

|                                 |   |
|---------------------------------|---|
| <b>Country/entity</b>           | Algeria   |
| <b>Region</b>                   | Middle East and North Africa                                      |
| <b>Agreement name</b>           | Plate-forme portant consensus national sur la période transitoire |
| <b>Date</b>                     | 26 Jan 1994   |
| <b>Agreement status</b>         | Multiparty signed/agreed  |
| <b>Interim arrangement</b>      | Yes   |
| <b>Agreement/conflict level</b> | Intrastate/intrastate conflict                                    |

### Algerian Civil War (1990 - 1998)

The conflict has involved secularist and Islamic political forces. After the Front Islamique du Salut (FIS) won local councils and the first round of national elections in 1990 and 1991 respectively, the ruling state party, Front Libération National (FLN) dissolved Algeria's parliament and suspended the constitution and the army council took over the reins of government. After protests by FIS, the military regime imposed a state of emergency, effectively triggering off a bloody civil war as Islamist militias rose in opposition. The FIS split, and the breakaway Groupe Islamique Armé (GIA) became known for some of the most violent anti-government actors. Violence peaked in 1995 after the military candidate won in presidential elections. Heavily pressured by the military, FIS-loyalists declared a ceasefire in 1997 and after presidential elections in 1999, President Abdelaziz Bouteflika enacted a new amnesty law, which saw the number of insurgents shrink dramatically. By 2002, the GIA was effectively beaten militarily, however, various small Islamist groups continue to operate in the region.

Close  
Algerian Civil War (1990 - 1998)

|                        |  |
|------------------------|--|
| <b>Stage</b>           | Pre-negotiation/process  |
| <b>Conflict nature</b> | Government   |
| <b>Peace process</b>   | Algeria: Bouteflika Process  |
| <b>Parties</b>         | Dr. Youcef KHATIB, President of the Committee for National Dialogue and President of the Conference on National Consensus  |
| <b>Third parties</b>   | -  |
| <b>Description</b>     | This agreements addresses the objectives and functioning of the platform of national consensus that will guide the political transition. It defines the political, economic, social and security objectives; provides for the organisation of organs of the transitional period (The State Presidency, The Government, The National Transitional Council, and the The Constitutional Council). |

---

**Agreement document** [DZ\\_940129\\_Plateforme Portant sur Consensus Nationale\\_tr.pdf \(opens in new tab\) | Download PDF](#)

**Agreement document (original language)** [DZ\\_040129\\_PlatformePortantSurConcensusNational.pdf \(opens in new tab\)](#)

---

## Groups

|  |   |
|--|---|
| <b>Children/youth</b>                    | <p>Groups→Children/youth→Substantive</p> <p>Page 3-4, OBJECTIVES OF THE TRANSITION, 2 – Economic objectives:<br/>The transitional period shall be designed to ensure the relaunch of the national economy in order to stimulate and develop production and employment capacity. This shall be done by:<br/>[...]<br/>- industrial restructuring to encourage the development of reliable and performing businesses in order to be able to respond to internal consumer demand, to increase exports and to stimulate youth employment;</p> <p>Page 4, OBJECTIVES OF THE TRANSITION, 3 – Social objectives:<br/>[...]<br/>- develop and implement an appropriate and ambitious policy for young persons in particular, by designing and implementing training, employment and social programmes, based on a new and dynamic vision to deal with the problems of young people.</p> |
| <b>Disabled persons</b>                  | No specific mention.  |
| <b>Elderly/age</b>                       | No specific mention.  |
| <b>Migrant workers</b>                   | No specific mention.  |
| <b>Racial/ethnic/<br/>national group</b> | No specific mention.  |
| <b>Religious groups</b>                  | No specific mention.  |
| <b>Indigenous people</b>                 | No specific mention.  |
| <b>Other groups</b>                      | No specific mention.  |
| <b>Refugees/displaced<br/>persons</b>    | No specific mention.  |
| <b>Social class</b>                      | No specific mention.  |

---

**Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

---

**State definition**

**Nature of state (general)** Page 1, INTRODUCTION:  
Since Algeria recovered its sovereignty and independence, the culmination of the aspirations and incessant struggle of the national movement and the November revolution, the country has undergone profound change, both physically and in terms of its social, cultural and human development.

Page 2, Introduction:  
[...]  
This is only possible within a democratic and republican political system guaranteed by a Constitution which is both a reference and a stabilising anchor enforceable in respect of everyone and where everyone has the same status.

