

The Legal and Diplomatic Framework of Algeria's Fight Against Irregular Migration of Africans: A Balance Between Domestic Security Requirements and Regional Cooperation

الإطار القانوني والدبلوماسي لمكافحة الهجرة غير النظامية للأفارقة:
توازن بين متطلبات الأمن الداخلي والتعاون الإقليمي

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الملخص:

من المسلّم به في مجال القانون الدولي أنه كلما تصاعدت مقتضيات السيادة الوطنية لأي دولة، تغلبت المصلحة الداخلية على ما سواها من اعتبارات، ويُعدّ من حق الدولة الدفاع عنها. وفي هذا السياق، اختارت الجزائر تشديد سياستها الداخلية لمكافحة الهجرة غير النظامية للأفارقة، وذلك عبر تفعيل الإجراءات الأمنية والإدارية، التي تبقى من صميم اختصاص السلطات الحكومية. ومع ذلك، فإن مبدأ الجوار يُعدّ عاملاً يخفف من حدة المقاربة السيادية، ويُبهرر الانفتاح على آليات الحوار والتعاون لمعالجة الإشكالات ذات الطابع المشترك. ويتجلى هذا التوازن في سياسة الجزائر التي تدفع نحو التنسيق مع دول الساحل الإفريقي، من خلال اتفاقيات ثنائية تهدف إلى تبادل المعطيات الإحصائية، وتفعيل الترخيد والمراقبة، إلى جانب إرساء شراكات مؤسسية بين الأجهزة الأمنية لتبادل المعلومات والخبرات، بما يُعزز التعاون الإقليمي في هذا المجال.

الكلمات المفتاحية: الهجرة غير النظامية للأفارقة -السيادة الوطنية-المهاجرين غير القانونيين -الطرد-الإبعاد-الترحيل-تهريب المهاجرين.

Abstract:

It is well established in international law that as the imperatives of national sovereignty intensify, a state's domestic interests take precedence over other considerations. Accordingly, the state is legally entitled to defend and preserve its sovereignty. In this context, Algeria has opted to tighten its internal policy against irregular migration from African countries by implementing security and administrative measures that fall squarely within the exclusive competence of its governmental authorities. However, the principle of good neighbourliness serves as a mitigating factor to the rigidity of a purely sovereign-based approach, justifying openness to mechanisms of dialogue and cooperation aimed at addressing shared challenges. This balance is reflected in Algeria's policy orientation toward coordination with Sahel countries through bilateral agreements that provide for the exchange of statistical data, the

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activation of surveillance and monitoring mechanisms, and the establishment of institutional partnerships between security agencies for the exchange of information and expertise, all of which contribute to enhancing regional cooperation in this field.

Key words: Irregular Migration Of Africans - National Sovereignty - Irregular Migrants - Expulsion - Deportation - Repatriation - Migrant Smuggling.

Introduction

Algeria occupies a strategically important geographical position in North Africa, sharing extensive land borders with seven African countries: Tunisia, Morocco, Libya, Western Sahara, Mauritania, Niger, and Mali¹.

It also faces several Southern European countries across the Mediterranean. This vast border area presents significant challenges to effective surveillance and control, thereby facilitating the entry of migrants into Algeria's southern provinces, whether for temporary settlement, longer-term stay, or as a staging point for movement toward the northern regions, either to remain there or to use them as a transit route to Europe. Moreover, despite the slow pace of local development, Algeria's natural resources and relatively better living conditions compared to neighbouring countries have encouraged a growing number of irregular African migrants to cross its borders, a trend that continues to increase steadily.

Irregular African migration to Algeria first emerged in 1963,² particularly with the arrival of Malians and Nigeriens of Tuareg origin fleeing ethnic persecution. Their numbers increased significantly between 1972 and 1973 as a result of famine and extreme hardship, compounded by armed conflicts. While Europe was often the intended destination, Algeria became the last viable stop along the migration route.

During the 1980s, worsening economic and financial crises in Mali and Niger contributed to continued migration into Algeria, a trend that persisted into the 1990s. By then, social, economic, political, and security conditions across the region had become increasingly complex, generating new waves of migration from neighbouring African countries. These developments coincided with global shifts, particularly within the European Union, where increasingly restrictive immigration policies reshaped migration routes and patterns. Irregular migration was no longer perceived solely as a passage toward Europe, but increasingly as involving prolonged or even permanent settlement in Algeria.³

Irregular migration represents a challenge for modern societies. Although its causes are multiple and interrelated, structural instability, economic fragility, and protracted conflicts in countries of origin remain key drivers. These dynamics inevitably affect receiving and transit states, prompting heightened concern over security, economic, and social implications. In this context, Algeria, often regarded as a gateway within the African migration corridor, has placed national security and the protection of public order at the forefront of its domestic policy agenda. At the same time, this securitised framing raises important questions regarding the balance between sovereign border control and Algeria's obligations under international human rights and refugee law.

While previous studies have examined the causes of irregular migration, this study seeks to analyse the evolving role of Algeria in managing migration flows originating from African countries. It therefore examines whether Algeria's response is governed primarily by a legal framework consistent with its international commitments or whether it is predominantly shaped by security considerations that determine its objectives and instruments.

Algeria may assume different roles depending on the context. First, it may function as a country of origin in certain migration dynamics, although most irregular migrants entering its territory originate from neighbouring states such as Mali, Niger, Guinea, Cameroon, and Morocco. Legally, these states constitute countries of departure for persons holding their nationality or habitually residing there. Second, Algeria may act as a transit country, where migrants temporarily remain while seeking to reach their intended destination. In this capacity, Algeria operates as a passage point rather than a final place of settlement. Finally, Algeria may also serve as a destination country for some migrants, even if European states along the Mediterranean continue to represent more attractive final destinations for many.

The Algerian approach falls within a broader regional framework adopted by transit countries in North Africa, where these states face increasing pressures due to their geographical location, open borders, and the overlap of crises across the Sahel-Saharan space. This explains the predominant security-oriented nature of the policies adopted, without negating variations in tools and safeguards across countries.

1. The Specific Nature of Irregular African Migration in Algeria

Irregular African migration has witnessed a rapid surge in both form and flow. It has not followed a consistent pattern but has instead been marked by its diversity and the evolving composition of its driving factors. In the past, it primarily influenced Algeria's role as a transit country. In contrast, the current phase has transformed Algeria into a country of settlement, with impacts significant enough to affect national security. This evolution also invites examination of how security considerations have influenced the legal and institutional responses adopted by the Algerian authorities.

1. Irregular African Migration in Algeria as a Transit Country

1. Internal Factors

Since Algeria's independence and up until the first half of the 2000s, irregular African migration primarily took the form of transit movement. Migrants crossed or infiltrated Algeria's national borders, whether by land or by sea, with the sole objective of reaching Europe. Algeria's geographical position along the route to the European continent made it a strategic passage point for those seeking better living conditions and the possibility of long-term stability.

The factors encouraging this type of migration are highly interwoven. Such as the difficulty of surviving in harsh climatic conditions that can lead to death, and the worsening of economic hardships that leave little hope for continuity in the migrants' countries of origin. At a certain point, the shift from socialist systems to market economies contributed to the

collapse of national currencies, inflation, and rising debt levels that became nearly impossible to repay. This, in turn, was accompanied by the spread of corruption and mass layoffs.⁴

Added to these are the wide disparities among Sahel countries in terms of population size, natural wealth, and national income.⁵ Moreover, political systems in the southern part of the continent often emerge from ethnic and tribal affiliations,⁶ inheriting a legacy of political exclusion and authoritarian rule from European colonialism. The region has also been marked by a lack of stability in political transitions, due to growing internal unrest, frequent border disputes, and the repression of populations by their own governments.⁷ In many cases, these structural conditions may also give rise to protection concerns, particularly where individuals flee persecution, violence, or serious human rights violations.

2. External Factors

On the other hand, the tightening of European migration policies has contributed to the shift toward irregular migration routes. For Southern European countries, which serve as destination states, such as France, Spain, and Italy, the entry of migrants into their territories often constitutes a violation of residence regulations or permitted duration of stay.⁸ This prompted these countries to adopt new approaches toward migrants, primarily through the implementation of strict measures aimed at limiting the movement of individuals. However, these efforts often produced the opposite of the intended effect.

Overall, it becomes clear that the European Union's inconsistent approach to migration has directly influenced the flow of African migrants. Many of them use Algeria, like other North African states, as a transit centre. During an earlier period,⁹ European countries actively encouraged migration due to a critical need for labour from the Global South. Yet in later years, concerns over competition with native populations and growing social tensions between locals and migrants led to a shift in policy. Since the adoption of the Schengen Agreement,¹⁰ European migration policies have become increasingly restrictive and utilitarian. We see this in the imposition of strict border controls on non-European nationals while promoting free movement for EU citizens.¹¹

In this context, Europe has prioritised halting migration flows. It has also provided financial assistance to Southern Mediterranean countries as a means of reducing migratory pressure.¹² However, such measures have proven insufficient. Furthermore, Europe's strict stance is compounded by its refusal to join or ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.¹³ Instead, European states have opted for a new approach to managing mobility into and out of the region. This has become another factor encouraging irregular migration, including the adoption of illicit means such as forged travel documents.

3. The Evolution of Irregular African Migration in Algeria as Both a Transit and Destination Country

Contemporary global transformations have become the primary forces shaping the movement of people in general, including irregular migration. In the case of Algeria, the reality of migration has shifted to the extent that the country has increasingly assumed the role

of a destination state. This change is driven by a range of factors. However, Algeria has not entirely ceased to function as a transit country, a role that has also undergone significant development within this context.

