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Situation Assessment | 14 March 2019

# Algerian Elections Postponed: Controversy and Opportunity

Policy Analysis Unit

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Series: [Situation Assessment](#)

14 March 2019

### Policy Analysis Unit

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## Introduction

Around a month after announcing his candidacy for a fifth term and following wide-spread protests around the country, the Algerian president suddenly announced on 11 March that the upcoming presidential elections would be postponed. The president also announced that Prime Minister Ahmed Ouyahia had been dismissed and would be succeeded by the minister of the interior Nouredine Bedoui, while former Foreign Minister Ramtane Lamamra was appointed as his deputy. Bouteflika relieved the chief of the Supreme National Commission for Monitoring Elections and its members of their duties. He also called for a national dialogue symposium, likely to be run by former Foreign Minister Lakhdar Brahimi, in order to make amendments to the constitution, after which elections will be held. The opposition raised questions about the constitutionality of the President's actions, including his attempts to remain in power after his term ends in April 2019. Some have thus questioned the intentions of the regime and warned against attempts to circumvent the demands of the masses.

## Backing Down

The protests, which began on 22 February 2019 and culminated on 8 March 2019, prompted the regime to withdraw its threats to the protesters and backtrack on Bouteflika's decision. On the morning of 8 March, the major cities of Algeria, Oran, Annaba, Constantine and Sétif, arose in protest after Friday prayers in conjunction with the capital, where the protests started early.

Parallel to the protests, social media activists called for a general strike on Sunday, March 10, 2019, but received a lukewarm response. The official media reported the strike,<sup>(1)</sup> and acknowledged that it covered parts of the capital, Algeria, the municipalities of Chlef, Tipaza, Medea, Boumerdes, Bouira, Bejaia and Tizi Ouzou. The "traders' strike" applied additional pressure on the regime, fueled by student protests who were not deterred by a government decision to disrupt universities and bring the spring holiday forward. Further increasing pressure on the regime, about 1000 judges announced their refusal to supervise the presidential elections in the country if President Abdelaziz Bouteflika was a candidate. The Algerian judges joining the protests was a major blow to the legitimacy of the electoral process and a huge setback for the Government. The judges also announced their intention to form a new union that would include them outside the framework of official authority. Media outlets reported resignations from deputies of the National Liberation Front (FLN), a party within the ruling presidential alliance and members of its central committee, in solidarity with protesters and in support of change.

These pressures have prompted the regime to reconsider its approach to the entire political scene in the country. Its tone began to change with statements attributed to Army Chief of Staff Ahmed Gaid

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1 "Presidential Elections: Traders' Strike and Peaceful Marches in the Capital and Several States", Algerian Press Agency, 10/3/2019, last accessed 13/3/2019 at: <https://bit.ly/2UuOuOd>.



Salah, who spoke about the unity of vision between the people and the army and the consensus of views with the protesting masses. Using its official media (the Army Magazine) the army launched the slogan “Strengthening the Army – Nation Relation,” and included the title of the magazine editorial, which quoted Gaid Salah’s statement that “The youth of today are no less patriotic than the youth of yesterday.”<sup>(2)</sup> He said that “The Algerian army and the people have a unified vision for the future,” and that “relations between the army and the people are strong.”<sup>(3)</sup> This speech contrasted the first speech addressed by Gaid Salah to the protesters, on 24 February 2019, in which he claimed that the masses of demonstrators were deceitful people. He reminded them of the Algerian Civil War (the phase of chaos and violence that followed the negation of the December 1991 election results which continued until 2002).

Less than twenty-four hours after the army leadership issued this statement, the office of the Presidency issued a statement about the return of the President from his treatment in Switzerland. Bouteflika chaired a meeting at the presidential palace that included pillars of the regime and sent a message to the public included the following decisions:<sup>(4)</sup>

- To withdraw his candidacy for a fifth term, confirming that he did not intend to run — instead the new phase would be to build a new republic.
- To postpone the presidential elections.
- Government amendments, including the dismissal of the prime minister.
- To launch an independent “national symposium”, with all the necessary authorities to study, prepare and adopt a range of reforms, with a commitment to justice in representing all corners of Algerian society. Its work shall be conducted freely by an independent body, headed by an appropriate and experienced national figure. This symposium will have achieved its aims by the end of 2019.
- The draft constitution prepared by the national symposium will be subject to referendum. The date of presidential elections will be set by the symposium.
- Presidential elections, following the national independent symposium, will be organized under the exclusive supervision of an independent national electoral commission.
- To form a government of national competencies, supported by components of the national symposium. The government will supervise the tasks of public administration and security interests and provide assistance to the Independent National Electoral Commission. The Constitutional Council will carry out its functions regarding elections in accordance with the Constitution and law.