Page 5, ORGANISATION OF ORGANS OF THE TRANSITIONAL PERIOD, CHAPTER 1 - GENERAL PROVISIONS, Article 3:  
The transitional period aims to consolidate and establish permanent constitutional law which shall guarantee:  
- the sovereignty of the State,  
- the republican and democratic character of the State within the framework of the principles of Islam and the specific characteristics of the Algerian people,

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 13:  
The State President shall benefit from the following powers and prerogatives:  
[...]  
9) He shall consult the people by referendum, on any question of national importance,

**State symbols** No specific mention.

**Independence/  
secession** No specific mention.

**Accession/  
unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border  
provision** No specific mention.

---

**Governance**

**Political institutions (new or reformed)**

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 2, Introduction:

[...]

The transitional organs shall be responsible for creating these conditions, and their organisation and operations shall be regulated by the Constitution and by specific provisions foreseen in the transitional platform.

[...]

Clearly the success of the transitional period will depend on the quality of the organs put in place, on the appropriateness of their objectives, but also on the people who shall lead them. It will also depend on the impetus which the national conference is able to bring to the process.

Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:

The actions to be taken in this area consist of:

[...]

- maintaining and developing the gains of the national conference and reinforcing national harmony, by ensuring the smooth functioning of transitional organs, mobilising strong and active social forces and pursuing national dialogue;

- consolidating the structures and restoring the functioning of the State, by a fundamental reform of the administration enabling:

- effective delivery of the permanent functions of the State,
- the development of society by responding to the needs of users and ensuring equity for all,
- respect at all times for the neutrality of the administration.

- improving ethical standards in public life and strengthening monitoring functions;

- specifying these actions in new legal provisions relating in particular to:

[...]

- political party legislation,

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 9:

The role of State President is incompatible with any private or voluntary functions. It is also incompatible with any role in a political party or movement.

Page 7, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 17:

[...]

The Head of Government shall submit the transitional programme for approval to the National Transitional Council.

Page 7-8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 20:

Without prejudice to any of the provisions foreseen in article 81 of the Constitution, the Head of Government:

- shall be responsible for the general direction and implementation of the transitional programme,

Page 8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 23:

The role of member of the Government is incompatible with membership of the Transitional Council, and also with any professional function, public or private employment or any responsibility within a political party or association.

## **Elections**

Page 1, Untitled Preamble:

[...]

In light of the High State Committee debate no 92-4 of July 2, 1992, concerning the election of the President of the High State Committee;

Page 2, Introduction:

[...]

To emerge from this crisis at the political level, it will be necessary to use the electoral system. The necessary conditions for this are not only political, as well as economic, social and security-related.

[...]

The Constitution remains the normative base for this development. It is the fundamental reference framework which guides public life. However, it has not been fully implemented, given the acknowledged impossibility of organising elections at short notice.

This absence of elected organs means that they shall be substituted during the transitional period.

It is in this regard that a State Presidency and a National Transitional Council are planned, in place of the President of the Republic and the National Popular Assembly, which are not yet elected.

Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:

The actions to be taken in this area consist of:

[...]

- re-starting the electoral process as soon as possible within a democratic framework, enabling the expression of freely made choices, within a timescale to be determined;

[...]

- specifying these actions in new legal provisions relating in particular to:

- electoral legislation,

☞Page 10, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council,

Paragraph 3. Organisation and operation of the National Transitional Council, Article 35:

The President of the National Transitional Council shall be elected by the members of the National Transitional Council for the duration of the period of transition. In case of the resignation or death or definitive obstruction of the President, his replacement shall be appointed in the same way, for the remaining period of the transition.

## **Electoral commission**

No specific mention.

**Political parties reform**

Governance→Political parties reform→Other political parties reform  
Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 27:

The National Transitional Council shall be made up of two hundred (200) members designated either by the State or their nominating organisation, and appointed by decree for the whole period of the transition.

The National Transitional Council shall be made up of representatives of the following categories: the State, the political parties and economic and social forces.

Representatives of the State shall occupy thirty (30) seats, 15% of the total number. The distribution of the remaining one hundred and seventy (170) seats shall be by mutual agreement between the State and the represented parties, with an equal share for the representatives of the social and economic forces on one hand and for the representatives of political parties on the other.

**Civil society**

Page 2, Introduction:

[...]

