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<b>Country/ entity</b>	Algeria
<b>Region</b>	Middle East and North Africa
<b>Agreement name</b>	Civil Harmony Act
<b>Date</b>	13 Jul 1999
<b>Agreement status</b>	Unilateral document
<b>Interim arrangement</b>	Yes
<b>Agreement/ conflict level</b>	Intrastate/intrastate conflict ( Algerian Civil War (1990 - 1998) )
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Algeria: Bouteflika Process
<b>Parties</b>	President and parliament of Algeria (signed by Abdelaziz Bouteflika, President of Algeria)
<b>Third parties</b>	-
<b>Description</b>	This law which emerged as a result of informal negotiations, as a 'unilateral' offering, provides for how to deal with past crimes and reconciliation.

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**Agreement document** [DZ\\_990713\\_Civil Harmony Act.pdf](#)  | [Download PDF](#)

**Agreement document (original language)** [DZ\\_990720\\_Loi sur la concorde civile.pdf](#) | [Download PDF](#)

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### Groups

Children/  
youth No specific mention.

Disabled  
persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

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## Gender

Women, girls and gender	<p>Page 2, Chapter III, Probation, Art. 3, Any person who was part of one of the organizations referred to in article 87 bis 3 of the penal code, either inside or outside of the country, will not be prosecuted. This will only be the case if they have not committed or participated in any of the offenses provided for in article 87 bis of the penal code that led to the death of or permanent disability of a man, rape, and have not used explosives in public places. They must, within a period of six (6) months from the date this act comes into force, notify the competent authorities that they have ceased any terrorist or subversive activity, and must voluntarily present themselves to these authorities.</p> <p>Page 2, Chapter III, Probation, Art. 7, The following will benefit from probation measures , according to the time periods and conditions hereinafter determined: persons who were part of one of the organizations referred to in article 87 bis 3 of the penal code and who, within a period of six (6) months from the date this act comes into force have notified the competent authorities that they have ceased any terrorist or subversive activity, and have presented themselves, individually or collectively, to these authorities. Persons who have committed or participated in crimes that led to the death of a man, in collective massacres, in bombings in public places, or rape, will be excluded from the benefits described in this article.</p>
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

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## State definition

Nature of state (general)	No specific mention.
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.

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## **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 No specific mention.

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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.

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## **Human rights and equality**

Human  
rights/RoL  
general [Summary] Human rights are addressed as relevant for the procedures related to amnesty:  
  
Page 4, Chapter III, Probation, Art 16:  
During all phases of the probation procedure, human rights must be guaranteed and respected.

Bill of  
rights/  
similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

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### **Rights related issues**

Citizenship No specific mention.

Democracy No specific mention.

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.

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### **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions

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## Justice sector reform

Criminal justice and emergency law

Justice sector reform→Criminal justice and emergency law→Reform to specific laws

Pages 2-7, [Summary] This whole document outlines procedures related to the treatment of amnesty under Algeria's criminal law provisions, providing for exemption from prosecution and probation.

State of emergency provisions

No specific mention.

Judiciary and courts

No specific mention.

Prisons and detention

No specific mention.

Traditional Laws

No specific mention.

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## 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.

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

Land reform/  
rights No specific mention.

Pastoralist/  
nomadism  
rights No specific mention.

Cultural  
heritage No specific mention.

Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

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### **Security sector**

Security  
Guarantees No specific mention.

Ceasefire No specific mention.



Police	No specific mention.
Armed forces	No specific mention.
DDR	<p>Security sector→DDR→DDR programmes</p> <p>Page 2, Chapter III, Probation, Art 8,  Notwithstanding the provisions of article 7, the following may benefit from probation: persons who were part of one of the organizations referred to in article 87 bis 3 of the penal code who have not committed collective massacres or used explosives in public places, and who have collectively and voluntarily informed, within three months of the date this Act comes into force, the competent authorities that they have ceased any terrorist or subversive activity, and that have presented themselves to these authorities and agreed to participate, under the authority of the State, in the fight against terrorism.</p> <p>The persons who are part of one of the organizations referred to in the preceding paragraph are required to declare, in a sincere manner, any explosives, ammunition, and equipment in their possession, and submit these to the authorities to which they present themselves.</p> <p>The same declaration must include, in addition, any acts that they have committed or in which they have participated,</p> <p>The methods application of this Article will be specified, as necessary, by regulatory means.</p>
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/ organised crime	No specific mention.

Drugs No specific mention.

## Terrorism

Page 1, Chapter 1, General Provisions, Art.1,

This Act is part of the plan for the recovering civil harmony. Its goal is to establish specific measures with a view to resolving issues related to people involved or previously involved in acts of terrorism or subversion who have expressed their willingness to stop, in true conscience, their criminal activities, by giving them the opportunity to accomplish through reintegration into society.

In order to benefit from the provisions of the present act, the persons referred to in the previous subparagraph must notify the competent authorities that they have ceased any terrorist activity, and present themselves to these authorities.