<sup>2</sup> “Army Editorial”, Army Magazine, vol. 668 (March 2019), last accessed 13/3/2019 at: <https://bit.ly/2T2pHiZ>.

<sup>3</sup> “Chief of Staff of the Algerian Army Says Relations between the Army and the Public are Strong,” Reuters, 10/3/2019, last accessed 13/3/2019 at: <https://bit.ly/2JaudMN>.

<sup>4</sup> “President Bouteflika Sends a Message to the Nation Announcing the Postponement of Presidential Elections,” Algerian Press Agency, 11/3/2019, last accessed 13/3/2019 at: <https://bit.ly/2u1qkPQ>.



## Transfer of Power or Buying Time?

Bouteflika's message raised political and legal debates on the constitutional basis for his stay in power after the end of his term in April 2019. It also raised questions about the timeline for the reforms and the date of the upcoming presidential elections, while some questioned the intentions of the regime and the measures taken to circumvent the demands of the protesters and try to cling to power by extending the fourth term instead of obtaining a fifth term.

Skeptics believe that the fact that the president remains in power after his term has expired under the pretext of sponsoring the transitional period is unconstitutional and that articles 105, 107 and 110 of the Constitution are not sufficient to legitimize the actions taken by the president and that these articles do not apply to the current conditions. Article 105 of the constitution stipulates that "The President of the Republic shall, if necessary, declare a state of emergency or embargo for a specified period ... and shall take all necessary measures to stabilize the situation". Article 107 states that: "The President of the Republic shall decide on this exceptional situation if the country is facing an imminent danger affecting its constitutional institutions, independence or territorial integrity. Such action shall be taken only after consultation with the President of the National Assembly, the President of the National People's Assembly, the President of the Constitutional Council, the hearing of the Supreme Council of Security and the Cabinet. The exceptional situation entitles the President of the Republic to take the exceptional measures required to preserve the independence of the nation and constitutional institutions in the Republic ". Article 110 provides that "the Constitution shall be suspended for the duration of the state of war and the President of the Republic shall assume all powers and should the President's term expire, it shall be extended until the end of the war. If the President of the Republic resigns, passes away, or is otherwise unable to fulfill his duties, The President of the National Council shall rule the state with all the powers required by the state of war, under the same conditions as the President of the Republic."

The President's actions indicate another problem: lack of confidence in the ability of the government and the personalities assigned to oversee the transitional phase fairly and efficiently. All the figures appointed by the president are members of the regime, including the new prime minister, Nouredine Bedoui, who was the interior minister, his deputy Ramtane Lamamra, who was foreign minister, and the unpopular Lakhdar Brahimi, who believes that the president will entrust him with the task of arranging the transition and is also a former minister of foreign affairs. New arrangements did not include any of the leaders of the opposition. The protesters argued that President Bouteflika is simply maneuvering to prolong the shelf-life of the regime and prepare for Bouteflika to be replaced by another member of the regime. Consequently, protests continued in some areas with demands for radical changes and guarantees that the aspirations of the masses would not be evaded.



## Conclusion

The regime's backtracking from its plan for a fifth term is a major achievement for the Algerian protest movement. The president's plan, regardless of the legal and constitutional debate surrounding it and the position of the opposition, are a starting point for the desired change, which must be reinforced by a declaration of transition to democracy and by building confidence between the masses and the regime. It is important at this stage to represent the popular movement in the national dialogue, and to include the party opposition. The opposition lacks popular confidence and needs to put forward a clear democratic program to seize this opportunity to enhance popular gains and participate in shaping the future of the country. However, the deep-seated powers of the state and the networks of vested interests of the regime will not easily surrender, but will rather do their best to cling to power and reproduce the old order, which must not be tolerated. It should also be borne in mind that some of the former beneficiaries of the regime must not be allowed to establish a new oligarchy.

The achievement of a peaceful democratic transition will depend on the ability of the Algerian elites to achieve democratic compromises, where everyone has equal opportunity to reach the voter and the Algerians now have a real chance to do so.