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# 2024 Country Reports on Human Rights Practices: Algeria

## EXECUTIVE SUMMARY

The human rights situation in Algeria deteriorated during the year due to increased repression, notably of the freedom of expression and association.

Significant human rights issues included credible reports of: disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest and detention; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests and prosecutions of journalists, and censorship; restrictions of religious freedom; trafficking in persons, including forced labor; and violence or threats against labor activists or union members.

The government took some steps to investigate, prosecute, or punish public officials who committed human rights abuses. The General Directorate of National Security conducted investigations into allegations of mistreatment and took administrative actions against officers it deemed to have committed abuses. The Ministry of Justice reported several prosecutions or convictions of civil, security, or military officials for abusive treatment. Impunity for police and security officials remained a problem.

Section 1.

## Life

### a. Extrajudicial Killings

In contrast to 2023, there were no reports during the year the government or its agents committed arbitrary, unlawful, or extrajudicial killings.

### b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

## Liberty

### a. Freedom of the Press

The constitution provided for freedom of expression, including for members of the press and other media, but the government severely restricted these rights. Human rights defenders, journalists,

activists, and others regularly faced criminal prosecution on charges observers assessed as retaliation against criticism of the government, often under the penal code's overly broad definition of terrorism. In September, UN special rapporteurs reported serious concerns related to allegations of unjustified restrictions on the freedom of opinion and expression of human rights defenders, journalists, and human rights lawyers.

The UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Clément Nyaletsossi Voule, reported during his September 2023 visit that the government continued to use repressive, unconstitutional laws to repress peaceful dissent. Voule reported that vague and broad concepts left scope for unjustified restrictions on journalists and freedom of expression and were used to suppress government criticism, creating a chilling effect within civic space. The government harassed critics, arbitrarily enforced vaguely worded laws, and informally pressured publishers, editors, advertisers, and journalists.

Although public debate and criticism of the government were widespread, individuals were limited in their ability to cross unwritten "red lines." In April, the government adopted penal code amendments criminalizing spreading "false news" that "harms national unity," but it did not define these terms or distinguish between news reports, social media, and other media. Penalties included prison terms of two to five years as well as fines. New provisions criminalized the disclosure of information deemed "confidential" without defining what could be considered "confidential" and introduced life imprisonment for treason if the information was deemed sensitive to "national security," "defense," or the "economy" when shared for "the benefit of a foreign country or one of its agents." None of these terms or subjects were defined in law. Human rights organizations assessed that the amendments permitted arbitrary interpretation to further restrict civil society and independent media outlets.

Authorities regularly arrested and detained citizens for expressing views deemed damaging to state officials and institutions, and citizens practiced self-censorship in expressing public criticism.

Mustapha Bendjama, who served as editor in chief of an Annaba-based independent newspaper, *Le Provincial*, was released from prison in April after serving a 14-month sentence. Two criminal cases were brought against him, the first for allegedly helping journalist Amira Bouraoui flee to France and founding a criminal organization. In the second case, he was convicted on charges of receiving foreign funding harmful to national interest and "disseminating classified information with the attempt to harm state institutions, espionage, and belonging to a terrorist group." On May 8, authorities prevented Bendjama from crossing the border into Tunisia as reported in *Riposte Internationale*. In December, he was detained by undercover security forces in the city of Annaba and remained in custody at year's end.

### **Physical Attacks, Imprisonment, and Pressure**

Authorities subjected journalists to harassment and intimidation. Journalists reported selective prosecutions served as a mechanism for intimidation. According to Reporters without Borders, the government intimidated activists and journalists. The government's actions included harassment of some critics, arbitrary enforcement of vaguely worded laws, and informal pressure on publishers, editors, advertisers, and journalists.

On April 14, border police briefly detained journalist Farid Alilat, an Algerian national, upon his arrival at Algiers airport. He was denied entry and returned to Paris the same day, although police produced no legal documents to justify his detention and deportation.

### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

The constitution, penal code, and recent media and publications law heavily restricted media freedoms and enabled criminal prosecutions against journalists and media groups. Organizations

wishing to initiate regular publications had to obtain authorization from the government. The law required the director of the publication to be a citizen and prohibited local periodicals from receiving direct or indirect material support from foreign sources. The Ministry of Communication's Foreign Media Directorate was responsible for issuing and renewing accreditations to foreign media outlets operating in the country, but the ministry did not accredit all foreign media, preventing many foreign outlets from operating in the country. The Ministry of Communication reported an increase from 33 to 40 accredited foreign media outlets operating in the country. Regulations required the shareholders and managers of any radio or television channel to be citizens and prohibited them from broadcasting content that offends "values anchored in Algerian society." The law frequently left such terms undefined, allowing authorities to prosecute, convict, arrest, and detain journalists for lengthy periods of time for covering sensitive topics. Journalists and media organizations regularly practiced self-censorship out of fear of being targeted, penalized, detained, or prosecuted.