1. The Complexity of Traditional Factors Encouraging Irregular Migration

Although Algeria is among the African countries that have not achieved significant levels of development, it is still considered, by migrants from neighbouring states, one of the most favourable destinations in the north of the continent. This perception stems from conditions that are largely absent in their own countries. The low standard of living and lack of basic services, resulting from economic decline and failed development policies, leave few opportunities for people to remain. Poverty continues to rise, despite efforts to improve income levels. This latter remains far below the pace of economic growth in other parts of the world. This is further aggravated by widespread marginalisation in employment, education, and bureaucratic processes. All of these are daily issues which have deepened the suffering of young people in particular, pushing many to aspire to the lifestyle of developed and emerging countries.

At the same time, conditions across many African countries have continued to worsen. Harsh environmental and climatic factors have contributed to growing displacement. Many are migrating toward southern Algeria, either to settle temporarily or to continue their journey northward or onward to Europe.

Political instability has further exacerbated the situation. The fragility of regimes based on ethnic and religious affiliations in sub-Saharan Africa has fueled civil wars and violent conflicts. This has led to devastating consequences for local populations. These include the exclusion of minorities from public governance, systematic oppression, and the ongoing demands of Tuareg communities for the inclusion and recognition of indigenous peoples. As a result, many have been driven to flee their countries in search of security and dignity. In such contexts, migration may intersect with international protection concerns, particularly where individuals flee situations that may amount to persecution or serious human rights violations.

To better understand the evolving patterns of how Algerian territory is used as a transit point, it is important to highlight the growing involvement of many irregular migrants, particularly those from Nigeria, Morocco, Sudan, Ghana, Côte d'Ivoire, Cameroon, Guinea, and Benin, in criminal activities. These include forging travel documents and foreign currencies, theft, fraud, and the creation of counterfeit money. Many have also formed groups that manage irregular migration operations or act as specialised communication networks. This has significantly increased the level of risk along Algeria's western border with Morocco, which facilitates passage to Spain, and along its eastern border with Tunisia, serving as a route to Italy, Greece, and other Mediterranean countries. Data from the past ten years indicates that the highest rates of irregular migration by nationality are led by Malian migrants, who represent approximately 28% of the total number of irregular migrants,¹⁴ followed by Nigerian nationals at 15.83%.¹⁵

Moroccan nationals account for 13.28%¹⁶ of irregular migrants, followed by Guineans at 11.48%, and Cameroonians at 7.47%. These flows have increased particularly during the

three years between 2016 and 2018.¹⁷ Although individuals from other countries, whether in Africa, the Arab world, or Asia, are also present, their numbers remain comparatively low.

It is also noteworthy that, during this same period, the classification of irregular migrants has become more clearly defined based on several criteria. For example, gender-based data indicates that the vast majority of migrants are male, representing 99.20% of the total, while females account for only 0.80%.¹⁸ Although the number of female migrants remains limited, it has increased slightly each year. In terms of age, irregular migration is predominantly a youth-driven phenomenon, with 93% of migrants falling within the age range of 18 to 40 years, and a significant proportion between the ages of 18 and 28.

Regarding the personal circumstances of the migrants, 49.30% are unemployed, and approximately 81% work in informal trade, parallel markets, or as day labourers. The majority of these migrants don't have families.¹⁹ In terms of education, 60% have received no formal schooling, 16% have completed primary or intermediate education, 6% hold a secondary education qualification, and only 3% have attended university or possess higher education degrees.

Irregular migrants who choose to settle in Algeria do so for varying reasons, often resulting in a shift from their initial plans to transit through the country. Two primary factors influence this decision. The first is the observable economic and social development in Algeria, which has created employment opportunities for these migrants, sometimes even competing with the national labour force.²⁰ Many migrants from countries such as Niger, Mali, and Chad²¹ seek not only temporary work but also long-term settlement.

The second factor is related to Europe's increasingly strict border policies. In recent years, concerns about the risks and threats associated with irregular migration have led European countries to adopt measures aimed at protecting their societies, national identities, and political and security interests.²² Many analysts believe that the Schengen Agreement has had unintended consequences, as it facilitated greater irregular migration into Europe. Furthermore, Europe's historical role in promoting migration during colonial and post-colonial periods,²³ followed by a later shift toward restrictive policies,²⁴ has placed it in a contradictory position. Today, European states are burdened with managing high levels of irregular migration, which has escalated into a global humanitarian crisis.²⁵

This crisis has been further exacerbated by the rise in the number of undocumented individuals, a phenomenon that European countries have addressed inadequately through limited or ineffective regularisation policies. These shortcomings have, in turn, encouraged more people to migrate irregularly, often relying on human smuggling networks.²⁶ According to data presented at the "Expert Conference on Irregular Migration in Africa," 2% of the population currently participates in irregular migration. This figure is projected to rise to 15% by the year 2050. Within Africa, irregular migrants represent approximately 9% of the global population.²⁷

2. The Securitisation of Irregular African Migration

Wars and foreign interventions in Africa have long driven populations to flee toward safer regions. However, even after independence, the continent inherited considerable

political instability, particularly as foreign conflicts evolved into internal civil wars. Persecuted minorities and entire communities often sought refuge in neighbouring countries, settling in camps under the supervision of the United Nations High Commissioner for Refugees.

Yet, due to restrictive living conditions and the lack of durable solutions to their problems, many refugees have opted to leave these camps, individually or collectively, in pursuit of better living conditions. From the Azawad Movement in Mali, it is apparent that population movements can introduce a significant degree of risk. They can, as we see in this case, create the threat of separatist influence across national borders.

These terrorist and criminal groups may sometimes align themselves with displaced populations, exert influence over them, or simply blend in to spread violence and instability across borders.²⁸ Such developments pose serious threats to national security and help explain Algeria's firm stance toward the issue of irregular migration.²⁹ This is particularly relevant in the context of threats posed by organisations such as Al-Qaeda in the Islamic Maghreb and the Sahel, Jama'at Nusrat al-Islam wal-Muslimin, and the Islamic State in the Greater Sahara.

The aftermath of the September 11, 2001³⁰ attacks continues to shape global policy. It has established lasting links between terrorist groups, extremist ideologies, and irregular migrants. These associations present serious risks that individual states often struggle to control. Algeria, which endured years of domestic terrorism and political instability during the 1990s, has remained vigilant ever since, aiming to prevent the spread of external crises and foreign espionage within its borders. Nevertheless, the systematic association between migration and terrorism requires careful legal assessment to avoid generalisations that may undermine the rights of individuals not involved in criminal activity.

Moreover, the state's efforts to foster economic development have been increasingly threatened by irregular migration. The movement of undocumented individuals³¹ has placed a growing financial burden on the national treasury, particularly due to the rise in money laundering activities associated with fake companies that exploit irregular migrants for cheap labour. This situation has led to unfair competition with local workers, the expansion of informal markets, and escalating costs related to the accommodation and repatriation of these migrants.³²

In addition, irregular migration has become entangled with organised crime, functioning both as a cause and a consequence of broader security threats. Examples include human smuggling networks that use sophisticated or rudimentary methods, arms and drug trafficking, illegal trade in gold and vehicles, human and organ trafficking, money laundering, prostitution, document forgery, and smuggling of consumer goods. These activities may occur with the complicity of certain actors, through financial incentives, or under coercion and intimidation.³³

Such crimes are increasingly concentrated in Algeria's southern regions and vast desert areas, where camps and hideouts are set up beyond the reach of surveillance. This situation raises serious alarms about public security. Furthermore, irregular migration also poses public health risks due to the spread of communicable diseases, including HIV/AIDS, Ebola, and

other rare or difficult-to-monitor infections. As a result, irregular migration has evolved into a cross-border crisis with significant security implications.

3. Routes of Irregular African Migrant Infiltration into Algeria

Irregular entry into Algeria generally occurs through three main routes: by sea, air, and land. However, the first two options, maritime and aerial entry, remain extremely limited. The absence of a maritime border separating Algeria from its neighbouring countries significantly reduces the possibility of migration via sea. Similarly, attempts to cross through airports are nearly nonexistent, especially considering the strict security protocols enforced at Algerian airports, which are equipped with advanced technological systems to monitor the movement of both individuals and goods. In such cases, the only conceivable strategy involves the use of forged travel documents.³⁴

The most prevalent and dominant method of entry remains overland, through Algeria's northern, eastern, and western borders. These land routes have witnessed the entry of Libyan nationals fleeing post-Gaddafi violence and ongoing civil conflict, as well as Tunisians and Moroccans seeking employment opportunities and improved living conditions. As for Algeria's southern borders, particularly those near Adrar, Illizi, and Tamanrasset, they serve as key entry points for migrants from Niger and Mali.

Various overland routes have been identified based on the country of origin.³⁵ For example, migrants coming from Mali typically use one of four main land corridors that lead to Algeria's northern regions. The first route passes through Tinzaouatine, Silet, Abalessa, In Salah, El Menia, Ghardaia, and then toward northern Algeria. The second route starts in Bordj Badji Mokhtar and follows through Timiaouine, Silet, In Salah, El Menia, and Ghardaia. The third route begins in Tamanrasset and continues through In Salah, El Menia, Ghardaia, and onward to the northern wilayas. The fourth and most complex route extends from Niamey (Niger) to Gao (Mali), then to El Khalil, Bordj Badji Mokhtar, Reggane, Adrar, El Menia, Ghardaia, and into northern Algeria.

Nigerian migrants, on the other hand, typically rely on three main corridors. The first starts in Assamaka, passes through In Guezzam, then through Qarat Ennas (Tamanrasset), In Salah, El Menia, Ghardaia, and eventually reaches the northern regions. The second begins in Djanet and continues through Illizi, In Amenas, Debdeb, and crosses into Libya, with the ultimate destination being Italy. The third route extends from Djanet through Illizi, Ouargla, Ghardaia, Laghouat, Aflou, El Bayadh, Naama, and into northwestern Algeria.

