

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	357
Land:	Algeriet
Kilde:	Amnesty International
Titel:	The State of the World's Human Rights – Algeria
Udgivet:	24. april 2024
Optaget på baggrundsmaterialet:	30. april 2024

The State of the World's Human Rights; Algeria 2023

Background

In February, Algeria recalled its ambassador in France after Algerian activist Amira Bouraoui fled to France. Authorities then prosecuted six individuals, including Amira Bouraoui and her mother, on fabricated charges, including “migrant smuggling” and forming an “association of wrongdoers”.

In March, the UPR concluded its review of Algeria. The country accepted recommendations to amend its repressive law on public meetings and demonstrations, and the provision that excuses rapists who marry their victims. It rejected the recommendation to amend overly broad provisions in the Penal Code that criminalize those who peacefully exercise their rights to freedom of expression and peaceful assembly.¹

In September, the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association visited Algeria to assess the situation in the country, as did the UN Special Rapporteur on the Situation of Human Rights Defenders in December.

Freedom of expression

Authorities investigated, prosecuted and convicted journalists, at least one activist and a geopolitics researcher in relation to critical views they had expressed, mainly online. In April, authorities shut down at least two online newspaper and radio outlets.²

On 2 April, an Algiers court ordered the dissolution of media company Interface Media and its two news outlets Radio M and Maghreb Emergent, headed by journalist Ihsane El Kadi, and the payment of a DZD 10 million fine (around USD 73,862) to the Audiovisual Regulatory Authority. In June, an appeals court sentenced Ihsane El Kadi to seven years in prison, with two years suspended, for his journalistic work, including in relation to his reports for the French newspaper La Croix.

On 4 July, a court in Algiers sentenced Amazigh activist Slimane Bouhafs to three years’ imprisonment and a fine on a bogus charge of “harming the integrity of the national territory” through his online publications.³

On 13 August, media reported that the *Barbie* movie was banned from Algerian cinemas for “harming morals”.

In August, authorities promulgated Law 23-14 on information, which imposes undue licensing and ownership regulations, such as requiring media organizations to be exclusively owned by Algerian nationals. It includes vague and broad provisions that ban journalists from, among other things, publishing “false information” or information that might “advocate colonialism, undermine national memory and the symbols of the war of national liberation”, and provides for a heavy fine and confiscation of property for any media receiving foreign funds not designated for subscriptions or advertising.

On 26 October, an appeals court in the eastern city of Constantine sentenced journalist Mustapha Bendjama to 20 months’ imprisonment, with 12 months’ suspended, for receiving foreign funds that “might harm state security” and “publishing classified information or documents on an electronic network” in relation to his journalistic work. The court also gave researcher Raouf Farrah the same

sentence on the same charges for collecting money for people in detention and for his work as a researcher.

Freedom of association

Authorities escalated their crackdown on independent groups, ordering the closure of two human rights groups and suspending at least one political party.

On 23 January, in Bejaia in eastern Algeria, authorities sealed the LADDH's Centre for Documenting Human Rights, citing a 2022 judgment dissolving the LADDH. LADDH leaders had only that month learned of the June 2022 dissolution order that followed a complaint filed by the interior ministry.

On 30 January, in Tizi Ouzou in eastern Algeria, authorities sealed and closed down the House of Human and Citizens' Rights, an LADDH affiliate since 1990 that ran a library and documentation centre.⁴

In February, Abderrahmane Zitout, whose brother Larbi belongs to Rachad, a political group the authorities had arbitrarily labelled as "terrorist" in February 2022, went on hunger strike for the third time to protest against his prolonged pretrial detention related to his brother's activism.⁵

On 23 February, the State Council, Algeria's highest administrative body, suspended the political party Democracy and Social Movement and ordered the closure of its headquarters.

In September, authorities arbitrarily prevented for the second consecutive year the political party Rally for Culture and Democracy from organizing its summer camp, planned for 28 September to 1 October in Batna .