Page 2, Chapter II, Exemption from Prosecution, Art.3,

Any person who was part of one of the organizations referred to in article 87 bis 3 of the penal code, either inside or outside of the country, will not be prosecuted. This will only be the case if they have not committed or participated in any of the offenses provided for in article 87 bis of the penal code that led to the death of or permanent disability of a man, rape, and have not used explosives in public places. They must, within a period of six (6) months from the date this act comes into force, notify the competent authorities that they have ceased any terrorist or subversive activity, and must voluntarily present themselves to these authorities.

Page 2, Chapter III, Probation, Art. 7,

The following will benefit from probation measures , according to the time periods and conditions hereinafter determined: persons who were part of one of the organizations referred to in article 87 bis 3 of the penal code and who, within a period of six (6) months from the date this act comes into force have notified the competent authorities that they have ceased any terrorist or subversive activity, and have presented themselves, individually or collectively, to these authorities.

Persons who have committed or participated in crimes that led to the death of a man, in collective massacres, in bombings in public places, or rape, will be excluded from the benefits described in this article.

Art. 8.- Notwithstanding the provisions of article 7, the following may benefit from probation: persons who were part of one of the organizations referred to in article 87 bis 3 of the penal code who have not committed collective massacres or used explosives in public places, and who have collectively and voluntarily informed, within three months of the date this Act comes into force, the competent authorities that they have ceased any terrorist or subversive activity, and that have presented themselves to these authorities and agreed to participate, under the authority of the State, in the fight against terrorism.

Page 3, Chapter III, Probation, Art. 13,

Without prejudice towards the other provisions of this Act, individuals eligible for probation who agree to serve the State in the fight against terrorism and subversion will subject to a maximum probation period of five (5) years, and will not be subject to the measures provided for in Article 8 (1) of the penal code,

Page 5, Chapter IV, Mitigation of Sentences, Art. 27,

The following will benefit from a sentence mitigation: persons who were part of one of the organizations referred to in article 87 bis 3 of the penal code

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## Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	Transitional justice→Amnesty/pardon→Amnesty/pardon proper [Pages 2-7, Summary: This whole document outlines procedures related to the treatment of amnesty under Algeria's criminal law provisions, providing for exemption from prosecution and probation.]
Courts	Transitional justice→Courts→National courts Page 7, Page 6, Chapter VI, Special Provisions, Art. 40, In the case public action being taken, victims of the acts provided for in article 87 bis of the penal code, or beneficiaries of said acts, may sue for criminal damage and claim compensation for the prejudice suffered. The damages that would be potentially granted in this case by the courts, would be deducted from compensation which might have been granted elsewhere, in line with current legislation. The State will be responsible for their payment, and will be able to take recourse action against the debtor to recover, where appropriate, the amounts by them paid. The methods of application of this Article will be determined by regulatory means.
Mechanism	No specific mention.

Prisoner release	<p>Page 6, Chapter VI, Special Provisions, Art. 36, Persons referred to in Article 3 who are under accusation, detained or not, as of the date this Act comes into force, will benefit from it.</p> <p>Page 6, Chapter VI, Special Provisions, Art. 37, Persons referred to in Article 3, who are sentenced inmates as of the date this Act comes into force, will benefit from immediate parole for the remainder of their sentence, notwithstanding any provision to the contrary.</p> <p>Page 6, Chapter VI, Special Provisions, Art. 38, Persons who had presented themselves voluntarily to the competent authorities and who had informed them that they ceased any terrorist or subversive activity before the date this Act comes into force, and who are under accusation, detained or not, can benefit, if they meet the conditions for probation, release, postponement of sentence, depending on the case and notwithstanding any provision to the contrary, and will be subject to the probation regime. During the probation, the postponement of the sentence may become parole for a period not exceeding the remainder of the sentence and in any case not exceeding the probation period.</p>
Vetting	No specific mention.
Victims	<p>Page 7, Page 6, Chapter VI, Special Provisions, Art. 40, In the case public action being taken, victims of the acts provided for in article 87 bis of the penal code, or beneficiaries of said acts, may sue for criminal damage and claim compensation for the prejudice suffered. The damages that would be potentially granted in this case by the courts, would be deducted from compensation which might have been granted elsewhere, in line with current legislation. The State will be responsible for their payment, and will be able to take recourse action against the debtor to recover, where appropriate, the amounts by them paid. The methods of application of this Article will be determined by regulatory means.</p>
Missing persons	No specific mention.

Reparations Transitional justice→Reparations→Material reparations

Page 7, Chapter VI, Special Provisions, Art. 40,

In the case public action being taken, victims of the acts provided for in article 87 bis of the penal code, or beneficiaries of said acts, may sue for criminal damage and claim compensation for the prejudice suffered.

The damages that would be potentially granted in this case by the courts, would be deducted from compensation which might have been granted elsewhere, in line with current legislation. The State will be responsible for their payment, and will be able to take recourse action against the debtor to recover, where appropriate, the amounts by them paid.

The methods of application of this Article will be determined by regulatory means.

Reconciliation No specific mention.

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## 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.

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