This type of migration is predominantly carried out by adults, with very few children involved. Algeria's geographical position and the vastness of its land borders significantly facilitate this phenomenon. Migrants often exploit the extensive and sparsely monitored southern territories,³⁶ which are far removed from the border security outposts, making it easier to infiltrate undetected. At the same time, the vulnerability of individuals undertaking such journeys, often across extreme desert terrain, puts them at serious risk, including dehydration, abandonment, and exploitation.

The methods employed in transporting these individuals largely determine the mode of their movement. Specialised smuggling networks play a key role in facilitating their passage,

often with the guidance of residents, primarily during nighttime hours. Among the most commonly used means are transport vehicles, particularly long-haul cargo trucks,³⁷ or off-road vehicles adapted to rocky or sandy terrains. In many cases, these vehicles are equipped with advanced technologies designed to evade detection by security forces.³⁸

On the other hand, unauthorised entry by foot is extremely rare, if not entirely absent, due to the dangers posed by the desert environment, such as sandstorms, extreme heat, and the vast distances involved. Consequently, this method is not favoured by migrants.

Once migrants arrive at their intended destinations and secure temporary shelters or safe houses, the next phase involves adapting to their new environment, often characterised by seeking employment and basic sustenance. In practice, many of them can be found working in agricultural fields and construction sites, with the primary aim of saving enough money to continue their journey, first to the northern provinces of Algeria, and ultimately in hopes of crossing into European countries.³⁹

4. Algeria's Adoption of a Restrictive Approach in Legal and Security Mechanisms to Counter Irregular African Migration

The status of a migrant, as a worker, refugee, transient, or resident, can shift from a legally recognised and regulated condition to one of irregularity due to the factors previously outlined. However, states do not adopt a uniform approach in addressing this shift; responses vary depending on the policies pursued by each country. Since its independence, Algeria has taken measures to contain and address irregular migration.

Initially, the phenomenon did not pose a significant concern, as the number of irregular migrants remained relatively low and was addressed through a set of legal provisions aimed at deterrence. However, the surge in irregular migration during the 2000s necessitated reforms at both the foundational and institutional levels. These reforms involved Algeria's accession to relevant international agreements and the revision of domestic legal frameworks (first), as well as the reinforcement of institutional mechanisms by strengthening the role of specialised agencies (second). This framework is characterised by increased rigidity and strict enforcement, reflecting the evolving challenges associated with irregular migration.

1. Legal Frameworks Established for the Control and Deterrence of Irregular Migration

Algeria has relied on a combination of international and domestic legal sources to address irregular migration, which is treated primarily as a violation of laws governing entry, residence, and employment.

1. At the Level of Relevant Legal Provisions

Algeria has ratified several international conventions that are relatively recent in the field of combating irregular migration. Among these is the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,⁴⁰ which Algeria ratified in 2005 after initially refraining from doing so, along with Tunisia and Morocco.⁴¹ The Convention acknowledges only a minimum set of rights, recognising the irregular status of migrant workers when their presence on the territory is unlawful.

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Another key instrument is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime.⁴² Algeria ratified this Protocol with reservations through Presidential Decree No. 03-417 dated 9 November 2003,⁴³ which affirms the link between irregular migration, organised crime, and terrorism, and stresses the need for states to respond with comprehensive measures. Yet, international standards simultaneously require that anti-trafficking and anti-smuggling measures do not undermine the rights of migrants themselves, especially victims of exploitation.

At the national level, the legislation applied to the situation of African irregular migrants reflects diversity and fragmentation, which is justified by the multifaceted nature of the phenomenon. The foundational legal text is the Algerian Constitution, which, across its various amendments, emphasises the state's sovereign right over its land, airspace, and maritime zones.⁴⁴ This is followed by a set of general and special legal texts.

Among the general texts is the Penal Code, amended and supplemented by Law No. 09-01,⁴⁵ which criminalises irregular migration under Article 175 bis 1 and dedicates an entire section to the crime of migrant smuggling,⁴⁶ comprising 11 articles (from 303 bis 30 to 303 bis 41). The Maritime Code (Law No. 98-05, amended and supplemented)⁴⁷ also outlines violations and penalties related to unlawful maritime infiltration, smuggling, and transport.⁴⁸

As for specific regulations, there are several texts governing the employment of foreigners in Algeria, which address the conditions and legal procedures required for the presence of this category on national territory. These include Law No. 81-10 of 11 July 1981⁴⁹ concerning the conditions for employing foreign workers, and the relevant regulatory texts such as:

1. Decree No. 75-111 of 26 September 1975, related to commercial, industrial, traditional, and free activities carried out by foreigners on Algerian territory;
2. Decree No. 82-510 of 12 December 1982, establishing procedures for issuing travel permits or temporary work permits for foreign workers;⁵⁰
3. Decree No. 86-276 of 11 November 1986, which defines the conditions for employing foreign personnel in government services, local communities, and public institutions and bodies.⁵¹

Additionally, Executive Decree No. 06-454 of 11 December 2006 regulates the granting of commercial cards and licenses to representatives of foreign companies. This legal framework governs labour migration to Algeria concerning work, public order, and public security. Any deviation from these conditions results in an irregular status.

The set of legal texts specifically enacted to regulate the conditions of entry, residence, and care of foreigners in Algeria stems from the state's exercise of its sovereign right in managing this category. Among these is Law No. 08-11 of 25 June 2008,⁵² concerning the legal status of foreigners in Algeria, which repealed Ordinance No. 66-211 of 21 July 1966.

It is noteworthy that the Algerian legislature took a considerable amount of time before reorganising this domain, particularly with regard to the irregular status of foreigners. Also

still in force is Ordinance No. 67-190 of 27 September 1967, concerning the requirement to declare responsibility for foreign nationals. Additionally, Decree No. 86-61 of 25 March 1986 sets out the conditions for the education and care of foreign students and trainees.

4. In Terms of the Nature of Measures and Procedures Applied to Irregular African Migrants

The management of irregular African migrants is subject to the aforementioned legal provisions. These migrants are considered foreigners in an illegal situation, just like other groups arriving from different countries that have increasingly competed with them in recent years. However, the former represent the largest proportion.

These legal provisions do not differentiate based on whether the individual is in Algeria as a transit or destination country. Non-governmental organisations describe this migration flow as a dynamic and continuously expanding phenomenon, evolving steadily in scale over recent years.⁵³

Based on general observations, the procedures and measures applied to irregular African migrants can be classified as follows:

1. Measures Related to Repatriation, Removal, and/or Expulsion

The Algerian legislator refined its approach with Law No. 11-08, undertaking a more precise and comprehensive system for managing migration flows. The adopted measures are not limited to administrative procedures alone, but also include police or security actions. All of which aim to “remove the foreigner from the territory of the state, voluntarily or forcibly,” a process that becomes more complex when it is coercive. However, the legal framework shows ambiguities, as the concepts of removal and expulsion are often used interchangeably, without clear differentiation or gradation of severity.⁵⁴

In legal practice, the measures used to remove foreigners from the territory differ according to their nature. Removal refers to an administrative procedure aimed at ending unlawful residence, while expulsion is a sovereign decision taken by the state for reasons related to public order or security, typically targeting legally residing foreigners. Deportation represents the enforcement phase of either removal or expulsion, i.e., the actual physical removal of the person from the territory⁵⁵.

Despite the differences in legal characterisation, all these measures are constrained by the state's international obligations, particularly the principle of non-refoulement, which prohibits returning any person, directly or indirectly, to a country where they may face persecution, torture, or inhuman or degrading treatment. This principle illustrates the tension between the state's security prerogatives and its legal duty to protect migrants, an area where practical implementation often remains underexplored.

A literal reading of the law⁵⁶ suggests that “removal” is an administrative measure that may be imposed by the Minister of Interior when national security or public order is at stake, or as a result of a judicial decision involving a custodial sentence for a felony or misdemeanour, or failure to leave the country following withdrawal of official documentation. These scenarios may apply equally to legal and irregular migrants, insofar as their status does not justify continued presence on national territory.

Furthermore, the removal decision may be issued by the regionally competent wali (governor) in the form of an expulsion order⁵⁷ against any foreigner who entered the country illegally or resides unlawfully.⁵⁸ In such cases, especially involving African nationals, such measures may be implemented. Despite the law's stringent application, it grants the affected individuals the right to appeal the Minister's decision before an urgent matters judge within five days of notification.

However, this short timeframe renders the appeal practically ineffective. The measure is typically executed swiftly by security forces, especially when ordered by the Minister of Interior or the wali. In this regard, the law has expanded the administrative authorities' powers to oversee the status of foreigners. In practice, it is observed that the governors of southern Algerian provinces bordering sub-Saharan African countries tend to monopolise the issuance of removal decisions.

2. Measures Related to the Detention and Holding Following a Removal Order

What gives the removal process its practical and material character is the measure of deportation, followed by return to the border, both of which align with the removal decision. These are also considered repressive measures, relying on the establishment of "waiting centres," which were, in practice, referred to as "detention and holding centres." However, the Cannes Document called upon the Southern European countries, on the occasion of adopting the "European Pact on Immigration," to institutionalise such centres in cooperation with other Mediterranean states.⁵⁹

The detention process takes place in these centres for a period of 30 days, which can be renewed multiple times based on the removal and/or deportation decision. It serves as a form of house arrest aimed at the forced return of migrants to their countries of origin. For example, such centres exist in specific provinces: the Ghardaïa centre handles those deported from the eastern provinces; Oran and Laghouat centres handle those from the western provinces; and the Blida centre receives those from the central region. Migrants are then transferred from Laghouat to Ghardaïa and finally to In Salah.