Freedom of peaceful assembly

Authorities continued to unduly restrict the right to freedom of peaceful assembly, including by arresting people ahead of planned protests.

On 20 August, according to the National Committee for the Liberation of Detainees, at least 40 activists were arrested, including Soheib Debbaghi, Mohamed Tadjadit and lawyer Sofiane Ouali, to prevent a peaceful gathering in Ifri in eastern Algeria to commemorate the 1956 Soummam Congress, a historic event in the country's fight for independence. They were released later that day.

On 8 September, a judge in a tribunal in Amizour commune, northern Algeria, placed political activist Khaled Tazaghart under judicial control, confiscated his passport and banned him from travelling, on fabricated charges of "spreading false information" after he published on Facebook calls to gather peacefully in memory of victims of the wildfires in Algeria.

Torture and other ill-treatment

Judicial authorities continued to ignore testimonies of torture given in court.

In July, a court in Algiers sentenced former military officer and whistle-blower Mohamed Benhlima to seven years' imprisonment and a fine. Mohamed Benhlima had sought asylum in Spain in 2019, before he was extradited to Algeria in 2021. During a court hearing on 12 July, he told the judge that law enforcement officers had tortured him by stripping him naked, tying his legs and hands, and pouring cold water on him. He said he had also been sexually harassed, beaten and threatened. The judge did not order an investigation into these allegations.

Freedom of religion and belief

Authorities continued to use Decree Law 06-3, which restricts religions other than Sunni Islam. They closed at least two churches, bringing to 31 the number closed since 2018.

Refugees' and migrants' rights

Authorities did not amend Law No. 08-11 of 25 June 2008 to explicitly prohibit collective expulsions, nor did they adopt legislation implementing the UN Refugee Convention and its Optional Protocol.

According to the Directorate of Surveillance of the Territory, an official police body in Niger, Algeria summarily expelled at least 18,302 migrants – mostly from West Africa – to Niger between January and December.

Women's rights

The Penal Code and Family Code continued to unlawfully discriminate against women in matters of inheritance, marriage, divorce, child custody and guardianship.

In May, the authorities promulgated Law 23-04 against human trafficking, which mentions “prostitution”, sexual exploitation and forced marriage. This made the crimes punishable by up to 30 years in prison and fines, and by life imprisonment if the victim was subjected to torture or sexual violence.

The activist group Féminicides Algérie recorded at least 36 femicides. Women's rights groups continued to ask for femicide to be recognized as a crime.

LGBTI people's rights

The Penal Code continued to criminalize consensual adult same-sex sexual relations, punishable by up to two years in prison and a fine.

In January, the trade ministry announced a campaign against all products that contained “colours and symbols contrary to the morals”, referring to the rainbow colours of the LGBTI movement.

On 10 August, the Audiovisual Regulatory Authority suspended Essalam TV, a private Algerian TV channel, from broadcasting for 20 days for showing a movie that portrayed a wedding between two men, which was deemed “contrary to the precepts of Islam and the values of the Algerian society”.

Workers' rights

In May, authorities promulgated Law 23-02, which restricts the right to form trade unions, allowing authorities to refuse applications using vaguely worded provisions relating to “national unity” and “national values and constants”. It also allows authorities to dissolve a trade union on multiple grounds, including persisting in “illicit” strikes, and to fine any trade union that joins an international, continental or regional trade union without informing the authorities. Additionally, it provides for punishments of up to a year in prison and a fine for anyone who receives foreign donations and legacies without prior approval from the authorities.

Right to a healthy environment

In April, Algeria experienced an extreme heatwave that the World Weather Attribution found was “almost impossible without climate change”. In July, at least 140 wildfires spread across 17 regions, killing at least 34 people and displacing 1,500.⁶

Death penalty

Courts continued to hand down death sentences. The last execution was in 1993.
