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Algeria: Arbitrary Travel Bans Against Critics

Authorities Targeting Activists, Journalists, Academics
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(Beirut) – Algerian authorities have increasingly used arbitrary travel bans to retaliate against perceived critics, Human Rights Watch and MENA Rights Group said today. The authorities should lift the arbitrary bans and stop using them as a tool to repress dissent.

Algerian authorities have used travel bans to arbitrarily target civil society activists, opposition party leaders, journalists, union supporters, and others deemed critical of the government. The

arbitrary bans can be imposed without formal notice, are often unlimited in duration, and are almost impossible to challenge. They prevent people from leaving the country, violate their right to freedom of movement, and undermine the rights to freedom of association, assembly, and expression. In some cases, they have led to families being separated or affected the work and mental health of those targeted.

“These travel bans are part of a broader campaign of continued harassment of critics of the government, aimed at silencing dissent and eradicating civic space,” said Bassam Khawaja, deputy Middle East and North Africa director at Human Rights Watch. “Even those who have been unjustly convicted of charges and served their terms, or who have been acquitted, continue to face punitive measures that rob them of their right to freedom of movement.”

Human Rights Watch and MENA Rights Group documented 23 cases of Algerian nationals subject to travel bans, a pattern that has intensified since 2022.

In most of these cases, the bans were either imposed arbitrarily by security forces without due process, lawyers said, or were ordered by a public prosecutor. Nevertheless, even when imposed by order of a public prosecutor, they often breach Algerian legal requirements and are inconsistent with international standards on freedom of movement.



An Air Algerie plane sits on the tarmac of the Houari Boumediene airport in Algiers, Algeria, December 6, 2020.

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Article 49 of the Algerian Constitution guarantees freedom of movement and “the right to enter and leave the national territory” to every citizen. Any restriction on this right “may only be ordered for a specific period by a reasoned decision of the judicial authority.” Article 36 bis 1 of Ordinance no. 15-02 of 2015 of the code of criminal procedure states that “the public prosecutor may, for the purposes of an investigation, on the basis of a reasoned report by a judicial police officer, order a ban on leaving the country on any person against whom there is evidence of probable involvement in a felony or an offense.”

Under the law, travel bans are limited to three months and renewable only once, except in the case of terrorism or corruption offenses in which they may be renewed until the investigation is completed. The public prosecutor is also responsible for lifting travel bans. Yet, Human Rights Watch and MENA Rights Group found that in many cases the authorities imposed arbitrary travel bans without complying with the legal time limit.

In many cases, the authorities also did not provide formal notice or a legal basis for the travel restrictions, making them difficult or impossible to challenge in court. Some people only found out about a travel ban when they tried to travel abroad. Of the 23 cases documented, not a single person was informed of the legal basis for their ban. Even when formal notice was given, the legal duration limit was rarely respected, with some people prevented from traveling for years without justification. Others were prevented from traveling even when told they were not subject to a travel ban or received a court judgment overturning a ban.

Human Rights Watch interviewed five critics of the government who have been under formal travel bans for over two years. All five received a summons by police in the Béjaïa governorate between late 2022 and early 2023 and were notified of a travel ban ordered by the Béjaïa public prosecutor. Police confiscated passports in four of these cases. In the fifth case, the person had been unable to renew their passport due to their peaceful activism. After three months, four of the activists were summoned again and notified that their travel ban had been extended, but none of them had since received notice that their ban had been renewed or lifted at time of writing.

Algerian authorities should cease using arbitrary travel bans to retaliate against perceived critics and activists and lift all current bans imposed on those exercising their fundamental rights to freedom of expression, association, or peaceful assembly. They should stop imposing travel bans extralegally and outside a formal process, duly notify people banned from travelling, ensure that any bans do not extend beyond the period permitted by law, require decisionmakers to show sufficient justification and legal basis for imposing and renewing a travel ban, and provide an avenue for appeal. Travel bans should only be issued by judicial order and should not be left to the discretion of prosecutors and security forces. Legislative authorities should amend article 36 bis 1 of Ordinance 15-02 to align with international standards on freedom of movement.

Human Rights Watch and MENA Rights Group wrote to the Ministry of Justice on December 19, 2024, to request information on the use of travel bans but had not received a response at the time of writing.

Under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, both of which Algeria has ratified, everyone has the right to freedom of movement, including the right to leave any country, including their own. The United Nations Human Rights Committee, which authoritatively interprets the Covenant, has found that countries may restrict the right to freedom of movement only to protect national security, public order, public health or morals, and the rights and freedoms of others, and that restrictions must be “provided by law, must be necessary in a democratic society for the protection of these purposes and must be consistent with all other rights recognized in the Covenant.” The Committee also required authorities to provide the “reasons for the application of restrictive measures” in all cases involving restrictions on freedom of movement.