3. Sanctions Imposed for the Illegal Entry, Stay, and Transit of Africans

The severity of the legal provisions becomes evident in the variety of punishable acts, most of which are classified as misdemeanours, subject to fines and/or imprisonment for offences such as illegal migration, failure to declare a foreigner's presence, or contributing to such acts. These sanctions are often accompanied by deportation measures. The penalties vary according to the legal domain, reflecting the multi-layered nature of Algeria's migration laws.

It is important to stress that the various laws previously discussed have established penalties based on their respective legal domains. The provisions of the Penal Code issued by Ordinance 66-156 were not sufficient, as they did not comprehensively address the various forms of illegal migration. This gap was addressed by Law 09-01, which amended and supplemented the Penal Code.

The rise in irregular African migration, which has taken on dangerous dimensions affecting state sovereignty and public order, as Algeria has become both a transit and destination country, also prompted the enactment of more stringent laws. The penalties

outlined in Law 08-11 complement those in Law 09-01 by aligning with the degree of severity the legislator intended for deterring violations. In contrast, earlier laws, such as Ordinance 66-211, did not offer comprehensive deterrence, and the sanctions in the Maritime Code were similarly insufficient.⁶⁰

Crimes related to migration are classified into distinct categories. The first concerns unauthorised departure from national territory, such as crossing border checkpoints using false identities.⁶¹ This is addressed in the Maritime Code, which penalises the unauthorised boarding or disembarkation of individuals from ships without proper authorisation from maritime authorities,⁶² unauthorised entry,⁶³ or clandestine boarding of ships to travel illegally.⁶⁴ There are also offences associated with employing undocumented migrants. Interestingly, the legislator does not penalise the unauthorised entry of foreigners but does criminalise the illegal exit of Algerian citizens, a distinction that raises questions. Nevertheless, penalties apply to citizens who facilitate the illegal entry or exit of foreigners.

The second category includes crimes involving facilitation and organisation of migrant smuggling, which are considered particularly significant at both the national and international levels. These are specifically addressed in Law 09-01, which imposes harsh penalties for acts such as failure to report smuggling, organising illegal departures, providing transportation or shelter,⁶⁵ and especially when these acts endanger the migrants or involve minors.

Additionally, there are specific penalties related to human trafficking. These cover acts such as recruiting, transporting, or receiving individuals, whether voluntarily or by coercion or fraud, in exchange for payment, and exploiting them in prostitution, begging, slavery, or organ trade.⁶⁶ These measures aim to control migrant flows legally by deterring all forms of irregular migration.

A final point to note is that these penalties are accompanied by residency bans of up to ten years for foreigners subject to deportation or expulsion⁶⁷ orders who refuse to comply. Unlike France's 2018⁶⁸ Asylum and Immigration Law, Algerian legislation does not provide for an automatic "re-entry ban" enforced through systems like the Schengen Information System (SIS), which limits migrants from attempting to regularise their status elsewhere in Europe. This distinction underscores differences in regional migration governance and the potential gaps in Algeria's compliance with international standards on monitoring irregular flows.

4. Preventive and Deterrent Bodies for Addressing Irregular African Migration

The security implications of irregular African migration, given that this group represents the largest proportion of clandestine foreign entrants into Algeria, have rendered the state's policy more security-oriented than legal in nature. This orientation is reflected in the entities involved in the efforts to combat and respond to the issue, which are predominantly security and military bodies affiliated with the Ministry of National Defence, the Ministry of the Interior, and/or the Ministry of Finance.

1. Security Agencies and Bodies Under the Ministry of the Interior

These include the entities operating under the authority of the General Directorate of National Security (DGSN), particularly the National Police, which, through its various

departments,⁶⁹ constitutes the law enforcement body closest to the public and their property across all wilayas (provinces). This geographical and operational proximity justifies its primary role in carrying out tasks such as investigation, detection, and arrest of irregular migrants, given its authority to enforce monitoring and deterrence measures against this category of foreigners.

Procedurally, since deportation and/or expulsion decisions are issued by either the Minister of the Interior, the territorially competent wali (governor), or the judicial authorities, the actual implementation of such measures, specifically the physical removal of individuals from national territory, is carried out by these police services.

It is worth noting that the enhancement of the Ministry of the Interior's role has led to the establishment of several supporting agencies under the DGSN, including the Central Office for the Fight Against Irregular Migration. This body is tasked with prevention, enforcement, and deterrence activities and plays a central role in the early stages of operations against smuggling networks and groups facilitating the movement, harbouring, or employment of irregular migrants, as well as in matters of forged travel documents.

Also under the DGSN is the Border Police, responsible for enforcing rules governing entry to and exit from the country and for overseeing border procedures across air, land, and sea crossing points. The presence of this force at every entry and exit point has made it a key actor in monitoring and inspecting the movement of individuals and vehicles into and out of Algeria, through the verification of identities and reporting of health-related risks, such as contagious diseases or potential security threats. As such, it is regarded as one of the most effective units in detecting, tracking, and apprehending individuals under investigation, often in coordination with Border Guard Units of the National Gendarmerie as well as with international security bodies. This coordination highlights the heavy securitisation of migration policy, often prioritising enforcement over humanitarian considerations.

2. Agencies and Bodies Affiliated with the Ministry of National Defence

The National Gendarmerie Command is a branch of the People's National Army. Its involvement in combating irregular migration stems from its statutory responsibilities in maintaining public order and security, especially in remote, urban, and road-access areas. The Gendarmerie relies on specialised "units" established under the Code of Criminal Procedure and Executive Decree No. 88-19 of 2 May 1988, which outlines its roles and organisational structure.

Among its key functions in the context of irregular migration are: monitoring foreigners and border crossings, verifying identity and travel documentation to determine the legitimacy of entry into Algerian territory, combating and monitoring unauthorized migration across land and sea routes, conducting daily surveillance of foreigners residing within the unit's jurisdiction, maintaining registries of foreign nationals at the municipal level, observing foreign individuals' movements and behavior, issuing and enforcing expulsion decisions, and preparing corresponding legal reports.

Additionally, there are Border Guard Units, which fall directly under the Ministry of National Defence as established by Decree No. 77-109 of 17 November 1977. These units are tasked with protecting Algeria's land borders against various threats. With the enactment of

Decrees No. 91-04 and 91-05 on 8 January 1991, these units were integrated into the structure of the National Gendarmerie. They represent the first line of defence responsible for national protection and safeguarding the country's economy continuously.

Their main duties include: land and aerial border surveillance, issuing alerts about any incidents, conducting border reconnaissance missions, collecting and transmitting intelligence to competent authorities, and guarding critical infrastructure along border zones. Furthermore, they fulfil policing functions by suppressing all forms of smuggling, including human trafficking and activities tied to organised crime. They also monitor individuals and goods along the borders to prevent the secret infiltration of migrants, especially those moved through smuggling networks.

Also noteworthy is the Naval Forces Command, which executes its mandate through the National Coast Guard Service. This service ensures the security and surveillance of Algeria's maritime borders along the entire coastline. Its role involves performing maritime police duties to prevent illegal acts associated with irregular migration and to block migrants from using maritime routes to reach southern European countries. It also combats the smuggling of drugs, goods, human organs, and individuals. The Coast Guard conducts preliminary investigations into crimes and offences committed aboard vessels and monitors maritime migration routes, particularly from Sub-Saharan African countries through Algerian waters.

The coast guard is therefore tasked with enforcing strict controls over maritime navigation and carrying out rescue operations at sea. These missions are conducted in accordance with the International Convention on Maritime Search and Rescue,⁷⁰ to which Algeria acceded by Presidential Decree No. 82-340 of 13 November 1982. While these rescue operations are humanitarian in nature, they are also tightly coupled with migration control, reflecting the security-driven framework of policy.

3. Customs Administration

The Customs Administration is responsible for overseeing the movement of individuals and goods across national borders. Its duties include inspection, seizure, and reporting. Under Executive Decree No. 89-239 dated 19 December 1989, customs authorities are entrusted with the mission of protecting national resources at land borders and seaports.

Their responsibilities also include preventing the smuggling of drugs, humans, organs, and contraband, as well as monitoring unauthorised migration. This demonstrates how migration control is embedded within broader security and economic protection mechanisms rather than being primarily rights-focused.

4. Algeria's Role in Strengthening Regional Cooperation to Combat Irregular African Migration

The principle of "good neighbourliness" is what mitigates the severity of the Algerian state's stance in protecting itself from the risks and threats associated with irregular African migration. This principle justifies Algeria's openness to establishing a platform for dialogue and cooperation in addressing shared-root problems.

It is reflected in Algeria's efforts to promote coordination and collaboration with Europe (First), within a framework of political dynamism, as well as with other actors from Africa,

Maghreb countries, and also at the internal level, where the degree of effectiveness varies among the involved parties (Second).

1. Algeria's Regional Partnership with Europe to Curb the Irregular Flow of African Migrants

Globalisation has reshaped the state's approach to the issue of irregular migration, softening its rigidity and acknowledging the role of international and transnational factors in shaping preventive and deterrent policies. A key shift is the adoption of the "human security" perspective,⁷¹ which is based on the idea that indirect threats, such as environmental displacement or social instability, can endanger national interests and therefore require a realistic pursuit of shared security. This approach frames security as integrated, cooperative, and mutually reinforcing between Algeria and Europe.

2. At the Level of the European Neighbourhood Policy and the Euro-Mediterranean Partnership

The transformation of Algeria into a transit country for irregular African migrants has positioned it as an active partner in cooperation with European countries, particularly those around the Mediterranean Basin. This partnership is based on a shared commitment to values such as the rule of law, promotion of good neighbourly relations, and sustainable development.

