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World Report 2024



Algeria

Events of 2023

Activists demonstrate outside the Algerian embassy to France to demand the release of Algerian journalist Ihsane El Kadi, in Paris, France, Thursday, March 30, 2023.

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Algerian authorities have intensified their repression of freedoms of expression, the press, association, assembly, and movement, as part of their continued efforts to crush organized contestation.

They have dissolved major civil society organizations, suspended opposition political parties and independent media outlets, and continued to use restrictive legislation to prosecute—including on dubious charges of terrorism and receiving funding to harm state security—human rights defenders, activists, journalists, and lawyers, pushing some of them to flee into exile.

Between March and April, the authorities also adopted new legislation that tightens government control on the media and a new law on unions that could further limit workers' ability to organize freely.

Political Repression

In an example of wielding manifestly political charges to imprison critics, a Constantine court sentenced journalist Mustapha Bendjama and researcher Raouf Farrah on August 29 to [two years of imprisonment](#) for “receiving funding to commit actions undermining state security,” under article 95 bis of the penal code, and “publishing classified information on electronic networks,” under article 38 of Ordinance 09-21 on data protection. On October 26, an appeals court reduced their prison sentence to 20 months, 12 of them suspended. Both of them, along with several others, were [detained in February](#), apparently in retribution for the irregular departure from Algeria of activist Amira Bouraoui, whom authorities have forbidden from leaving the country since August 2021. Farrah was released in October.

On November 7, a Constantine court sentenced Bendjama to six months of imprisonment in a second case for allegedly assisting Bouraoui to leave Algeria. Bendjama, who is the editor-in-chief of regional newspaper *Le Provincial*, had previously faced police and [judicial harassment](#) for his work and involvement in the Hirak protest movement. After receiving an initial sentence of one year in prison, he was sentenced on appeal on July 16 to a fine for defamation and “undermining the public interest” in connection with an article denouncing the enforcement of Covid-related restrictions.

On July 4, Algiers’ Court of Appeal confirmed the sentencing of [Slimane Bouhafs](#) to three years in prison and a fine for “insulting Islam” and terrorism-related charges. In August 2021, Bouhafs—a Christian convert, an Amazigh (Berber) activist, and a refugee recognized by the United Nations refugee agency (UNHCR) living in Tunisia—was abducted from his home and forcibly returned to Algeria, where he reappeared in detention.

On March 2, an Algiers court sentenced [Zaki Hannache](#), a human rights defender and refugee living in Tunisia since 2022, to three years in prison in absentia in relation to his peaceful activism. Hannache has been closely monitoring the arrests and trials of peaceful activists and protesters since the Hirak protest movement began in 2019.

The authorities have also increasingly imposed arbitrary travel bans on activists and perceived critics because of their associative activities or opinions, sometimes without any legal basis or time limitation. At least a dozen activists, including Bendjama and Bouraoui, have been under travel bans.

Freedoms of Assembly and Association

On March 7, Parliament adopted a [new law on unions](#) that forbids union members from participating in political activities and unions from having any ties with political parties. The law also conditions the right to strike on “not harming the principles of the continuity of public service, the protection of people’s and property’s security,” vague concepts that authorities could interpret to arbitrarily restrict strikes.

On February 23, the State Council, Algeria’s highest administrative jurisdiction, confirmed the October 2021 decision by the Algiers Administrative Court [to dissolve the Rassemblement Action Jeunesse](#) (RAJ), on the grounds that the 30-year-old association, which had supported the Hirak protest movement, had violated the law on associations. As of September, three RAJ members, including its president, Abdelouahab Fersaoui, were still facing prosecution for their activism.

On June 29, 2022, the Algiers Administrative Court [dissolved the Algerian League for the Defense of Human](#) (LADDH), Algeria’s oldest independent human rights group, for holding “suspicious activities” that did not conform to its by-laws, such as collaborating with international NGOs, taking interest in migration issues, or denouncing government repression of protests. The LADDH said it was not until January 2023 that it learned of the case and dissolution order against it. As of September, six of its members were being prosecuted, including three on dubious terrorism-related charges: Kaddour Chouicha, Said Boudour, and Djamila Loukil.

In February, the State Council also indefinitely suspended the activities of the Democratic and Social Movement (MDS), a left-wing opposition party, and closed its headquarters in Algiers, allegedly for non-compliance with Law 12-04 on political parties.

The Algerian [legal framework](#) related to associations breaches the right to freedom of association. It gives authorities broad discretion to withhold legal recognition from nongovernmental associations and requires groups to obtain a registration receipt before they can legally operate. Law 12-06 also forbids associations from receiving any foreign funding or cooperating with or seeking membership in foreign organizations without the government's agreement, and it empowers the government to suspend associations that interfere with "internal affairs of the state" or violate "national sovereignty."

Authorities also use Law 12-04 on political parties to muzzle the opposition. The legislation requires prior authorization to create a party, provides for intrusive government oversight, and enables authorities to suspend parties prior to any judicial order.

Freedom of Media

On June 18, Algiers' court of appeal [increased](#) the sentence imposed on journalist Ihsane El Kadi from five to seven years in jail for "receiving funding to commit actions prejudicial to state security." El Kadi was arrested on December 24, 2022, after publishing an [article](#) on the army's reluctance to see President Abdelmadjid Tebboune serve a second term. An Algiers court that initially sentenced him on April 2 also ordered the dissolution of his media company, which encompasses the two outlets [Radio M](#) and [Maghreb Emergent](#).

On April 13, Algeria adopted a repressive new law on [information](#) that forbids foreign funding and bans dual citizens from owning media outlets or shares in media businesses. The law also heavily relies on vaguely worded terms to regulate media activity, such as respect for "national sovereignty and unity," and other provisions that could undermine journalists' access to information and their right to inform.

Migrants' Rights

In 2023, Algerian authorities continued arbitrarily and [collectively expelling](#) to Niger migrants of multiple nationalities, including children, often without individual screenings or due process. Between January and August 2023, Algeria expelled more than 20,000 migrants to its border with Niger, according to Niger-based NGO [Alarme Phone Sahara](#).

Migrants continued to report cases of violence, theft of their belongings, arbitrary detention, poor treatment in detention, and other mistreatment by Algerian authorities during arrests, detention, and expulsions to land borders.

While Algeria deported [about 27,000 migrants](#) to its southern border between 2015 and 2018, Algerian authorities expelled more than 36,000 migrants in 2022 alone, according to [Doctors Without Borders](#) (MSF), and 27,208 in 2021.

Women's Rights

[Algeria's Family Code](#) contains discriminatory provisions against women and restricts women's rights. The code allows men to divorce their spouses unilaterally without explanation but requires women to apply to courts for a divorce on specified grounds. It also makes fathers, not mothers, the [automatic guardians](#) of their "minor" children (under 19). Interior Ministry instructions require fathers or legal guardians to provide written [permission](#) for their "minor" children when applying for their passport.

Algeria's laws contain loopholes that allow convictions to be dropped, or sentences reduced, if victims pardon their abusers. Article 326 of the penal code, [a colonial-era relic](#), allows a person who abducts a minor to escape prosecution if he marries his victim.

Sexual Orientation and Gender Identity

Same-sex relations remain punishable under article 338 of the [penal code](#) by up to two years in prison. Article 333 increases the penalty to up to three years in prison and a fine for public indecency if it involves “acts against nature with a member of the same sex,” whether between men or women.