“The extensive and arbitrary use of travel bans against critics in Algeria is alarming, with the cases we have documented representing only the tip of the iceberg,” said Alexis Thiry, legal adviser at the MENA Rights Group. “This practice violates Algeria’s international obligations and has devastating effects on individuals’ rights.”

Arbitrary Travel Bans Without Formal Notice

Mustapha Bendjama

Mustapha Bendjama, a journalist and former editor-in-chief of a regional newspaper in eastern Algeria, has been arbitrarily prevented from leaving the country on several occasions since October 2022. Bendjama had been repeatedly harassed by security forces for his positions and coverage of the 2019 Hirak protest movement and tried in a number of cases related to his journalism and critical positions. He was sentenced to prison terms on at least three occasions.

On October 23, 2019, Bendjama was arrested and placed in police custody after sharing a leaked police report on social media. He was released shortly afterward, but a public prosecutor placed him under judicial supervision. Police in the city of Annaba, where he lives, summoned him in November and informed him that Annaba’s public prosecutor had placed him under a travel ban.

In January 2022, Bendjama sent a request to the public prosecutor and the head of security forces in the governorate asking them to lift the ban. In April 2022, he met with a public prosecutor, who said that the travel ban had been lifted, but refused to provide him with a written document, Bendjama told Human Rights Watch and MENA Rights Group.

Bendjama was able to travel to Tunisia in July 2022, but that October was prevented from leaving Algeria on four consecutive occasions at the land border with Tunisia. Bendjama said the border police confirmed he was not then under a formal ban, yet he was not permitted to leave the country.

Bendjama was in the process of trying to lift the ban when he was arrested and arbitrarily detained as part of a politically motivated case from February 2023 to April 2024. After his release in April 2024, he tried

to travel to Tunisia but was once again prevented from leaving the country without being notified of the reason or the legal basis.

On December 13, 2024, Bendjama was again prevented from leaving the country by land and on December 30, security forces arrested him in Annaba. After three days in police custody, an investigative judge ordered his release but placed him under judicial supervision, including a travel ban. On January 2, the judge questioned him regarding his social media posts including those denouncing the arbitrary travel ban in place since 2019.

Kaddour Chouicha

Kaddour Chouicha, a former vice president of the dissolved Algerian League for the Defense of Human Rights, was arbitrarily banned from traveling for almost two years between 2022 and 2024. He first learned of his travel ban on August 24, 2022, while at Oran airport attempting to board a flight to Geneva, Switzerland. He was traveling with his wife, Djamila Loukil, a human rights defender and journalist, when he was arbitrarily and unlawfully prevented from traveling and questioned by police, including about his associations and union activities.

Chouicha had never been informed of a travel ban and was not given any written order, reason, or time frame for the ban, which lawyers told Human Rights Watch and MENA Rights Group most likely resulted from a security services decision. Chouicha filed a complaint with Algiers Administrative Appeals Court. The Court rejected the request on the grounds that he was unable to prove he was not allowed to travel, he said. He was finally able to leave Algeria in March 2024, though he was never informed of the basis for the arbitrary travel ban or why it was lifted.

Diaspora Activists

Human Rights Watch had previously documented the cases of three Algerian-Canadian activists subject to arbitrary travel bans between January and April 2022, Lazhar Zouaimia, Hadjira Belkacem, and a third person who asked not to be named for security reasons. All three were prevented from returning to their homes in Canada and interrogated about their links to the Hirak protest movement.

In each of these cases, the authorities did not notify the activists of the legal basis for the travel restrictions or provide them with any written document, making the bans difficult or impossible to challenge in court. After being blocked for a few months in 2022, all three were able to leave the country later that year, without being given any additional information about the restrictions imposed on them.

Zouaimia learned after his return to Canada that he had been sentenced in absentia to five years in prison and a fine for “undermining the integrity and unity of national territory.”

Formal Travel Bans Inconsistent with International Standards

Merzoug Touati

Merzoug Touati, an activist and blogger who has been imprisoned several times for exercising his freedom of expression since 2017, was summoned by the police in Béjaïa in December 2022 and informed that he had been placed under a travel ban. He was given no information about the reason. In March 2023, he was summoned again and informed that the travel ban had been renewed, he told Human Rights Watch and MENA Rights Group.

Touati had not been notified that the ban has been lifted at time of writing, and he said police told him he was still under a travel ban as of June 2023. He applied to renew his passport in October 2019, but his request was arbitrarily denied in November 2023 after a four year wait, with no reason given.