One of the most significant features of this partnership lies in its reliance on political and financial tools, rooted in the European Commission's March 2003 communication on the "Wider Europe – Neighbourhood" policy, which proposed a new framework for relations with eastern and southern neighbouring countries.⁷² The proposal called for the establishment of a "Good Governance Neighbourhood Group"⁷³ as a platform to address issues such as migration and organised crime in cooperation with countries like Algeria, Libya, Morocco, Tunisia, Georgia, Lebanon, Ukraine, Belarus, among others, especially in light of the weakening and slowing momentum of the Euro-Mediterranean Partnership process at the time.

In March 2003, the European Commission declared that "the Union should support efforts by neighbouring countries to combat illegal migration and to establish effective return mechanisms, particularly for irregular transit migrants... as long as the priority remains on migration and asylum."⁷⁴ This, however, raises a critical question: how can such a policy truly align with the deep economic and social disparities between the regions involved?

The reforms are what allow the European Neighbourhood Policy to adapt according to the particular circumstances of each country. This policy is conditional upon results, since it is directly linked to technical assistance, funding, and various forms of participation in European Union programs.⁷⁵ It is implemented through mutual negotiations and action plans established by the European Commission in order to operationalise the required reforms, which must be undertaken by the partner countries, including Algeria, after an evaluative report is conducted.

These plans typically span five years.⁷⁶ Their implementation depends on an agreement between the European Union and the concerned neighbouring country.

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The Euro-Mediterranean Partnership continues to serve as the broader framework for relations between countries bordering the Mediterranean, acting as a mechanism to deepen cooperation without replacing bilateral agreements. It is based on continuous dialogue in political, economic, social, and environmental fields, forming a foundational platform for the implementation of reforms. This is particularly relevant in the context of communication and material connectivity with the European Union.⁷⁷

While the Barcelona Process did not focus specifically on irregular migration, it included it within broader themes such as the fight against terrorism and organised crime. However, growing security concerns elevated this to a level of urgency that required accelerating negotiations relating to migration, mobility, and the movement of persons between the northern and southern shores of the Mediterranean. In pursuit of this objective, ten committees were created. Some of them originate from European institutions and are considered subcommittees, while others were established through Euro-Mediterranean partnership agreements. The composition and focus of these committees vary depending on topics, countries, and national priorities. Each committee is required to submit an annual report to the Partnership Council.

In recent years, the Neighbourhood Policy has incorporated a financial instrument introduced as part of a joint funding initiative between the Council of Europe and the European Parliament. This initiative was launched in 2007 to address unforeseen emergencies and is implemented in defined cycles, for example, every seven years. It replaced earlier programs such as MIDA and TACIS, which were active between 2000 and 2006.⁷⁸ These programs focus on issues such as asylum, terrorism, migration, and cross-border challenges and are managed by the European Development Aid department.

Moreover, the European Union promotes the concept of cooperation for development to strengthen the economies of countries that are major sources of irregular migration. The aim is to reduce or prevent migration by supporting economic reforms and encouraging European investment in the Mediterranean region. Key initiatives include the Euro-African Conference on irregular migration and development, held in Rabat on 10 July 2006, with the participation of 57 countries. This event resulted in the Rabat Declaration, which sought to initiate a new phase of joint action between transit and origin countries. It was followed by the Paris Meeting in 2008, which developed a program for the period 2009 to 2011, focusing on new dimensions of migration. At present, the implementation of the Rabat Declaration is underway with support requested from international organisations.

Despite development-oriented strategies, security mechanisms remain central to ensuring irregular migration control retains its deterrent function. This process began with the launch of the 5+5 Dialogue⁷⁹ in October 1990, involving France, Algeria, Tunisia, Libya, Morocco, Italy, Malta, Portugal, and Spain. The initial meeting brought together foreign ministers, and a subsequent meeting was held in Algiers in October 1991. The dialogue was temporarily suspended in 1992 due to international sanctions imposed on Libya and remained frozen for a decade. In 2001, the process resumed with a meeting in Portugal, during which the ten countries worked to reach consensus on shared concerns relating to security, terrorism, irregular migration, and other pressing issues.

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By 2013, the 5+5 Dialogue had evolved to emphasise economic cooperation. Discussions focused on strategies for achieving development in Mediterranean countries facing migration-related challenges. During its 14th session in January 2018, held in Algiers, participants emphasised support for action plans targeting these challenges. The meeting also highlighted the importance of involving youth and civil society organisations in fostering regional cooperation across the Mediterranean. The dialogue reaffirmed the principles of responsibility and solidarity in addressing migration, particularly through combating human trafficking and migrant smuggling. Malta and Portugal were cited as successful examples of this integrated approach.

In the 22nd session of the Steering Committee of the 5+5 Defence Initiative, held in Algiers on 15 and 16 March 2016,⁸⁰ and followed by the 12th meeting of Defence Ministers in December 2016, a joint statement was issued emphasising the need for coordination between naval forces to prevent irregular migration.⁸¹ The statement also addressed cooperation between land forces and called for enhanced coordination and the exchange of expertise in the broader fields of security and defence. This development was driven by two major factors. The first relates to the refugee crisis that began in 2015, which triggered new waves of irregular migration across Africa and increasingly posed a threat to European security.⁸² The second concerns the availability of robust European security mechanisms capable of monitoring these movements.

Among the most notable of these mechanisms are the Euro-Force rapid intervention forces,⁸³ which operate on land and at sea to safeguard southern European borders, and the Frontex agency,⁸⁴ which is responsible for coordinating operational cooperation among EU member states in securing external borders. Frontex focuses in particular on monitoring the flow of migrants between North Africa and southern Europe, with special attention to Italy and Malta. However, disagreements over the responsibilities of countries of origin, transit, and destination have limited the scope of this agency's work and concentrated its efforts on European interests. For instance, in March 2018, Frontex issued a warning report about increasing migration flows from Tunisia and Algeria. This report was part of Operation Themis, which is led by Italy and focuses on the Central Mediterranean migration corridor. The report specifically highlighted growing migration trends from countries such as Nigeria and Mali and called for stronger and more integrated approaches to border management.⁸⁵

It is important to note that the European Parliament's adoption of the "Pact on Migration and Asylum" in 2024⁸⁶ is a pivotal step toward reforming the EU's migration management system. It also serves as a key instrument for reinforcing pressure to enhance cooperation between EU Member States and transit countries in the Mediterranean region, particularly North Africa and the Middle East.

On the one hand, the Pact establishes a framework of solidarity among Member States by combining strengthened border control with the fair distribution of responsibilities. On the other hand, it offers a mechanism to support frontline countries receiving migrants.

However, while the Pact aims to strike a balance between security requirements, administrative efficiency, and the protection of migrants' fundamental rights, it relies heavily on an approach that accelerates the return procedures targeting irregular migrants.

1. At the Level of the North Atlantic Treaty Organisation (NATO)

Since the spread of transnational and cross-border terrorism following the September 11, 2001, attacks, the link between irregular migration from the southern countries of the Mediterranean basin toward Europe and the broader regional instability has been firmly established. As a result, this issue has received increased attention, particularly through diplomatic, economic, and political programs developed within NATO's military strategy.⁸⁷

Following the launch of Operation Active Endeavour in October 2001, aimed at detecting and deterring terrorist activities in the Mediterranean Sea, the operation expanded from the eastern Mediterranean to cover the entire region. This initiative attracted the attention of the Maghreb countries, including Algeria, which sought to strengthen its partnership with NATO at the Istanbul Summit in 2004⁸⁸ by participating in maritime reconnaissance operations.

However, although this cooperation developed well with countries such as Argentina and Morocco, it quickly regressed in the case of Algeria in 2009 due to political and security reasons.⁸⁹

It is worth noting that despite the emergence of migrant smuggling networks and increasing threats from groups like the so-called Islamic State, which encouraged renewed cooperation initiatives, the partnership remained limited in scope. It was mainly restricted to military collaboration between NATO forces and the Algerian navy, including joint training exercises, coordinated manoeuvres, and reciprocal agreements.⁹⁰ One example is Operation Phoenix, which took place from 23 May to 15 March 2011,⁹¹ as well as another operation conducted at the Port of Algiers on 29 September 2014.⁹²

2. At the Level of Bilateral Cooperation

Since the European Union adopted the Cotonou Agreement in 2000, which established an economic framework, a binding clause required African, Caribbean, and Pacific (ACP) countries to speed up agreements for the readmission of their nationals who enter Europe irregularly. This was achieved with the Libya-Italy agreement in August 2008, under the framework of friendship, partnership, and cooperation. It was followed by the Algeria-Italy agreement for the return of irregular migrants from the Sardinia region through Algeria.

However, with the outbreak of the migrant crisis between 2014 and 2017 and the European Commission's adoption of a quota policy to regulate the reception of refugees, some Maghreb countries accelerated bilateral agreements, such as Spain and Morocco, Spain and Mauritania, and Tunisia and Italy.

Nonetheless, these agreements remained limited with regard to Algeria. This is due to the fact that progress in this area cannot be achieved without activating the Euromed framework or the Rome process and establishing a free trade area, which began its transitional phase lasting twelve years from 2017, and is embodied in the ongoing Barcelona Process meetings.

Algeria continues to adhere to its policy on managing the irregular migration crisis and refuses to accept readmission agreements for irregular migrants to their countries of origin before completing identity verification. Cooperation should focus specifically on the

prevention and control of illegal movement, and the encouragement of bilateral agreements to combat this phenomenon depends on the contribution to alleviating pressure on Algeria.

