass expulsions to Niger and Mali. Amnesty International is also calling on the authorities to grant international protection for refugees, to adopt a law on asylum, and decriminalize irregular entry, exit and stay in Algeria.