The support of the political, economic and social forces representing society will bring about a necessary strengthening of confidence in the exercise of power and will in general terms help to overcome differences, so that all efforts may be focussed on dealing with the crisis and setting the country on the path to civil peace, democracy and progress.

Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:

The actions to be taken in this area consist of:

[...]

- maintaining and developing the gains of the national conference and reinforcing national harmony, by ensuring the smooth functioning of transitional organs, mobilising strong and active social forces and pursuing national dialogue;

Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 27:

The National Transitional Council shall be made up of two hundred (200) members designated either by the State or their nominating organisation, and appointed by decree for the whole period of the transition.

The National Transitional Council shall be made up of representatives of the following categories: the State, the political parties and economic and social forces.

Representatives of the State shall occupy thirty (30) seats, 15% of the total number. The distribution of the remaining one hundred and seventy (170) seats shall be by mutual agreement between the State and the represented parties, with an equal share for the representatives of the social and economic forces on one hand and for the representatives of political parties on the other.

**Traditional/religious leaders**

No specific mention.



**Public  
administration**

Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:

The actions to be taken in this area consist of:

[...]

- consolidating the structures and restoring the functioning of the State, by a fundamental reform of the administration enabling:

- effective delivery of the permanent functions of the State,
- the development of society by responding to the needs of users and ensuring equity for all,
- respect at all times for the neutrality of the administration.

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 13:

The State President shall benefit from the following powers and prerogatives:

[...]

7) He shall appoint civilian and military State employees,

Page 7-8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 20:

Without prejudice to any of the provisions foreseen in article 81 of the Constitution, the Head of Government:

[...]

- shall be the Head of the Administration; he shall supervise the proper functioning of public services,

## Constitution

Governance→Constitution→Constitution affirmation/renewal

Page 1, Untitled Preamble:

[...]

In light of the Constitution, particularly articles 67 and 74-6;

Page 2, Introduction:

[...]

This is only possible within a democratic and republican political system guaranteed by a Constitution which is both a reference and a stabilising anchor enforceable in respect of everyone and where everyone has the same status.

[...]

The Constitution remains the normative base for this development. It is the fundamental reference framework which guides public life. However, it has not been fully implemented, given the acknowledged impossibility of organising elections at short notice.

Page 5, ORGANISATION OF ORGANS OF THE TRANSITIONAL PERIOD, CHAPTER 1 - GENERAL PROVISIONS, Article 3:

The transitional period aims to consolidate and establish permanent constitutional law which shall guarantee:

- the sovereignty of the State,
- the republican and democratic character of the State within the framework of the principles of Islam and the specific characteristics of the Algerian people,
- individual and collective rights and fundamental liberties,
- the principle of obtaining and exercising power through democratic elections.

These objectives are intended to establish social justice and national solidarity, ensure civil peace and the political, economic, social and cultural development of the country in accordance with its aspirations and ambitions to assume its place in universal civilisation.

Page 5, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Article 5:

The transitional organs shall be regulated by the Constitution and the relevant provisions of the present text.

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 7:

The State President shall fulfil the conditions foreseen in article 70 of the Constitution.

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 8:

The State President shall swear an oath before the high organs of the Nation, in accordance with the provisions in articles 72 and 73 of the Constitution. He shall also undertake to monitor implementation of the content of the present platform.

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 10:

In the case of death, resignation or definitive impeachment of the State President, and after confirmation of the Presidential vacancy by the Constitutional Council, the High Council of Security convened by the Head of Government shall undertake to replace him, in consultation with the President of the National Transitional Council.

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 11: Page 10 of 23

The State President embodies the unity of the Nation:

[...]



**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Executive coalition  
State level

Page 7, Article 17 – The Head of Government shall develop the transitional programme based on the objectives agreed by the platform of national consensus.

The Council of Ministers shall debate the transitional programme.

The Head of Government shall submit the transitional programme for approval to the National Transitional Council.

The programme shall be adopted, except where a resolution of reservation is approved, with a majority of two thirds of members.

In this case the Head of Government may either adapt his programme according to the reservations expressed, or request a vote of confidence.

A vote of confidence shall be approved by simple majority.

Article 18 – The Head of Government shall present an annual report on the implementation of his programme to the National Transitional Council. Based on the annual implementation status of the transitional programme there shall be a debate on the Government's activity. The debate may result in the adoption of a resolution addressed to the President and to the Head of Government.