The European Union, for its part, has repeatedly affirmed its commitment to ensuring the return of migrants to transit and host countries, supporting effective border control, and building genuine partnerships with transit countries. However, France did not comply with these principles, and the Union failed to follow suit when France enacted its 2018 Immigration and Asylum Law.⁹³

It should be noted that the Court of Justice of the European Union ruled on May 19, 2019, upholding the principle of non-refoulement, which prohibits the forced return of refugees when their refugee status is denied for security or social reasons related to the host country. Consequently, refugees should not be returned to their home country if it poses a danger to their lives, and the same applies to children, who must not be detained in irregular migrant centres.⁹⁴

Such a new perspective will have an impact on the policies of the countries bordering the Mediterranean Basin, including Algeria, as it is not possible to impose such obligations on them, especially given that decisions regarding expulsion and/or deportation are subject to political and security considerations, as well as principles of cooperation and reciprocity.⁹⁵ This is particularly relevant since the European side continuously adopts stringent security measures, such as constructing high-tech border walls, establishing electronic monitoring centres, and launching the "Seahorse Network" satellite to monitor irregular migration activities and share information about migrant flows. Therefore, cooperative approaches remain the only viable way to bridge differing viewpoints on this issue.

3. Algeria's Regional Partnership with Africa to Strengthen the Fight Against Irregular Migration

1. Within the Framework of the African Union

Regional cooperation has become essential for achieving tight control over irregular migration flows by linking countries of origin with countries of destination and/or transit. This cooperation requires a balanced approach among various objectives. These generally include developing mechanisms to combat criminal networks involved in smuggling people and enhancing the supportive means to confront them,⁹⁶ strengthening collaboration for capacity building in border monitoring,⁹⁷ expanding the scope and field of joint agreements,⁹⁸ and finally encouraging accession to international conventions, such as the additional protocol to the United Nations Convention against Transnational Organized Crime.

The principles of human security provide a suitable foundation for implementing these partnership efforts. Algeria has consistently supported initiatives within the scope of the African Union, which is responsible for managing security issues and the welfare of populations. Notably, Algeria firmly rejected the European proposal to establish detention centres for irregular migrants. Up until the first half of 2018, the African Union continued to express concerns regarding the isolationist approach to addressing the migration crisis adopted by its European partners.⁹⁹

However, during the International Conference on Irregular Migration held in Algeria from November 19 to 21, 2018, organised by the African Parliament of Civil Society under the auspices of the African Development Bank, an initiative was launched to formulate purely regional solutions acceptable to all parties involved. These solutions are intended to take social, economic, and humanitarian dimensions into account. This reflects an attempt to shift the debate from a purely security-based response toward a more development-oriented approach. Nevertheless, in general, the African-to-African partnership remains very modest.

Within the framework of the partnership between the African Union and the European Union, the initiative was reaffirmed by the foreign ministers of both sides through a strategic document presented in Brussels.¹⁰⁰ This document focuses on providing youth with opportunities in their home countries through agreements with African states to address migration-related issues, with the organisation acting as the guarantor of these agreements.

However, the contentious issue that arises here concerns the topic of “migrant returns,” which has sparked considerable debate and divergent positions regarding the prospects for supporting “readmission agreements.” These agreements involve the return of any person who has entered another country unlawfully, contingent upon securing the consent of the country of origin and transit countries within a developmental assistance framework.

In practice, Western European countries attempted to integrate such agreements with Southern Mediterranean and Eastern European countries, but faced rejection from some parties due to their policies that refuse the admission of third-country nationals into their territories for sovereignty and security reasons. Algeria, for its part, prefers to maintain the approach of bilateral joint security agreements.

2. The Multiplicity of African Bilateral Cooperation Frameworks in Combating Irregular Migration of Africans

This approach is the one Algeria has followed to avoid discrepancies and misunderstandings in addressing the issue of irregular migration. It relates to bilateral agreements, which tend to have a more practical rather than procedural nature. For example, the Algerian-Nigerian Joint Border Commission is one of the earliest bodies established under an agreement signed on October 30, 1997. It aims to enhance cooperation between border regions in various fields, including security and political cooperation in dealing with the issue of irregular migration.

The commission holds periodic meetings, such as the sixth session held on July 15-16, 2018. During this session, there was a call to intensify coordination and consultation among security agencies regarding border monitoring, facilitate the deportation of irregular Nigerian migrants, and increase the exchange of information. There was particular emphasis on confronting trafficking networks and combating the phenomenon of migrants evading deportation procedures through identity forgery and alteration of Nigerian nationalities on documents. This situation necessitates bilateral reinforcement with the required human resources.

Similarly, the Algerian-Malian Joint Border Commission was established within the framework of cooperation and followed the same format as the Nigerian commission. The fourth session, convened on January 23, 2019, focused on studying security and regional

aspects and investigating the reasons behind the slow and weak cooperation, especially considering the return of foreign terrorist fighters and the infiltration of organised crime networks across the deserts. This situation requires greater coordination, with a priority placed on maintaining stability in Mali, which represents a crisis zone. Consequently, a "Memorandum of Understanding" was reinforced to enhance police cooperation and the training of police officers and civil protection agents from Mali.

Additionally, the Algerian-Libyan Security Commission, which is relatively recent given the developments Libya has faced since 2011, reflects Algeria's keenness to restore stability and border security. The second session held in July 2019 reopened urgent dossiers, including organised crime and terrorism. This cooperation depends on accepting joint security and police training programs, which remain limited in the field of combating irregular migration, whether regarding Libyans moving to Algeria, Algerians moving to Europe, or Africans from neighbouring countries. This limitation highlights the persistent gap between security-oriented cooperation and the broader structural management of migration flows.

It is worth noting that a legal and political misunderstanding arose regarding the agreement with Nigeria on the "readmission of undocumented Nigerians," which has been in effect since 2014 and revealed some shortcomings. Specifically, the country of origin insists that the agreement applies only to individuals holding Nigerian nationality, while various nationalities have been deported to Nigeria.

This issue caused diplomatic objections. Algeria, on its part, justified its position by citing investigations showing that Nigeria serves as a transit point for many other nationalities. Moreover, there are cases of forgery and manipulation of documents that prevent verification of the true nationalities of those entering. This indicates that such agreements are governed by national considerations and practical difficulties during implementation. It also underscores the complexity of implementing readmission mechanisms in contexts marked by weak civil registration systems and transnational mobility.

3. The Slow Implementation of New Initiatives to Address African Migration in Algeria

Despite the progress achieved within the previously mentioned partnership framework, it faced new challenges that prompted the development of additional projects and frameworks. However, these remain limited, either due to political will or a preference for isolation in discussing migration-related issues.

1. At the Level of Algerian Ministries

At the ministerial level, there is the Coordination Committee between sectors, or the Joint Ministerial Committee tasked with migration issues, which was established in November 2013. This committee is responsible for collecting, processing, and analysing statistics. In general, it prepares migration profiles for Algeria, representing a development adopted by Algeria to participate in the Euromed Immigration II project. This project is expected to provide Algeria with an "evaluation tool" based on more objective and participatory data from various sectors. The committee intensified its workshops in 2015¹⁰¹ as part of activities led by the Ministry of Foreign Affairs.

In 2018, for example, the Ministry of Interior¹⁰² partnered with this committee to discuss more recent procedures and measures regarding the deportation of irregular migrants to their countries of origin. This effort took inspiration from the reception centre model in Zeralda (Algiers) towards Tamanrasset, in coordination with the Algerian Red Crescent, reaffirming Algeria's humanitarian approach and the ethical standards applied to these measures. However, the emphasis on humanitarian framing is accompanied by a strong prioritisation of internal security considerations. These initiatives also emphasise Algeria's position on the priority of maintaining internal security, while disclaiming responsibility for the tragedies and risky choices faced by irregular migrants.

2. At the Level of the Arab Maghreb Union

At another level, the Maghreb Union countries, despite the limited scope of their work, have intensified their meetings concerning urgent security challenges, particularly those in the regional environment (the Sahel and Sahara areas). This process began with meetings of foreign ministers between February and July 2012, focused on the general principles of security policies.

It was followed by the regional ministerial conference held in April 2013 in Algeria, gathering the Western Mediterranean countries in the (5+5) group. This conference adopted the "Rabat Declaration," which included important and serious issues,¹⁰³ among them the fight against irregular migration and human trafficking. These issues were framed within the necessary intensified efforts and shared responsibilities among countries considered to be stable. Consequently, there is a pressing need to develop a Maghreb-wide strategy, a process that has been advanced through several meetings and working groups tasked with monitoring the situation.

3. At the Level of Algeria's Position on the Global Compact for Migration¹⁰⁴

This document falls within the framework of new challenges that have engaged all countries in a serious, renewed discussion based on an approach different from previous ones. This discussion took place amid the escalating refugee crisis toward European countries between 2015 and 2016, and the complex situations where refugees, displaced persons, and irregular migrants were often mixed. These developments raised many urgent alerts.

On December 19, 2018, Algeria participated in the related conference and maintained its position aimed at encouraging bilateral, regional, and international cooperation while preserving rights, which it views as the sole guarantee for such cooperation. However, Algeria also expressed reservations regarding the Global Compact due to the United Nations' lack of cooperation with its requests concerning the migration problems of Africans moving southwards and through the region.

The reservations focused on several points: the absence of textual differentiation between legal and irregular migrants, especially in the field of social integration; the non-binding nature of the Compact on any state to receive migrants, as this remains a matter of solidarity; the necessity to establish a mechanism for implementing the Compact based on prior consensus among states, taking into account practical considerations and preventing the exploitation of migration issues as a pretext for interfering in the internal affairs of states.

Moreover, the Compact's lack of provisions regarding preventive measures or management of political, natural, or armed crises that lead to irregular migration means that the state's priority to uphold security measures remains the only viable solution.¹⁰⁵ In other words, Algeria set specific conditions for endorsing the Compact. This position was supported by Germany, which emphasised the need to confront the exploitation of propaganda and media on this issue as a form of warfare against states.

