

Country/entity	Algeria
Region	Middle East and North Africa
Agreement name	Project de charte pour la paix et la réconciliation nationale
Date	14 Aug 2005
Agreement status	Unilateral document
Interim arrangement	Yes
Agreement/conflict level	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)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Algeria: Bouteflika Process
Parties	The Government of Algeria
Third parties	-

Description The agreement first introduces some background about the history of struggles in Algeria. The more substantive parts of the agreement provides for I. a call for an homage to saviours of the democratic and popular republic of Algeria; II. measures designed to consolidate peace; III. measures designed to consolidate national reconciliation; IV. measures to support investigation of the tragic missing persons dossier; V. measures designed to strengthen national cohesion.

Agreement document	DZ_050814_Projet de charte pour la paix_tr.pdf (opens in new tab) Download PDF
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Agreement document (original language)	DZ_050814_Projet de charte pour la paix et la réconciliation nationale_fr.pdf (opens in new tab)
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/national group	No specific mention.
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Religious groups	<p>Groups→Religious groups→Rhetorical Page 5-6, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION: [...] The Algerian people call on each and every citizen to help to strengthen national unity, to promote and consolidate the country's character and national identity, and to perpetuate the noble values of the Declaration of November 1954 across the generations. Convinced of the importance of this endeavour which will keep future generations close to their roots and their culture, the people mandate the state to preserve and promote the nation's character and culture, by promoting its history and the religious, cultural and linguistic spheres. The sovereign Algerian people approve the present Charter for Peace and Reconciliation and mandate the President of the Republic to take all necessary measures to implement its provisions.</p>
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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Social class	No specific mention.
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Gender

Women, girls and gender

Page 2, untitled preamble:

[...]

All Algerian men and women are absolutely convinced that no political, social or economic development will bring the benefits they hope for, without a return to peace and security. Having been deprived, for a time, of this peace and security, they appreciate how important it is, for each and every one of them and for the nation itself. A new approach is now needed for a definitive return to peace and security based on national reconciliation, because it is only through national reconciliation that we can heal the wounds caused by this national tragedy. The Algerian people genuinely desire national reconciliation. And this desire is all the more acute given the many developmental challenges Algeria now faces. The Algerian people are convinced that in national reconciliation lies hope and the chance to consolidate all the advantages of a democratic and republican Algeria, to the great benefit of all of its citizens.

Page 3, II. MEASURES DESIGNED TO CONSOLIDATE PEACE

- Firstly: A moratorium on legal proceedings against any individual who has reported to the authorities since January 13, 2000, date of debarment of the Civic Concord law.
- Secondly: A moratorium on legal proceedings against all individuals who cease fighting and turn in their weapons. This moratorium does not apply to any person involved in group killings, rape or attacks using explosives in public places.
- Thirdly: A moratorium on legal proceedings against any wanted individuals, in the country or abroad, who give themselves up voluntarily to the competent Algerian authorities. This moratorium does not apply to any person involved in group killings, rape or attacks using explosives in public places.
- Fourthly: A moratorium on legal proceedings against all individuals involved in terrorism support networks who decide to declare their activities to the competent Algerian authorities.
- Fifthly: A moratorium on legal proceedings against all individuals charged with contempt of court, other than those involved in group killings, rape or attacks using explosives in public places.
- Sixthly: Individuals charged and imprisoned for activities supporting terrorism to be pardoned.
- Seventh; Individuals charged and imprisoned for acts of violence to be pardoned, other than those involved in group killings, rape or attacks using explosives in public places.
- Eighth: Reduced and commuted sentences for all persons, whether wanted or definitively charged, not covered by the moratorium on legal proceedings described above.

Men and boys

No specific mention.

LGBTI

No specific mention.

Family

Page 4, III. MEASURES DESIGNED TO CONSOLIDATE NATIONAL RECONCILIATION:

In order to consolidate national reconciliation, the Algerian people wish to take steps towards greater unity, to banish the seeds of hatred and to guard against any potential deviation.

[...]

