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**PRESIDENTIAL DECREE NO. 92-44 DATED IN SHABAAN 5TH 1412 CORRESPONDING TO FEBRUARY 9TH
1992 DECLARING THE STATE OF EMERGENCY**

The President of the State's Supreme Council,

By reference to the Constitution, particularly articles 74-6, 86 and 116-1,

The declaration of the Constitutional Council on Rajab 9th 1412 AH corresponding to January 14th 1992,

The deliberation No. 92-01/SSC dated on January 19th entitling the President of the State's Supreme Council to sign all the organizational and individual resolutions and to chair the Cabinet of Ministers,

And by consideration of the serious and constant detriment to public order reported in many spots of the national soil,

And by consideration of the threats to the stability of institutions and the repeated and critical infringement of the people's security and civil peace,

Following the convention of the Higher Security Council,

And upon the advice of the Prime Minister and the Head of the Constitutional Council,

And the deliberation of the State's Supreme Council,

The following is resolved;

ARTICLE (1):

The state of emergency shall be declared for twelve (12) months throughout the entire national territory as of February 9th 1992.

It may be lifted ahead of the scheduled expiry of this period.

ARTICLE (2):

The state of emergency shall be intended to restore public order, better ensure the safety of people and properties and guarantee the proper functioning of the public authorities.

ARTICLE (3):

The Government shall take all the organizational measures within its scope of competency to respond to the purpose for which the state of emergency has been declared.

ARTICLE (4):

The Minister of Interior and the local groups throughout the entire national soil or part of it, and the governor, within his constituency, shall be entitled to take measures to preserve the public order or restore it through resolutions issued in accordance with the following provisions and in line with the governmental instructions.

ARTICLE (5):

The Minister of Interior and the local groups may order the placement of any adult person, whose activity has proved to have been jeopardizing the public order or security or the proper functioning of the public interests, in confined specific and safe place.

ARTICLE (6):

The state of emergency may enter effect by virtue of the authorization given to the Minister of Interior and the local groups throughout the national territory. A governor may, within his governorate and in light of the government instructions, have the power to undertake the following:

1. Determine or ban the movement of people and cares in specific areas at specific times;
2. Organize the transfer and distribution of food commodities and essential goods;
3. Establish regular residency areas for the non-residents;
4. Prevent the residence or place under house arrest every adult person whose activity has proved to have been damaging to the public order or the functioning of the public interests;
5. Employ workers to carry out their regular professional activity in case an unpermitted or illegal strike took place. This employment may involve public or private institutions to provide services of public interest; and
6. Order, exceptionally, to undertake day or night inspections.

ARTICLE (7):

The Minister of Interior and the local groups, along with the regionally competent governor shall be authorized to order, through a resolution, the temporary closure of entertainment theatres and the gathering places of any nature and ban any demonstration that is likely to involve acts of disturbance to public order and peace.

ARTICLE (8):

Upon obstruction of the legal activity of the public authorities or the impediment of such activity by evident hampering acts claimed by local councils or municipal executive entities, the government shall, when necessary, take the actions to suspend or dissolve such bodies.

In this case, the ruling authority shall appoint executive representatives at the level of the concerned regional groups provided that the latter's term is renewed through elections.

ARTICLE (9):

The Minister of Interior and the local authorities may mandate, through an authorization, the military authorities to undertake operations sought at restoring security at the local level or in specific regional constituencies.

ARTICLE (10)

The Military Courts shall be reported on the gross crimes and felonies committed against the State's security no matter what capacity was claimed by those who incited, committed or participated in such acts.

ARTICLE (11):

The precautions and restrictions stipulated herein shall be lifted once the state of emergency terminates except for the judicial prosecutions without prejudice to the provisions of article 8 herein.

ARTICLE (12):

This decree shall be published in the official gazette of the Popular Democratic Republic of Algeria.

Executed in Algiers in February 9th 1992

Mohammed Bou Dhiyaf