On November 16, authorities detained French writer Boualem Sansal on terrorism charges related to "harming the national interest" and "undermining the integrity of national territory" under the penal code. The charges related to statements he made to a French magazine where he discussed historical border issues between Algeria and Morocco. The charge, considered an act of "terrorism" under the penal code, carried a penalty of life imprisonment.

The government used its control over most printing houses and its significant public-sector advertising budget to exert undue influence on press outlets. The National Agency for Publishing and Advertising (ANEP) controlled public advertising for print media, and most daily newspapers depended on ANEP-authorized advertising to finance their operations. Press outlets reported taking extra caution before publishing articles critical of the government or government officials due to fear of losing ANEP funding. According to Reporters without Borders, private advertising existed but frequently came from businesses with close links to the ruling political party.

Some major news outlets faced direct and indirect retaliation from the Audiovisual Regulatory Authority (ARAV) for criticism of the government. After ARAV withdrew the accreditation of *France 24* in October for "clear and repeated hostility towards our country and its institutions," several foreign news outlets reported that journalists – both foreign and local – faced increased bureaucratic hurdles and repression.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The constitution allowed for the right of workers to join and form unions. The law required that workers obtain government approval to form a union and required the Ministry of Labor to approve or disapprove a union application within 30 days. To form a union, a president had to be Algerian by birth or have held Algerian nationality for at least 10 years. Joining a union was open to all workers, regardless of nationality. Unions were permitted to recruit members at the workplace. To maintain its registration and engage in collective bargaining, unions were required to have membership equal to or exceeding 25 percent of an enterprise's workforce.

The law further imposed restrictions on international cooperation with other nongovernmental organizations (NGOs), which observers said constituted interference in trade union activity. Unions had the right to form and join federations or confederations. The law permitted unions to affiliate with international labor bodies and develop relations with foreign labor groups. For example, the General Union of Algerian Workers (UGTA), which represented most public-sector workers, was an affiliate of the International Trade Union Confederation. The law prohibited unions from associating with political parties or receiving funds from foreign sources. The courts could dissolve unions that engaged in illegal activities. The government could invalidate a union's legal status if authorities perceived its objectives to be contrary to the established institutional system, public order, good morals, law, or regulations. These terms were not clearly defined.

The law provided for collective bargaining by all unions, and the government permitted the exercise of this right. Nevertheless, the UGTA remained the only union authorized to negotiate collective bargaining agreements during the annual tripartite meeting of government representatives, business owners, and union representatives. Collective bargaining for public-sector workers was usually restricted to the tripartite meeting. Other authorized unions could bargain with business owners in limited circumstances.

The law provided for the right to conduct legal strikes, subject to conditions. There were no strikes during the year despite several calls by unions, including the National Autonomous Union for Public Administration Personnel (SNAPAP). By law, the right to strike only applied when a dispute persisted after conciliation and mediation procedures were exhausted. Striking required a majority vote by secret ballot of the whole workforce. The right to strike was protected only with respect to collective labor disputes between workers and employers within the enterprise. The government could restrict strikes if they were “liable to give rise to a serious economic crisis” or if they ran afoul of other ambiguous grounds. Furthermore, all public demonstrations, including protests and strikes, had to receive prior government authorization. The law required that a minimum level of essential public services be maintained during public-sector service strikes, and the government had broad legal authority to require public employees to work. The list of essential services went beyond International Labor Organization (ILO) standards for essential services and included banking, radio, and television. Penalties for unlawful work stoppages ranged from eight days to two months’ imprisonment.

The government did not effectively enforce laws protecting freedom of association, collective bargaining, and the right to strike for workers. Many trade unions remained unrecognized by the government. Delayed processing and administrative hurdles were the primary obstacles to establishing legal status and forming confederations and federations. The ILO reported that many unions lacked the power necessary to effectively negotiate or advocate on behalf of their members. Attempts by new unions to form federations or confederations faced similar impediments. The General Autonomous Confederation of Workers in Algeria, an independent trade union confederation, requested official recognition under new regulations but had not received a response by year’s end.