- Secondly: The sovereign Algerian people also support those measures needed to normalise the social situation of all those citizens (including their families), made redundant by the state in exercising its duty.

Page 5, IV. MEASURES TO SUPPORT INVESTIGATION OF THE TRAGIC MISSING PERSONS DOSSIER:

[...]

- Thirdly: Missing persons are considered to be victims of the national tragedy, and their successors are entitled to compensation.

Page 5, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:

[...]

- Secondly: The Algerian people consider it a national duty to ensure that no citizen should feel excluded on the grounds of poor choices made by a family member. They consider it important in the interests of Algeria to eliminate all instances of exclusion which could be exploited by the enemies of the nation.

- Thirdly: The Algerian people believe that national reconciliation must address the predicament of families whose members have participated in terrorist action.

- Fourthly: The Algerian people agree that the State will provide state support for families tried and tested by the terrorist activities of their family members. By approving the present charter the Algerian people wish to consolidate peace and the foundations of national reconciliation. They believe that from now on it is the duty of every citizen to make their contribution to peace, security and national reconciliation, so that Algeria will never relive the national tragedy she has endured, and may proclaim "Never again"! The people mandate the President of the Republic to request the pardon of every victim of the national tragedy and thereby to embed peace and national reconciliation.

State definition

Nature of state (general)

Page 3, I. THE ALGERIAN PEOPLE'S HOMMAGE TO THE SAVIOURS OF THE DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA:

The Algerian people pay tribute to the Popular National Army as well as to the Security Services and all the Patriots and anonymous citizens who helped them, for their patriotic commitment and sacrifices which have saved Algeria and preserved the assets and institutions of the Republic. The Algerian people, by sovereign adoption of this Charter, affirm that no one in Algeria or abroad may exploit or capitalise on the wounds inflicted by the national tragedy to attack the institutions of the Democratic and Popular Republic of Algeria, weaken the State, damage the reputation of any of the officials who have duly served it or tarnish Algeria's international reputation.

Page 5, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:

[...]

The Algerian people who embrace the present charter declare that from now on every person in the country must adhere to its will. They reject all external interference which might contradict their sovereign choice, freely and democratically expressed in the present Charter. They confirm that from now every citizen must devote him or herself to the task of national reconstruction, while respecting the rights and duties conferred on all by the Constitution and by the laws of the Republic. The Algerian people declare their determination to use all of the State's institutions to defend the Democratic and Popular Republic of Algeria and its democratic and pluralist system against any extremist or antinational interference. While underlining their wish to modernise Algeria, they proclaim their determination to work to promote its character and identity.

Page 5-6, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:

[...]

The Algerian people call on each and every citizen to help to strengthen national unity, to promote and consolidate the country's character and national identity, and to perpetuate the noble values of the Declaration of November 1954 across the generations. Convinced of the importance of this endeavour which will keep future generations close to their roots and their culture, the people mandate the state to preserve and promote the nation's character and culture, by promoting its history and the religious, cultural and linguistic spheres. The sovereign Algerian people approve the present Charter for Peace and Reconciliation and mandate the President of the Republic to take all necessary measures to implement its provisions.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

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)** No specific mention.

Elections No specific mention.

**Electoral
commission** No specific mention.

**Political parties
reform** No specific mention.

Civil society No specific mention.

**Traditional/
religious leaders** No specific mention.

**Public
administration** No specific mention.

Constitution Governance→Constitution→Constitution affirmation/renewal
Page 5, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:
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Power sharing

Political power sharing No specific mention.

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 TO GO TO MISSING PEOPLE CATEGORY
Page 4, IV. MEASURES TO SUPPORT INVESTIGATION OF THE TRAGIC MISSING PERSONS DOSSIER:
The Algerian people are reminded that the missing persons dossier has been under consideration by the State for at least a decade and is being closely examined in order to deal with it appropriately. They are also aware that the drama of these missing persons is a consequence of the scourge of terrorism which has afflicted Algeria. And they confirm that in many cases these disappearances are the result of the criminal activity of bloodthirsty terrorists who take the lives of everyone into their own hands, whether Algerian or foreign. The sovereign Algerian people firmly reject all claims that the State is directly responsible for these disappearances. They consider that the reprehensible acts of certain state agents, which have been sanctioned by the judicial authorities each time they have occurred, cannot be used as a pretext for discrediting the law enforcement authorities, most of whom discharge their national duties with the help of the people. It is in this spirit that the Algerian people support the following measures to bring the missing persons' dossier to a definitive conclusion.

