Algeria: Treatment of homosexuals by both state and society in general.

Section 5 of the *United States Department of State* 2008 Country Report on Human Rights Practices, under the heading “Other Societal Abuses and Discrimination”, states:

“The penal code criminalizes public homosexual behavior, and there is no specific legal protection to homosexuals in the country. There was societal discrimination against homosexuals, but there was no reported violence or official discrimination. While some homosexuals lived openly, the vast majority did not.”


An *Immigration and Refugee Board of Canada* response from 2007 under the heading 'Treatment by society', states:

“Behind the Mask, a non-profit media organization that publishes information for gay men and lesbians in Africa, describes Algerian public attitudes as "violently homophobic;" it states that gay people can be assassination targets for Islamic fundamentalists and that honour killings by family and neighbours are not rare (Behind the Mask 21 Feb. 2005). The Web site 365gay.com corroborates the information that "honour killings" have been attempted (18 July 2005). In January 2005, the London-based QX Magazine, a weekly publication which reports on gay issues, published the story of a homosexual Algerian refugee (18 Jan. 2005). He claimed to have witnessed both the murder of two gay friends by Islamic fundamentalists, and the stoning of two men, alleged to be homosexuals, by neighbours (QX Magazine 18 Jan. 2005).”

(Immigration and Refugee Board of Canada (30 July 2007) - *Algeria: Treatment of homosexuals by society and government authorities; protection available including recourse to the law for homosexuals who have been subject to ill-treatment* (2005 - 2007))

The same response under the heading ‘Treatment by the police’, states:

“An article in QX Magazine states that the Algerian police do not protect "sodomites" from violence (18 Jan. 2005). According to an article in the UK Gay News, the police and military reportedly "harass and brutalise gay people with impunity" (21 Feb. 2005). Moreover, rape, beatings, and torture are reported to

Sections 21.07 and 21.08 of the UK Home Office September 2008 Country of Origin Information Report for Algeria, under the heading 'Societal Ill-Treatment or Discrimination', state:

“Behind the Mask reported on 3 April 2008 that lesbian women in Canada had organised themselves to fight for lesbian, bisexuals, transgender and transsexual rights for the Maghreb region, and formed an organisation named Zaafaran. The report stated that to date the organisation had 44 members, and quoted one new member as saying “I am a lesbian from Algeria. I left my country so that I can live my lesbian life safely. I am very excited about the new organisation and would like to get more involved with the organisation”


Sections 21.10 and 21.11 of the same report state:

“However, in an article on Kelma.org in 2005, reported by Behind the Mask, an Algerian gay states “Contrary to Egypt which judges its homosexuals, Algeria tolerates them without any trouble”.

The British Embassy in Algeria in an e-mail dated 23/1/08 stated:

“1. Homosexuality is illegal in Algeria. But, the authorities are not known to take an active interest in actively preventing it, or prosecuting homosexuals. We can’t recall an instance of prosecution or of an overt harassment by the authorities.

“2. Homosexuality is though a social and cultural taboo. We aren’t aware of any social ‘persecution’ as such, but I imagine most homosexuals would choose to be incredibly discreet in their relationships. Indeed, it seems that provided individuals aren’t actively flouting their homosexuality there is a ‘reasonable’ level of social tolerance.

“3. I would imagine homosexuality is tolerated to a higher degree in Algiers and other big cities than in other parts of the country as they are generally more cosmopolitan- but this is only an assumption”. “ (ibid)

Page 8 of a June 2003 Amnesty International document under the heading ‘A note on homosexuality’, states:

“Homosexuality is a taboo subject in Algeria, as it is in various other countries in North Africa and the Middle East. In practice, the shame associated with homosexuality means that few individuals openly reveal their sexual
Homosexuals may suffer harassment from the security forces and society in general.

Sexual relations between persons of the same sex is punishable under Article 338 of the Penal Code. Penalties range from imprisonment of 2 months to 2 years and a fine of 500 to 2,000 Algerian dinars. If one of the individuals is less than 18 years old, punishment for the adult can be raised to up to three years' imprisonment and a fine of 10,000 Algerian dinars. 11“ (Amnesty International (01 June 2003) - *Algeria: Asylum-seekers fleeing a continuing human rights crisis*)

**References**

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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