Power sharing→Political power sharing→Proportionality in legislature  
State level

Page 8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 1. Mission and remit of the National Transitional Council,

Article 25: The National Transitional Council shall exercise its legislative functions by means of orders for matters relating to law on the initiative of the Government or, for matters relating to the objectives of the transitional period on the initiative of one third of the members of the Transitional Council, following Government approval.

...

Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council,

Article 27: The National Transitional Council shall be made up of two hundred (200) members designated either by the State or their nominating organisation, and appointed by decree for the whole period of the transition.

The National Transitional Council shall be made up of representatives of the following categories: the State, the political parties and economic and social forces.

Representatives of the State shall occupy thirty (30) seats, 15% of the total number. The distribution of the remaining one hundred and seventy (170) seats shall be by mutual agreement between the State and the represented parties, with an equal share for the representatives of the social and economic forces on one hand and for the representatives of political parties on the other.

Power sharing→Political power sharing→Form of 'veto' or communal majority  
State level

Page 7, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 17:

[...]

The programme shall be adopted, except where a resolution of reservation is approved, with a majority of two thirds of members.

In this case the Head of Government may either adapt his programme according to the reservations expressed, or request a vote of confidence.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

---

## **Human rights and equality**

**Human rights/RoL general** Page 5, ORGANISATION OF ORGANS OF THE TRANSITIONAL PERIOD, CHAPTER 1 - GENERAL PROVISIONS, Article 3:  
The transitional period aims to consolidate and establish permanent constitutional law which shall guarantee:  
[...]  
- individual and collective rights and fundamental liberties,

Page 7-8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 20:  
Without prejudice to any of the provisions foreseen in article 81 of the Constitution, the Head of Government:  
[...]  
- shall be responsible for public security and maintaining order and shall dispose of the public forces for this purpose, within the framework of the law.

Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 29:  
The members of the National Transitional Council shall meet the following criteria:  
[...]  
- be entitled to their civil rights,

**Bill of rights/similar** No specific mention.

**Treaty incorporation** Page 7, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 13:  
The State President shall benefit from the following powers and prerogatives:  
[...]  
11) He shall conclude and ratify international treaties,

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

## Rights related issues

### Citizenship

Rights related issues→Citizenship→Citizen, general

Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 29:

The members of the National Transitional Council shall meet the following criteria:

[...]

- be of Algerian nationality,

### Democracy

Page 1, Article 1:

The platform of national consensus during the transitional period adopted by the conference on national consensus and annexed to the present decree, shall be published in the Official Journal of the Democratic and Popular Republic of Algeria.

Page 1, Article 2:

The present decree shall be published in the Official Journal of the Democratic and Popular Republic of Algeria

Page 2, Introduction:

[...]

This is only possible within a democratic and republican political system guaranteed by a Constitution which is both a reference and a stabilising anchor enforceable in respect of everyone and where everyone has the same status.

Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:

The actions to be taken in this area consist of:

[...]

- re-starting the electoral process as soon as possible within a democratic framework, enabling the expression of freely made choices, within a timescale to be determined;

☞Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 28:

The investiture of members of the National Transitional Council shall take place no later than three (3) months after publication of the present platform in the Official Journal of the Democratic and Popular Republic of Algeria.

Page 11, CHAPTER III. FINAL PROVISIONS, Article 43:

The present platform shall be published in the Official Journal of the Democratic and Popular Republic of Algeria.

### Detention procedures

No specific mention.

**Media and communication** Rights related issues→Media and communication→Media roles  
Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:  
The actions to be taken in this area consist of:  
- re-starting the electoral process as soon as possible within a democratic framework, enabling the expression of freely made choices, within a timescale to be determined;  
[...]  
- specifying these actions in new legal provisions relating in particular to:  
[...]  
• information legislation.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

---

## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

---

## **Justice sector reform**

**Criminal justice and emergency law** Justice sector reform→Criminal justice and emergency law→Delimitation of powers in Criminal Justice System  
Page 7, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 15: The State President shall decree a state of siege or of emergency as foreseen in article 86 of the Constitution. An Ordinance shall determine the regime of the state of siege or emergency.

**State of emergency provisions** Page 7, Article 15 – The State President shall decree a state of siege or of emergency as foreseen in article 86 of the Constitution. An Ordinance shall determine the regime of the state of siege or emergency.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.