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Bill of rights/similar No specific mention.

**Treaty
incorporation**

No specific mention.

**Civil and political
rights**

Human rights and equality→Civil and political rights→Vote and take part
Page 4, III. MEASURES DESIGNED TO CONSOLIDATE NATIONAL RECONCILIATION:
In order to consolidate national reconciliation, the Algerian people wish to take steps
towards greater unity, to banish the seeds of hatred and to guard against any potential
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[...]
- Thirdly: While disposed to be generous, the Algerian people cannot forget the terrible
consequences of the odious instrumentalisation of the precepts of Islam, religion and the
State. They affirm their right to be protected from any repetition of these events and
determine, in their sovereignty, to exclude all those responsible for this exploitation from
all political activity. The sovereign Algerian people also confirm that anyone
participating in terrorist activities who refuses, despite the terrible human and material
damage inflicted by terrorism and the instrumentalisation of religion for criminal
purposes, to recognise their responsibility for originating and propagating this pseudo
"dijihad" against the nation and the institutions of the Republic, will be denied the right
to political activity.

**Socio-economic
rights**

No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 3, I. THE ALGERIAN PEOPLE'S HOMMAGE TO THE SAVIOURS OF THE DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA:
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Detention procedures No specific mention.

Media and communication No specific mention.

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 No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 4, IV. MEASURES TO SUPPORT INVESTIGATION OF THE TRAGIC MISSING PERSONS DOSSIER:
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Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage Land, property and environment→Cultural heritage→Promotion
Page 5-6, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:
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Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces	<p>Page 3, I. THE ALGERIAN PEOPLE'S HOMMAGE TO THE SAVIOURS OF THE DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA:</p> <p>The Algerian people pay tribute to the Popular National Army as well as to the Security Services and all the Patriots and anonymous citizens who helped them, for their patriotic commitment and sacrifices which have saved Algeria and preserved the assets and institutions of the Republic. The Algerian people, by sovereign adoption of this Charter, affirm that no one in Algeria or abroad may exploit or capitalise on the wounds inflicted by the national tragedy to attack the institutions of the Democratic and Popular Republic of Algeria, weaken the State, damage the reputation of any of the officials who have duly served it or tarnish Algeria's international reputation.</p>
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	<p>Page 3, II. MEASURES DESIGNED TO CONSOLIDATE PEACE:</p> <p>[...]</p> <ul style="list-style-type: none"> - Secondly: A moratorium on legal proceedings against all individuals who cease fighting and turn in their weapons. This moratorium does not apply to any person involved in group killings, rape or attacks using explosives in public places. - Thirdly: A moratorium on legal proceedings against any wanted individuals, in the country or abroad, who give themselves up voluntarily to the competent Algerian authorities. This moratorium does not apply to any person involved in group killings, rape or attacks using explosives in public places.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.

Drugs

No specific mention.

Terrorism

Page 3, II. MEASURES DESIGNED TO CONSOLIDATE PEACE:

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- Sixthly: Individuals charged and imprisoned for activities supporting terrorism to be pardoned.
- Seventh: Individuals charged and imprisoned for acts of violence to be pardoned, other than those involved in group killings, rape or attacks using explosives in public places.

Page 4, III. MEASURES DESIGNED TO CONSOLIDATE NATIONAL RECONCILIATION:

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- Thirdly: While disposed to be generous, the Algerian people cannot forget the terrible consequences of the odious instrumentalisation of the precepts of Islam, religion and the State. They affirm their right to be protected from any repetition of these events and determine, in their sovereignty, to exclude all those responsible for this exploitation from all political activity. The sovereign Algerian people also confirm that anyone participating in terrorist activities who refuses, despite the terrible human and material damage inflicted by terrorism and the instrumentalisation of religion for criminal purposes, to recognise their responsibility for originating and propagating this pseudo "djihad" against the nation and the institutions of the Republic, will be denied the right to political activity.

