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Algeria: Increasing attacks on press freedom

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ARTICLE 19 expresses concern about [the continuing attacks on journalists and the media in Algeria](#) by various executive, legislative and judicial authorities. Violations have been perpetrated against several journalists since the beginning of the year.

There has been also a number of arbitrary decisions taken by the Audiovisual Regulatory Authority (ARAV) that have imposed a definitive or temporary closure of six Algerian press institutions and foreign media offices. This includes four Algerian media outlets, [Al hayat](#), [Al Bilad](#), [El Djazairia One](#) and [Lina TV](#), and two foreign media offices, [France 24](#) and [Al Arabiya](#). These decisions violate both Algeria's international human rights obligations and the new [Constitution](#) adopted in November 2020.

Since the popular [Hirak movement](#), Algeria has adopted new legislative provisions, such as the law on [the prevention and fight against discrimination and hate speech](#), and has also amended its [penal code](#), broadening the definition of terrorism and tightening criminal legislation at the expense of freedom of expression, the right to peacefully demonstration and stifles public space. The new provisions have been used to counter the Hirak movement. ARTICLE 19 has [previously warned](#) that these legislative modifications, which include catch-all terms that can be used as a political weapon against publications and messages critical of those in power, and create serious risks for freedom of expression.

“Information is a vital public asset for all. A free and independent journalist remains the best ally of a good democracy. Algeria must allow press freedom to prosper instead of adopting drastic restrictive measures and practices of intimidation of journalists and the media,” said Saloua Ghazouani, ARTICLE 19 MENA Director.

Prosecution of journalists in violation of international standards

On 12 August 2021, the court of Tammanrast sentenced [journalist Rabeh Karéche](#), correspondent for the daily *Liberté*, to one year in prison for the following charges: promoting false news and information to the public and undermining national unity. This sentence follows the publication of an account of a [protest movement by Tuaregs](#).

On 6 September 2021, security agents also arrested journalist [Hassan Bouras](#) for alleged membership of a terrorist and subversive organisation, advocacy of terrorism, plotting against state security in order to change the system of governance, and using technical and media means to enlist individuals against state authority.

On 12 September 2021, Security agents arrested a journalist from the newspaper *Liberté*, [Mohamed Mouloudj](#). He was charged with belonging to a terrorist organisation, promoting false news and information and undermining national unity.

ARTICLE 19 highlights that [Article 54](#) of the Algerian Constitution guarantees press freedom. Moreover, it prohibits the imposition of sanctions involving deprivation of liberty for press offences. Therefore, the imprisonment of journalists for their journalistic activity constitutes a serious violation of the Constitution.

ARTICLE 19 emphasises that any restriction on freedom of expression must meet the three-part test set out in Article 19-(3) of the [International Covenant on Civil and Political Rights](#) (ICCPR). Any restriction must have a legal basis that is clear and precise, which

prohibits broad and vague definitions as found in the new provisions of the penal code. Any restriction must pursue one of the legitimate interests listed in Article 19-3 ICCPR “(a) For respect of the rights or reputations of others; (b) protection of national security or of public order, or of public health or morals”, and must be necessary and proportionate.

Decisions of the audiovisual regulatory authority in violation of international standards

On 21 June 2021, ARAV decided to [suspend](#) all broadcasts of the channel *Al Hayat* for one week, following a television interview with a former member of parliament who questioned the integrity of Algerian [moudjahidines](#).

This decision further runs contrary to international standards on freedom of expression, as preventing individuals from expressing their views on historical issues constitutes a disproportionate restriction on freedom of expression. Freedom of expression protects the right to contribute to debates of general interest, such as important figures of the history of a country. In addition, [The Human Rights Committee](#) stressed that the ICCPR does not permit “general prohibition of expressions of an erroneous opinion or an incorrect interpretation of past events”.

On 16 August 2021, ARAV decided to [permanently close the channel Lina-TV](#) because it was allegedly working out of legal frameworks agreed on, although the reasons for [this decision are not clear](#). On 23 August 2021, ARAV issued a similar decision against [El Djazairia One](#) and also suspended the channel *Al-Bilad* for a week for allegedly broadcasting images of a [terrorist crime](#).

ARTICLE 19 reminds the Algerian authorities of the requirements of [Article 54](#) of the Constitution, which provides that television and radio channels can only be stopped by judicial decision, whereas the above-mentioned decisions are of an administrative nature issued by a regulatory authority with disproportional sanctions. Therefore, the suspension or shutdown decisions are a serious violation of the Constitution.

ARTICLE 19 calls on the Algerian authorities to put an immediate end to this continuous flow of violations against journalists and the media and to reverse unconstitutional practices.

For press queries or to arrange an interview with an ARTICLE 19 expert, please
email press@article19.org