The law prohibited discrimination by employers against union members and organizers and provided mechanisms for resolving trade complaints of antiunion practices. Penalties were sometimes applied.

SNAPAP and other independent unions faced government interference throughout the year, including official obstruction of general assembly meetings. Furthermore, the government restricted union activities and the formation of independent unions in certain critical public services sectors, such as oil and gas and telecommunications. The International Trade Union Confederation reported that judicial abuse of trade union leaders had intensified. In September, a group of UN special rapporteurs sent a letter to the government detailing the case of Raouf Mellal, former president of the Autonomous National Union of Electricity and Gas Workers, who was violently arrested during a peaceful protest in 2019, allegedly abused during interrogation, and sentenced to six months in prison for acts considered treason. The UN officials requested information on how authorities guaranteed Mellal’s right to due process and a fair trial.

## **Forced or Compulsory Labor**

See the Department of State’s annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acceptable Work Conditions**

### **Wage and Hour Laws**

A tripartite social pact among business, government, and unions established a national, monthly minimum wage above the poverty income level. The standard workweek was 40 hours, including one hour for lunch per day. Half of the lunch hour was considered compensated working time. Employees who worked longer than the standard workweek were entitled by law to receive premium pay on a sliding scale from time-and-a-half to double time, depending on whether the overtime occurred on a normal workday, a weekend, or a holiday. The government mandated a modified summer working schedule for workers in southern regions due to high temperatures. Violations of wage, hour, and overtime laws were most apparent in the construction and agriculture sectors, as well as small workshops.

### **Occupational Safety and Health**

Occupational safety and health (OSH) standards were appropriate for the country's main industries, such as petroleum, mining, agriculture, health care, and food services. Responsibility for identifying unsafe situations remained with OSH experts under the Ministry of Labor and not the worker. The law provided workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. There were no known reports of workers dismissed for removing themselves from hazardous working conditions. If workers faced such conditions, they could renegotiate their contracts or, failing that, resort to the courts. While this legal mechanism existed, the high demand for employment in the country gave an advantage to employers seeking to exploit employees. Although the government was generally responsive to workers' complaints, construction and food services were sectors with increased concern for violations.

### **Wage, Hour, and OSH Enforcement**

The government sometimes enforced OSH laws. Penalties for violations were commensurate with those for crimes such as negligence. Penalties were regularly applied against violators.

The Ministry of Labor's eight regional inspection divisions lacked sufficient labor inspectors to enforce compliance effectively or consistently, in part due to the large informal sector. Inspectors had the authority and mandate to make unannounced visits and initiate sanctions.

The government's labor laws did not formally allow refugee employment or adequately cover migrant laborers; therefore, many economic migrants from sub-Saharan Africa and elsewhere who worked in the informal sector were at risk of labor exploitation due to their lack of legal status.

The International Monetary Fund reported approximately 30 percent of workers in country were employed in the informal sector. The government did not enforce labor laws in the informal economy but required employers to declare their employees to the Ministry of Labor and to pay social security benefits. The government allowed undeclared workers to gain credit for social security and retirement benefits for time spent in the informal economy if they repay any taxes owed after registering, which the ILO saw as an encouraging step in informal-sector worker engagement.

## **c. Disappearance and Abduction**

### **Disappearance**

There were several reports of disappearances by or on behalf of government authorities. In July, the UN Human Rights Council's Working Group on Enforced or Involuntary Disappearances reported on 24 outstanding disappearance cases in the country.

On July 9, police arrested lawyer Sofiane Ouali in Béjaïa and took him to an unknown location. His family had no news of him for several days until he appeared before the Court of Algiers to face

terrorism charges on July 18.

### **Prolonged Detention without Charges**

The law prohibited arbitrary arrest and detention and provided for the right of any persons to challenge the lawfulness of their arrest or detention in court; however, the government did not consistently observe these requirements. Detainees also had the right to appeal a court's pretrial detention order and, if released, seek compensation from the government. Nonetheless, the overuse of pretrial detention remained a problem, with more than a dozen cases of pretrial detentions lasting more than 12 months reported.