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Page 5, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:

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- Thirdly: The Algerian people believe that national reconciliation must address the predicament of families whose members have participated in terrorist action.
- Fourthly: The Algerian people agree that the State will provide state support for families tried and tested by the terrorist activities of their family members. By approving the

**Transitional justice
general**

Page 4, III. MEASURES DESIGNED TO CONSOLIDATE NATIONAL RECONCILIATION:

In order to consolidate national reconciliation, the Algerian people wish to take steps towards greater unity, to banish the seeds of hatred and to guard against any potential deviation.

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- Thirdly: While disposed to be generous, the Algerian people cannot forget the terrible consequences of the odious instrumentalisation of the precepts of Islam, religion and the State. They affirm their right to be protected from any repetition of these events and determine, in their sovereignty, to exclude all those responsible for this exploitation from all political activity. The sovereign Algerian people also confirm that anyone participating in terrorist activities who refuses, despite the terrible human and material damage inflicted by terrorism and the instrumentalisation of religion for criminal purposes, to recognise their responsibility for originating and propagating this pseudo "dijihad" against the nation and the institutions of the Republic, will be denied the right to political activity.

Amnesty/pardon

Transitional justice→Amnesty/pardon→Amnesty/pardon proper

Page 3, II. MEASURES DESIGNED TO CONSOLIDATE PEACE:

- Firstly: A moratorium on legal proceedings against any individual who has reported to the authorities since January 13, 2000, date of debarment of the Civic Concord law.

- Secondly: A moratorium on legal proceedings against all individuals who cease fighting and turn in their weapons. This moratorium does not apply to any person involved in group killings, rape or attacks using explosives in public places.

- Thirdly: A moratorium on legal proceedings against any wanted individuals, in the country or abroad, who give themselves up voluntarily to the competent Algerian authorities. This moratorium does not apply to any person involved in group killings, rape or attacks using explosives in public places.

- Fourthly: A moratorium on legal proceedings against all individuals involved in terrorism support networks who decide to declare their activities to the competent Algerian authorities.

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- Sixthly: Individuals charged and imprisoned for activities supporting terrorism to be pardoned.

- Seventh: Individuals charged and imprisoned for acts of violence to be pardoned, other than those involved in group killings, rape or attacks using explosives in public places.

- Eighth: Reduced and commuted sentences for all persons, whether wanted or definitively charged, not covered by the moratorium on legal proceedings described above.

Transitional justice→Amnesty/pardon→Relief of other sanctions

Page 4, III. MEASURES DESIGNED TO CONSOLIDATE NATIONAL RECONCILIATION:

In order to consolidate national reconciliation, the Algerian people wish to take steps towards greater unity, to banish the seeds of hatred and to guard against any potential deviation.

[...]

- Secondly: The sovereign Algerian people also support those measures needed to normalise the social situation of all those citizens (including their families), made redundant by the state in exercising its duty.

Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	<p>Page 4-5, IV. MEASURES TO SUPPORT INVESTIGATION OF THE TRAGIC MISSING PERSONS DOSSIER:</p> <p>The Algerian people are reminded that the missing persons dossier has been under consideration by the State for at least a decade and is being closely examined in order to deal with it appropriately. They are also aware that the drama of these missing persons is a consequence of the scourge of terrorism which has afflicted Algeria. And they confirm that in many cases these disappearances are the result of the criminal activity of bloodthirsty terrorists who take the lives of everyone into their own hands, whether Algerian or foreign. The sovereign Algerian people firmly reject all claims that the State is directly responsible for these disappearances. They consider that the reprehensible acts of certain state agents, which have been sanctioned by the judicial authorities each time they have occurred, cannot be used as a pretext for discrediting the law enforcement authorities, most of whom discharge their national duties with the help of the people. It is in this spirit that the Algerian people support the following measures to bring the missing persons' dossier to a definitive conclusion.</p> <ul style="list-style-type: none"> - Firstly: The State is responsible for all persons missing in the context of the national tragedy and will take all necessary measures to solve these cases. - Secondly: The State will take all necessary measures to enable the missing persons' successors to overcome this terrible ordeal. - Thirdly: Missing persons are considered to be victims of the national tragedy, and their successors are entitled to compensation.