## **Socio-economic reconstruction**

|   |  |
|---|--|
| <b>Development or socio-economic reconstruction</b> | <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 2, Introduction:<br/>[...]</p> <p>To emerge from this crisis at the political level, it will be necessary to use the electoral system. The necessary conditions for this are not only political, as well as economic, social and security-related.</p><br><p>Page 4, OBJECTIVES OF THE TRANSITION, 3 – Social objectives:<br/>These aim to improve the living conditions of the population. In order to do this, it is planned to:</p> <ul style="list-style-type: none"><li>- strengthen social justice by a fair distribution of national wealth;</li><li>- improve housing by:<ul style="list-style-type: none"><li>• strengthening a permanent administration in order to create the conditions needed to relaunch building programmes and improve the availability of housing;</li><li>• diversify sources of finance for housing;</li><li>• target State financial support to the poorest;</li><li>• develop a non-bureaucratic property and real estate market;</li><li>• increase aid for rural housing;</li><li>• strengthen the authority of the State in the areas of urbanisation and land management;</li></ul></li></ul> <p>develop and implement an appropriate and ambitious policy for young persons in particular, by designing and implementing training, employment and social programmes, based on a new and dynamic vision to deal with the problems of young people.</p> |
| <b>National economic plan</b>                       | <p>No specific mention.</p>  |
| <b>Natural resources</b>                            | <p>Page 3-4, OBJECTIVES OF THE TRANSITION:<br/>Evaluation of the political, economic, social and security situation facing the country has highlighted the key aspects of the crisis.<br/>[...]</p> <p>2 – Economic objectives</p> <p>The transitional period shall be designed to ensure the relaunch of the national economy in order to stimulate and develop production and employment capacity. This shall be done by:<br/>[...]</p> <ul style="list-style-type: none"><li>- supporting the export of hydrocarbons, to diversify sources of finance for the economy;</li><li>- the rational extraction and consumption of resources, in order to contribute to economic integration and to meet the long-term energy needs of the country;</li></ul>  |
| <b>International funds</b>                          | <p>No specific mention.</p>  |

|                 |   |
|-----------------|---|
| <b>Business</b> | <p>Page 3-4, OBJECTIVES OF THE TRANSITION, 2 – Economic objectives:<br/> The transitional period shall be designed to ensure the relaunch of the national economy in order to stimulate and develop production and employment capacity. This shall be done by:<br/> [...]<br/> - industrial restructuring to encourage the development of reliable and performing businesses in order to be able to respond to internal consumer demand, to increase exports and to stimulate youth employment;</p> |
| <b>Taxation</b> | No specific mention.  |
| <b>Banks</b>    | No specific mention.  |

### **Land, property and environment**

|   |  |
|---|--|
| <b>Land reform/rights</b>                     | <p>Land, property and environment→Land reform/rights→Land reform and management<br/> Page 4, OBJECTIVES OF THE TRANSITION, 3 – Social objectives:<br/> These aim to improve the living conditions of the population. In order to do this, it is planned to:<br/> - improve housing by:<br/> [...]<br/> • strengthen the authority of the State in the areas of urbanisation and land management;</p> |
| <b>Pastoralist/<br/>nomadism rights</b>       | No specific mention.   |
| <b>Cultural heritage</b>                      | No specific mention.   |
| <b>Environment</b>                            | No specific mention.   |
| <b>Water or riparian<br/>rights or access</b> | No specific mention.   |

**Security sector**

**Security  
Guarantees**

Page 1, Untitled Preamble:

[...]

In light of the proclamation of December 19, 1993 of the High Security Council;

Page 2, Introduction:

[...]

To emerge from this crisis at the political level, it will be necessary to use the electoral system. The necessary conditions for this are not only political, as well as economic, social and security-related.

Page 3, OBJECTIVES OF THE TRANSITION:

Evaluation of the political, economic, social and security situation facing the country has highlighted the key aspects of the crisis.

Page 4, OBJECTIVES OF THE TRANSITION, 4 – Security objectives:

Taken together, the actions planned for the political, economic and social spheres aim to ensure the security of persons and property and to bring about civil peace. The necessary fight against terrorism will therefore be undertaken by society as a whole, through their other actions and renewed cohesion, by seeking dialogue and through the organs which shall be put in place. In parallel, calming measures may be planned as the situation evolves.

Page 5, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 6:

[...]

The State President shall be designated by the High Security Council.