Conclusion

Irregular migration of Africans from neighbouring countries into Algeria, as both a transit and destination state, is driven by complex and interrelated structural factors. Over time, this phenomenon has escalated to the point of posing a serious threat to social cohesion, economic stability, and national security. In response, Algeria has adopted a more assertive approach, reaffirming its sovereign right to establish the legal and institutional framework necessary to combat irregular migration. This includes the implementation of administrative, law enforcement, security, and deterrent measures that reflect the country's internal policy priorities.

However, the new challenges accompanying the secret migration of Africans make isolation an unsuitable approach. This situation necessitates the adoption of a structured and multidimensional partnership approach. While such cooperation with European partners remains essential, it often encounters limitations stemming from the primacy of national sovereignty and security-related concerns. Conversely, cooperation with African, Maghreb, and even domestic actors is marked by institutional and operational constraints, underscoring the urgent need for a renewed framework based on mutual trust and shared interests—principles inherently dictated by geographical proximity and regional interdependence.

In light of the rapidly evolving dynamics within the region, it is imperative to approach the issue of irregular migration with heightened vigilance, strategic foresight, and coordinated policy responses. Furthermore, adopting expertise exchange, information sharing, and strengthening intelligence and reconnaissance networks across transit areas at multiple levels represent some of the most effective initiatives. Algeria is still awaiting the implementation of the demands related to the establishment of a National Observatory for Combating Irregular Migration, which would have technical and administrative responsibilities. This would represent an important step toward the adoption of an official governmental mechanism in this field.

On the whole, this situation reveals a structural tension between the principle of national sovereignty and the requirements of international cooperation, as the state is called upon to protect its borders and ensure internal security while simultaneously adhering to its international commitments. This makes the management of irregular migration an area where considerations of public international law intersect with the demands of practical policy.

To enhance the practical impact of these efforts, concrete policy measures should be implemented, including:

1. Structured asylum procedures to ensure transparency, predictability, and access to protection for migrants.

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2. Regional burden-sharing mechanisms with neighbouring and transit countries to distribute responsibilities equitably.
3. National monitoring and evaluation frameworks to assess the effectiveness of migration policies and adjust measures as needed.
4. Capacity-building programs for relevant administrative, law enforcement, and border control authorities to align operations with international standards.

Dealing with irregular migration remains an ongoing challenge that requires a coordinated and flexible response reflecting the complexities of the regional context.

References:

- 1 -The borders are estimated as follows: Algeria–Morocco (1,380 km), Algeria–Tunisia (1,043 km), Algeria–Western Sahara (42 km), Algeria–Libya (1,001 km), Algeria–Mauritania (460 km), Algeria–Mali (1,261 km), and Algeria–Niger (953 km).
- 2 -See Mohamed (Ramadan), "Illegal Migration in Algerian Society: Its Dimensions and Relation to Social Alienation – A Field Study," Faculty of Humanities, University of Tlemcen; and Hashem Fayad, "Africa in the Dynamics of Population Migration," African Research and Studies Center, Libya, 1998, pp. 30 ff.
- 3 -See Hamdi (Abdel Rahman), "Transformations of the Phenomenon of International Asylum in Africa: Issues and General Problems," 2016, pp. 46–48.
- 4 -See Hashem (Fayyad), previously cited reference, p. 31.
- 5 -See Catherine (Wihtol De Wenden), "Pour un droit à la mobilité et une démocratisation des frontières", Rev. Panoramique, No. 55, 4th ed., Paris, 2001, pp. 8–10; and Yann Moulier-Boutang, Jean-Pierre Garson, and Roxane (Silberman), "Économie politique des migrations clandestines de main-d'œuvre", Ed. Publi-Sud, Paris, 1999, pp. 40–45.
- 6 -Ibid.
- 7- Such as: Libya, Chad, the present-day Democratic Republic of the Congo, Eritrea, Sudan, etc.
- 8 -See Ayad Mohamed (Samir), "Migration in the Mediterranean Area: Factors and Policies", a paper presented at the international seminar on Algeria and Security in the Mediterranean: Reality and Prospects, April 29–30, 2008, University of Constantine.
- 9 -See Oussama (Bouzid), "The Atlantic-Mediterranean Dialogue: A Case Study of Irregular Migration – Western Mediterranean (2001–2015)", Master's Thesis, Faculty of Law, Tizi Ouzou, 2016.
- 10 -Signed on June 14, 1995, by five countries (Belgium, France, West Germany, Luxembourg, and the Netherlands) in an initial document, which was later replaced by another agreement signed by 26 countries, including non-EU members (Iceland, Liechtenstein, Norway, and Switzerland). This was followed by many European countries resorting to measures such as restricting migration, adopting short-term tourist visas, or implementing selective migration policies—all of which are carried out with a significant degree of discrimination and preference. In this sens see European Parliament resolution of 9 July 2015 on the security challenges in the Middle East and North Africa region and the prospects for political stability ([2014/2229\(INI\)](#)), available on : <https://www.europarl.europa.eu/topics/fr/article/20170627STO78419/lutte-contre-la-migration-irreguliere>.
- 11- Ibid.
- 12 -See Samara (Faisal), "The Human Dimension in the Euro-Maghreb Partnership from the Barcelona Process to the Union for the Mediterranean Project (1995–2008)", Master's thesis – University of Tizi Ouzou – 2012–2013, pp. 108 and following.
- 13 -Dated December 18, 1990, and entered into force on July 1, 2003. It includes around 74 countries, including Algeria, which ratified it on April 21, 2005.
- 14 -This is due to Mali's harsh climate, the armed conflict between various clans and terrorist groups, and the developmental gap between Mali and Algeria. As a result, it becomes easier for them to integrate with the local population (in the provinces of Adrar and Tamanrasset), or to pass through Djanet to reach Libya, or through Ghardaia and Ouargla to head north.

- 15- Those who enter the border area between Algeria and Niger through Tamanrasset and Illizi do so because of their political and security conditions, as well as the historical ties with the Algerian Tuareg.
- 16 -Those who move around within the framework of social proximity and engage in artisanal professions (construction, agriculture, traditional crafts).
- 17- See Analytical Report of the National Gendarmerie Command on the Phenomenon of Irregular Migration, 2018.
- 18 -Taken from the evaluation and analytical report of the National Gendarmerie Command on the phenomenon of irregular African migration in Algeria in 2018.
- 19 -Namely, single or divorced individuals, followed by the category of married individuals.
- 20 -Workshop and project owners, especially construction contractors and private individuals, have come to prefer resorting to these migrants, who represent a cheap labor force that does not impose significant financial burdens.
- 21-Who are concentrated in fields such as blacksmithing, welding, tailoring, construction, gravel crushing workshops, agriculture, gold prospecting, and even begging.
- 22 -See Manrique Gil (Manuel), Barna (Judit), and others, "Mediterranean Flows to Europe: Migration and the Foreign Policy of the Union", Thematic Department, Directorate-General for External Policies of the European Parliament, Brussels, EU, March 2014, pp. 9 et seq.
- 23- Which extended from the Middle Ages to the 1980s. See Guillon (Michelle), *La mosaïque des migrations africaines*, Esprit, Paris, No. 160, August/September 2005, p. 165.
- 24 -It coincided with the oil crisis in Third World countries, the racist policies of Northern countries, and the internal decline of European states.
- 25- Ibid., and see also Tublana (Michel). "En finir avec le dogme de la fermeture des frontières", *Revue Panoramique*, 4th Ed., No. 55, 2001, Paris, pp. 7–9.
- 26- See Witol De Wenden (Catherine), "Pour un droit à la mobilité", op. cit., pp. 8–9.
- 27 -Quoted from: Saïsh Abdelmalek, *Euro-Maghreb Cooperation in Combating Illegal Immigration*, Master's Thesis, 2006–2007, Faculty of Law – Annaba, p. 34; and his article, *Combating Illegal Immigration*, *Academic Journal of Legal Research*, Issue 1, 2011, Béjaïa, p. 20 ff.
- 28- See in this regard: Mohamed (Gharbi), "The Security Challenges of Irregular Migration in the Mediterranean Region: Algeria as a Model", *Academic Journal of Social and Human Studies*, Issue 8, 2012, pp. 55–57; and Saad Rachid, *The Reality of Irregular Migration in Algeria from the Perspective of Human Security*, Master's Thesis – Faculty of Law and Political Science – Biskra, 2011–2012, pp. 68 ff.
- 29 -See Hala Ghaleb, *The International Confrontation of Crimes of Smuggling Criminals*, *The National Criminal Journal*, Egypt, Vol. 51, No. 1, March 2008, p. 106.
- 30 -See Zahira (Hawas), "Security Dialogues in the Mediterranean: Containment or Regional Engineering? (A Case Study of the Mediterranean-Atlantic Dialogue)", Master's Thesis – Faculty of Political Science – 2012–2013, Batna, pp. 164–166.
- 31- See Mohamed (Gharbi), previously cited reference, p. 56.
- 32- See Zahira (Hawas), previously cited reference, pp. 165–167.
- 33- Since the African migrant may be responsible for such actions or may be a victim of the circumstances that led him to fall into those practices—he may have merely intended to change location or escape—new types of crimes have emerged (such as sex tourism, organ trafficking, integration with local populations to spread extremist ideas, and encouraging child abduction).

See Ahmed Mostafa (Suleiman), "Terrorism and Organized Crime: Criminalization and Means of Confrontation", Royal Police Academy Journal, 2009, Jordan, pp. 12 ff. See Bouklia-Hassan (Rafik), Migration en Algérie: nouvelles tendances, CARIM, Note d'analyse et de synthèse, 2010, Série Migration méditerranéenne et subsahariennes: évolutions récentes, available at: <http://www.ons.dz/MG/pdf/table1-2012.pdf>.