Reparations

Transitional justice→Reparations→Material reparations

Page 4-5, IV. MEASURES TO SUPPORT INVESTIGATION OF THE TRAGIC MISSING PERSONS DOSSIER:

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- Firstly: The State is responsible for all persons missing in the context of the national tragedy and will take all necessary measures to solve these cases.
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- Thirdly: Missing persons are considered to be victims of the national tragedy, and their successors are entitled to compensation.

Reconciliation

Page 4, III. MEASURES DESIGNED TO CONSOLIDATE NATIONAL RECONCILIATION:

In order to consolidate national reconciliation, the Algerian people wish to take steps towards greater unity, to banish the seeds of hatred and to guard against any potential deviation.

- Firstly: The sovereign Algerian people agree to the implementation of specific measures designed to lift the constraints still encountered by all those supporting the Civil Concord, and put their patriotic duty above all other considerations. These citizens have worked responsibly and continue to work to strengthen peace and national reconciliation, refusing any exploitation of Algeria's crisis by hostile elements inside the country and abroad.

- Secondly: The sovereign Algerian people also support those measures needed to normalise the social situation of all those citizens (including their families), made redundant by the state in exercising its duty.

- Thirdly: While disposed to be generous, the Algerian people cannot forget the terrible consequences of the odious instrumentalisation of the precepts of Islam, religion and the State. They affirm their right to be protected from any repetition of these events and determine, in their sovereignty, to exclude all those responsible for this exploitation from all political activity. The sovereign Algerian people also confirm that anyone participating in terrorist activities who refuses, despite the terrible human and material damage inflicted by terrorism and the instrumentalisation of religion for criminal purposes, to recognise their responsibility for originating and propagating this pseudo "dijihad" against the nation and the institutions of the Republic, will be denied the right to political activity.

Page 5-6, V. MEASURES DESIGNED TO STRENGTHEN NATIONAL COHESION:

- Firstly: The Algerian people are aware that the national tragedy has affected the entire nation and directly or indirectly affected the lives of millions of people.

- Secondly: The Algerian people consider it is a national duty to ensure that no citizen should feel excluded on the grounds of poor choices made by a family member. They consider it important in the interests of Algeria to eliminate all instances of exclusion which could be exploited by the enemies of the nation.

- Thirdly: The Algerian people believe that national reconciliation must address the predicament of families whose members have participated in terrorist action.

- Fourthly: The Algerian people agree that the State will provide state support for families tried and tested by the terrorist activities of their family members. By approving the present charter the Algerian people wish to consolidate peace and the foundations of national reconciliation. They believe that from now on it is the duty of every citizen to make their contribution to peace, security and national reconciliation, so that Algeria will never relive the national tragedy she has endured, and may proclaim "Never again"! The people mandate the President of the Republic to request the pardon of every victim of the national tragedy and thereby to embed peace and national reconciliation.

The Algerian people cannot forget the foreign intrusions and the internal political manoeuvring which have prolonged and aggravated the torment of the national tragedy. The Algerian people who embrace the present charter declare that from now on every person in the country must adhere to its will. They reject all external interference which might contradict their sovereign choice, freely and democratically expressed in the present Charter. They confirm that from now every citizen must devote him or herself to the task of national reconstruction, while respecting the rights and duties conferred on all by the Constitution and by the laws of the Republic. The Algerian people declare their determination to use all of the State's institutions to defend the Democratic and Popular Republic of Algeria and its democratic and pluralist system against any extremist or antinational interference. While underlining their wish to modernise Algeria, they proclaim their determination to work to promote its character and identity.

The Algerian people call on each and every citizen to help to strengthen national unity, to promote and consolidate the country's character and national identity, and to

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://www.hoggar.org/>