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 10:

In the case of death, resignation or definitive impeachment of the State President, and after confirmation of the Presidential vacancy by the Constitutional Council, the High Council of Security convened by the Head of Government shall undertake to replace him, in consultation with the President of the National Transitional Council.

Page 7-8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 20:

Without prejudice to any of the provisions foreseen in article 81 of the Constitution, the Head of Government:

[...]

- shall be responsible for public security and maintaining order and shall dispose of the public forces for this purpose, within the framework of the law.

Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 31:

Except where caught red-handed in an act of flagrant crime or an attack on the security of the State, no charges may be brought against a member of the National Security Council for a criminal act except where expressly agreed by the accused, or by a vote of the National Security Council which decides by a majority of its members that his immunity should be waived.

|   |   |
|---|---|
| <b>Ceasefire</b>                                    | No specific mention.  |
| <b>Police</b>                                       | No specific mention.  |
| <b>Armed forces</b>                                 | <p>Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 13:<br/> The State President shall benefit from the following powers and prerogatives:<br/> 1) He shall be the Supreme Commander of the Armed Forces of the Republic,<br/> 2) He shall be responsible for the national defence,<br/> [...]<br/> 7) He shall appoint civilian and military State employees,</p> <p>Page 7-8, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 2. The Government, Article 20:<br/> Without prejudice to any of the provisions foreseen in article 81 of the Constitution, the Head of Government:<br/> [...]<br/> - shall be responsible for public security and maintaining order and shall dispose of the public forces for this purpose, within the framework of the law.</p> |
| <b>DDR</b>  | No specific mention.  |
| <b>Intelligence services</b>                        | No specific mention.  |
| <b>Parastatal/rebel and opposition group forces</b> | No specific mention.  |
| <b>Withdrawal of foreign forces</b>                 | No specific mention.  |
| <b>Corruption</b>                                   | <p>Page 3, OBJECTIVES OF THE TRANSITION, 1 – Political objectives:<br/> The actions to be taken in this area consist of:<br/> [...]<br/> - improving ethical standards in public life and strengthening monitoring functions;</p>   |
| <b>Crime/organised crime</b>                        | No specific mention.  |
| <b>Drugs</b>  | No specific mention.  |
| <b>Terrorism</b>                                    | <p>Page 4, OBJECTIVES OF THE TRANSITION, 4 – Security objectives:<br/> Taken together, the actions planned for the political, economic and social spheres aim to ensure the security of persons and property and to bring about civil peace. The necessary fight against terrorism will therefore be undertaken by society as a whole, through their other actions and renewed cohesion, by seeking dialogue and through the organs which shall be put in place. In parallel, calming measures may be planned as the situation evolves.</p>   |

---

## Transitional justice

### **Transitional justice** Page 1-2, INTRODUCTION:

#### **general**

Since Algeria recovered its sovereignty and independence, the culmination of the aspirations and incessant struggle of the national movement and the November revolution, the country has undergone profound change, both physically and in terms of its social, cultural and human development.

While there have undeniably been numerous positive achievements during this phase of construction, nonetheless mistakes and harmful behaviour have seriously damaged the credibility of some institutions and reduced their efficacy to the point of endangering their stability.

Serious difficulties remain at the point at which the national consensus conference is taking place. Some were foreseeable while others are completely unexpected. They still weigh heavily on society and serious differences concerning the approach and solutions to use are hindering resolution of the crisis.

☞Page 9, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 3. The National Transitional Council, Paragraph 2. Composition and status of the National Transitional Council, Article 29:

The members of the National Transitional Council shall meet the following criteria:

[...]

- have no record of anti-national behaviour during the war of national liberation.

#### **Amnesty/pardon**

Transitional justice→Amnesty/pardon→Power to amnesty

Page 6, CHAPTER II. ORGANS OF THE TRANSITIONAL PERIOD, Section 1. The State Presidency, Article 13:

The State President shall benefit from the following powers and prerogatives:

[...]

8) He shall have the right to pardon, reduce or change a sentence,

#### **Courts**

No specific mention.

#### **Mechanism**

No specific mention.

#### **Prisoner release**

No specific mention.

#### **Vetting**

No specific mention.

#### **Victims**

No specific mention.

#### **Missing persons**

No specific mention.

#### **Reparations**

No specific mention.

#### **Reconciliation**

No specific mention.

---

## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** <http://peacemaker.un.org/>

---