In November 2024, Touati submitted a request with the Béjaïa prosecutor's office to lift his ban, but it was rejected. On August 1, 2024, Touati was again arrested in connection with his social media posts and placed under judicial supervision by an investigative judge. He reported that he had been subjected to psychological and physical torture while in police custody and filed a complaint, but the Béjaïa public prosecutor dismissed it.

Karim Djidjeli

In December 2022, police in the city of Béjaïa summoned Karim Djidjeli, an activist and union organizer involved in the Hirak protest movement since 2019, and informed him that a prosecutor there had placed him under a travel ban in November. He did not receive any written documentation about the decision and police confiscated his passport that day.

Djidjeli told Human Rights Watch and MENA Rights Group that he was summoned again in March 2023 and informed that his travel ban had been extended at the beginning of that month. In June, he wrote to the Béjaïa public prosecutor asking officials to lift the travel ban and return his passport. His request was dismissed in October, he said.

He said that because of his activism, social media posts, and union organizing, he faced criminal prosecution in 2020 and 2021, increasing harassment from security forces, and as a civil servant had been subjected to workplace reprisals.

Samir Larabi

In September 2022, the police notified Samir Larabi, a sociology researcher and former member of the suspended Socialist Workers' Party, that Annaba's public prosecutor had placed him under a travel ban. Police notified him approximately three months later that the ban had been renewed, but although the renewal period has since lapsed, he was never notified about whether it had been lifted.

The Annaba police summoned and questioned Larabi in December 2022, and a judge charged him alongside over 20 others with "fundraising without an authorization," he said. In July 2023, Larabi was

sentenced in absentia to two years in prison and a fine, but he was never notified of the trial and learned about his sentence on social media, he said.

“My whole life is in Algeria, but this ban is penalizing me as a researcher as I can't take part in conferences abroad,” Larabi told Human Rights Watch and MENA Rights Group.

Mourad Zenati

Mourad Zenati, a human rights lawyer, was prevented from traveling on August 9, 2024, while trying to cross the land border to Tunisia. He learned at the border crossing that he had been placed under a travel ban by the Oued Amizour public prosecutor on December 1, 2022. He was notified in writing by the border police but had not previously been informed of the ban, he said.

The travel ban appears to be in retaliation for Zenati's work defending several Hirak detainees. Zenati had been summoned by police and questioned by a Béjaïa public prosecutor in June 2022 regarding statements on social media under articles 79 and 100 of the penal code related to “inciting unarmed gathering,” and “undermining the integrity of national territory.” No action has been taken on this case since his hearing, he told Human Rights Watch and MENA Rights Group.

Travel Bans Not Lifted After Judicial Supervision Ended

Under article 125 bis 1 of the code of criminal procedure, judicial supervision can, in some cases, limit an individual from traveling abroad. This supervision falls under the authority of the investigative judge. Nevertheless, the arbitrary continuation of a travel ban beyond the end of judicial supervision can unduly restrict freedom of movement.

In one case, an activist was subject to a travel ban through judicial supervision, but was arbitrarily prevented from traveling after the judicial supervision was lifted. The activist was detained in 2021 and sentenced over a year later to 16 months in prison for “receiving funding in order to commit public order offenses” in connection with his activism. His travel ban should have been lifted at that time, as judicial supervision ends automatically at the end of a trial.

After serving his sentence, he attempted to travel. Yet he was twice prevented from leaving the country in 2023. On his first attempt, he was notified verbally by border police that he was under a travel ban and on his second attempt he was questioned and formally notified in writing by border police of the travel ban. In February 2024, the Supreme Court of Algeria upheld the judgment and confirmed the lifting of the travel ban. But when he asked the Ministry of Justice in May 2024 whether he could travel, officials informed him that he was still barred from traveling.

National Committee for the Liberation of Detainees

In 2021, eight activists and former members of the National Committee for the Liberation of Detainees, a group established during the Hirak protest movement to document arrests and prosecutions and to support people detained for their opinions or activism, were placed under arbitrary travel bans.

All eight had been charged with “inciting an unarmed gathering,” “insulting public officials,” “receiving funds to commit acts likely to undermine state security,” and “belonging to a terrorist organization” under article 87 bis of the penal code. In June 2021, an Algiers investigative judge placed them under judicial supervision and imposed a travel ban including seizure of their passports. On November 18, 2022, all defendants in the case were acquitted, but the activists have been unable to retrieve their passports.

On January 31, 2024, the acquittal was upheld on appeal and the defense requested the return of the activists’ passports. But the public prosecutor replied that the judgment was not yet final and noted that it had been appealed to the Supreme Court. A response from the Supreme Court could take years, restricting their ability to travel outside the country for the long term.

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