34 -By falsifying information related to the individual's identity, photo, entry or exit stamps, or visas.

For more details, see: Mohamed Moammer, Causes and Motives Behind the Rise of the Irregular Migration Phenomenon, Master's Thesis, University of Algiers, 2008–2009, pp. 39–40.

35 -See Ahmed Abdel Aziz (Al-Asfar), "Irregular Migration: Spread, Forms, and Methods", Naif Arab University for Security Sciences, Kingdom of Saudi Arabia, 2010, pp. 35–36.

36- See Ahmed Abdelaziz (Al-Asfar), "Irregular Migration", previously cited reference, pp. 38 and following.

37 -Migrants arriving from Niger, Mali, Nigeria, and Burkina Faso—as well as from regions such as Tamanrasset, In Salah, and Ghardaia—show a preference for certain routes. For more details, see Zahour (Menad), "The Issue of Migration in Euro-Maghreb Relations: Challenges and Prospects", Master's Thesis – Faculty of Political Science, Algeria, 2012–2013, pp. 80 and following.

38-Such as resorting to forged travel documents, satellite-connected mobile phones, and GPS devices.

39 -See Ahmed Abdelaziz (Al-Asfar), previously cited reference, p. 35. If we classify the provinces here, we find the border provinces (Tamanrasset, Béchar, Tindouf, Illizi, Adrar, Djanet, El Oued, Tlemcen, Maghnia); followed by the inland provinces that serve as transit routes to the north (Ouargla, Ghardaia, Laghouat, El Bayadh, Djelfa, M'sila); and finally the northern provinces (Algiers, Oran, Constantine, Annaba, Relizane, Tiaret, Aïn Témouchent, and Aïn Defla).

40- Under number 45/158 dated December 18, 1990, which entered into force on July 1, 2003, after being ratified by 22 countries.

41 -Because Morocco was the only country that ratified it in 1993. For more details, see: Mohamed Reda Al-Tamimi, Irregular Migration through National Legislation and International Conventions, Dafatir Al-Siyassa wa Al-Qanoun Journal, Issue 4, January 2011, pp. 267–268.

42 -A supplement to the United Nations Convention against Transnational Organized Crime of 2000, which Algeria ratified on February 5, 2002. The protocol was issued in 2000 and entered into force on January 28, 2004.

43 -Official Gazette No. 69, dated November 12, 2003.

44 -See Article 13 of the amended Constitution of 2016.

45 -Dated February 25, 2009.

46 -Under the title "Smuggling of Migrants," Section 5 bis 2.

47 -Dated June 25, 1998, it amended Law No. 76-80 dated October 23, 1976.

48 -From Articles 543 to 559 thereof.

49 -Official Gazette No. 946, dated July 14, 1981, as amended by Law No. 15-06 dated December 13, 2015, concerning the Supplementary Finance Law for the year 2015.

50- Official Gazette No. 56, dated December 28, 1982.

51 -Official Gazette dated November 12, 1986.

52 -Official Gazette No. 36, dated July 2, 2008 ambiguously and inconsistently.

53 -Report (2012–2013) by the Union of Associations for Applied Research on International Migration, Migration in the Mediterranean, EuropAllean University Institute, October 2013.

54- Under Ordinance No. 66-111, it referred to them using the term “exile.”

55-In this context, Article 32 of the Refugee Convention provides that « Expulsion 1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order. 2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority. 3. The Contracting States shall allow such a refugee a reasonable period within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary », while Article 33 stipulates : « Prohibition of expulsion or return ("refoulement") 1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group

or political opinion. 2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that country ».

56-In Article 22 (final paragraph) and Articles 30 to 37 (Law No. 08-11).

57- In Article 36 of the aforementioned law, the legislator did not use the term “deportation order” (décision d’éloignement), but rather “expulsion” (expulsion).

58 -Except in cases where the individual's administrative status has been regularized.

59 -In its concluding observations on Algeria, the United Nations Committee Against Torture expressed concern about mass expulsions of migrants and the resulting violations of their fundamental rights—particularly the lack of sufficient time to appeal deportation decisions. Document from May 2008, (CAT/CDZA/CO/3.16).

60 -For example, Article 175 bis 1 of Law No. 09-01 states: “Without prejudice to other legislative provisions in force, the offender shall be punished with imprisonment from two months to one year...”

61- The penalty is imprisonment from two to six months and a fine ranging from 20,000 to 60,000 DZD, or one of the two.

62 -Punishable by a financial fine ranging from 50,000 to 100,000 DZD.

63 -A fine ranging from 10,000 to 50,000 DZD; the penalty is doubled and an additional imprisonment of two to six months is imposed in case of repeat offense

64- The penalty is imprisonment from six months to five years and a fine ranging from 10,000 to 50,000 DZD.

65-The penalty is imprisonment from 3 to 5 years and a fine ranging from 300,000 to 500,000 DZD.

66 -Penalties range from 3 to 10 years' imprisonment and a fine of 300,000 to 1,000,000 DZD for trafficking in ordinary persons, and from 5 to 15 years' imprisonment and a fine of 500,000 to 1,500,000 DZD for trafficking involving vulnerable victims.

67- See Article 42, paragraph 3 of Law No. 08-11.

68- I.R.T.F

69 -Public Security Police and Judicial Police

70 -Commonly known as the Hamburg Convention, concluded on April 27, 1979.

71 -See Corinne (Guinola), Rethinking the Concept of Security: A Necessity for Africa, United Parliaments for Africa Center, untitled publication, 2002, pp. 3 and following.

72 -This was the result of the European project on the Common Foreign and Security Policy.

73 -See: Siham (Harouri), "Migration and the European Neighborhood Policy", Al-Fikr Journal, Algeria, Issue 5, pp. 346 and following.

74 -See the report of the European Commission, Wider Europe – Neighbourhood: A New Framework for Relations with Our Eastern and Southern Neighbours, Brussels, 11/03/2003, p. 104.

75 -See Margot (Wallström), "The European Neighborhood Policy and the Euro-Mediterranean Partnership", Parliamentary Assembly, Cairo, March 14, 2005.

76 -As for countries like Israel and Ukraine, the action plan extends for three years and does not involve civil society. Ibid.

77 -See: www.eurojar.org/ar/euomed-articles. — It should be noted that the European Neighborhood Policy agreements differ from the Barcelona Process negotiations, although the latter supports them.

78 -Over a period of several years, with financial assistance estimated at €8.9 billion.

79 -Referring to dialogue between Western Mediterranean countries from Europe and the Arab Maghreb Union, which was to expand to include Egypt and Greece (6+6).

80- As it held the rotating presidency of the initiative.

81 -This was addressed by the meeting of the Chiefs of Staff of the 5+5 Initiative, which emphasized the importance of multilateral cooperation and the proliferation of regional blocs to confront terrorism, combat crime, and address the threats of irregular migration—especially in light of the rising dangers of cybercrime and the negative impact of climate change on security.

82- Related to Islamism and terrorism.

83- Established in 1996 between Italy, Portugal, Spain, and France, it includes Euro-Force and Euro-Mar, and was renewed in 2004 under the name European Agency for the Management of Operational Cooperation at the External Borders.

84 -Established in 2004, its role is to explore possibilities for intercepting or receiving migrants.

85- See the report at: www.Europarabct.com

86 - For more informations see Factsheet, available on: https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_fr?prefLang=fr

87 -See NATO , "Combating Terrorism at Sea", NATO Briefing, Brussels: NATO Public Diplomacy Division, 2008, pp. 2–4.

88 -See El Hondigul (Rachid). "Operation Active Endeavour and Its Impact on NATO's Mediterranean Dialogue", NATO Defense College, Academic Research Branch, Rome: CSC Grafica, June 2007, pp. 18 and following.

89- Following the incident of Israeli naval patrols inspecting Algerian commercial vessels.

90 - "Joint Naval Exercises Between Algeria and NATO," available at: <http://www.afriatenews.net/content>

91 -Ibid.

92 -See Bouhlia-Hassen (Rafik), "Migration for Decent Work, Economic Growth, and Development: The Case of Algeria", *Cahiers des Migrations Internationales* No. 104, 2011, pp. 51–57.

93- Law of September 10, 2018 on Asylum and Immigration (LOI n° 2018-778 du 10 septembre 2018). Available at: https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006070158

94 -According to the opinion of the UN High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

95 -It should not be forgotten that Algeria signs readmission agreements with other countries, and it is unlikely that it would change its policy so easily—especially as it is one of the Maghreb countries that adopts a unilateral approach, as opposed to the collective approach followed by Europe, which has weakened negotiations.

96 -See Othman Al-Hassan (Mohamed Nour) and Yasser Awad (Al-Karim Al-Mubarak), "Irregular Migration and Crime", Naif Arab University for Security Sciences, Saudi Arabia, 2008, p. 98.

97 -Ibid., p. 99.

98 -Ibid.

99 -This was evident at the African Union Summit held on July 18, 2018, in Nouakchott.

100-In the year 2018.

101 -See the website: http://www.mae.gov.dz/news_article/3614.aspx

102 -See the website: <http://www.interieur.gov.dz>

103- In addition to combating terrorism and organized crime, it also addresses the fight against drug and psychotropic substance trafficking, and coordinated protection efforts, which accompanied the Algiers Declaration during the same period.

104 -Commonly referred to as the Global Compact for Safe, Orderly and Regular Migration (GCM) or the Marrakech Compact. It was adopted by 152 countries, rejected by the United States, Hungary, Israel, and the Czech Republic, with 12 countries abstaining and 24 not voting.

105 - Cf Hidalgo (Javier). The case for the international governance of immigration. *International Theory*. 2016;8(1):140-170. doi:10.1017/S1752971915000226