Security forces routinely detained individuals who participated in unauthorized protests or publicly criticized the government. Arrested individuals reported that authorities held them for four to eight hours before releasing them without charges. According to human rights organizations and activists, at least 250 persons were arbitrarily detained for expressing their opinion during the year. In September, UN special rapporteurs reported serious concerns related to allegations of arbitrary detention of human rights defenders, journalists, human rights lawyers, and trade unionists in Algeria. The UN officials and human rights organizations noted the government's expansive definition of terrorism allowed it to use antiterrorist laws to arrest government critics.

In nonfelony cases and in cases of individuals held on felony charges that exceeded any authorized extension, the law called for the release of suspects on provisional liberty, referred to as "judicial control," or release on their own recognizance while awaiting trial. Under provisional liberty status, authorities required suspects to report periodically to their district police station, stop professional activities related to the alleged offense committed, surrender all travel documents, and, in some terrorism-related cases, remain under house arrest.

On March 13, Karim Tabbou, leader of the unauthorized political party Democratic and Social Union and activist, was sentenced to a six-month suspended prison sentence and fined for insulting a public servant. On August 19, he was arbitrarily detained, brought to court without a lawyer, and had the terms of his judicial supervision widened to include a ban on travel, political activity, media interventions, and publications.

### **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3.

## **Security of the Person**

### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

Government officials used torture, despite the law prohibiting such practices. The law prescribed prison sentences of between 10 and 20 years for government agents found guilty of torture. Human

rights organizations reported police occasionally used excessive force against suspects, including protesters and whistleblowers exercising their right to free speech, that could amount to torture and degrading treatment.

On August 1, independent journalist and human rights defender Merzoug Touati was arrested without explanation or a warrant. On August 5, he appeared in court and was released under judicial supervision in connection to his Facebook posts regarding the conflict in Gaza. On September 12, several UN special rapporteurs released a letter alleging that while in detention, Touati was subjected to physical and psychological torture. According to the UN letter, this was the third time Touati was arrested and questioned during the year.

The Ministry of Justice stated there were three prosecutions and suspensions of police officers for abuse during the year. Local and international NGOs asserted that impunity in security forces was a problem.

## **b. Protection of Children**

### **Child Labor**

See the Department of Labor's (DOL) *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> .

### **Child Marriage**

The legal minimum age of marriage was 19, but judges could grant an exemption if "suitability of both parties is established." The law prohibited legal guardians from forcing children under their care to marry against their will. The Ministry of Religious Affairs required that couples present a government-issued marriage certificate before permitting religious marriage ceremonies.

## **c. Protection to Refugees**

### **Provision of First Asylum**

The law provided for asylum or refugee status, but the government did not have a formal system through which refugees could request asylum. Authorities reported they had granted refugee status to one person during the year. According to the United Nations High Commissioner for Refugees (UNHCR), the government was showing progress in recognizing UNHCR-determined refugee status for individuals. UNHCR reported most of its registered refugees came from Syria and sub-Saharan African countries. There was no evidence of any pattern of discrimination toward asylum applicants, but the lack of a formal asylum system made it difficult to assess.

### **Resettlement**

The government did not accept refugees from foreign countries for resettlement. Sahrawi refugees had not sought local integration or naturalization during their nearly 50-year stay in the refugee camps near Tindouf, while the POLISARIO continued to call for a referendum on independence for Western Sahara. The International Organization for Migration (IOM) led an assisted voluntary return and reintegration program to help refugees return to their homes willingly with economic and social support, including personalized professional training and other socioeconomic assistance. Although the government was not a financial donor to the initiative, it did cooperate and sought an expansion of the program. IOM reported 8,000 individuals had been resettled through the program

during the year as of November and that there was increased coordination between the government and IOM.

#### **d. Acts of Antisemitism and Antisemitic Incitement**

The country's Jewish population numbered fewer than 200 persons. Religious and civil society leaders reported the Jewish community faced unofficial religious discrimination-based obstacles to government employment and administrative difficulties when working with the government. The Ministry of Culture cancelled an event at a bookstore in Algiers in October for a work titled *Jewish Algeria*.

#### **e. Instances of Transnational Repression**

The government engaged in acts of transnational repression.

#### **Extraterritorial Killing, Kidnapping, or Violence or Threats of Violence**

In September, Amazigh activist Slimane Bouhafis was released from prison after a three-year prison sentence for terrorism-related offenses. Bouhafis was allegedly abducted in 2021 by Algerian security forces in Tunisia. Human Rights Watch and other civil society organizations highlighted his case as an instance of transnational repression. A report published by the Cairo Institute for Human Rights Studies in November documented 21 cases of authorities harassing or repressing individuals across borders between 2020 and 2024.