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Algeria: Release independent journalist Ihsane El-Kadi immediately



ARTICLE 19 calls on the Algerian authorities to immediately release journalist Ihsane El-Kadi and drop all charges against him. We also call on them to reverse the decision to seal off the headquarters of the independent internet radio station Radio M and the website Maghreb Emergent, part of Interface Medias, all under the directorship of El-Kadi. Recent moves to silence these vital media outlets seriously undermines the independence of Algeria's media environment and is a flagrant assault on press freedom.

Algerian security forces raided and searched the home of Ihsane El-Kadi at midnight on Friday 22 December 2022. On Saturday 25 December 2022, security forces in civilian clothes searched the headquarters of Interface Medias, Radio M and Maghreb Emergent, and seized electronic materials and administrative documents. All of this was done in the presence of El-Kadi, who was handcuffed.

'A new Algeria cannot be established without the guarantee of freedom of expression and of the press, and without the protection of Algerian journalists and respect for the independence of their work. The authorities must stop criminalising articles in the media that criticise their country's politics or cover events such as rallies, protests and elections, especially as Algeria prepares to hold a presidential election in December 2024', said Saloua El-Ghazouani, Director of ARTICLE 19's North Africa and Middle East regional office.

On 29 December 2022, the investigating judge at the Sidi M'hamed court ordered the provisional detention of Ihsane El-Kadi under Articles 95 and 95 bis of the Algerian Criminal Code concerning the receipt of funds from abroad. Article 95 bis provides for a prison sentence of between five and seven years for anyone who 'receives funds, a gift or an advantage, by any means, from a state, an institution or any other public or private body or from any legal or naturalised person, inside or outside the country, to carry out or incite to carry out acts likely to undermine state security'. ARTICLE 19 and the MENA Rights Group pointed out in previously-published [analysis](#) that the broad nature of the language used in Article 95 bis gives authorities excessive discretion to

prosecute activists and human rights defenders receiving foreign funding if it is deemed, for example, that their peaceful advocacy activities constitute an attack on the normal functioning of institutions or national unity.

According to an [article published](#) by Radio M and Maghreb Emergent on the morning of Sunday, 25 December 2022, their recent coverage of President Tebboune's second term and organisations affiliated with the popular movement opposing him would be considered to be the reason for El-Kadi's arrest. The article also stated that the arrest is part of an intense campaign of intimidation and harassment targeting these two media outlets and their president for the past two years.

On 23 March 2021, the Algerian Ministry of Communication charged Ihsan El-Kadi in connection with the publication of an article in which he advocated for the the Islamo-conservative Rachad group to join Hirak, the protest movement that formed in February 2019 to voice opposition against President Abdelaziz Bouteflika serving a fifth term. The Rachad movement has been classified by the Algerian state as a terrorist organisation.¹ Franceinfo, 'L'Algérie classe comme "organisations terroristes" deux mouvements anti-régime basés à l'étranger', Lien : https://www.francetvinfo.fr/monde/afrique/politique-africaine/l-algerie-classe-comme-organisations-terroristes-deux-mouvements-bases-a-l-etranger_4629643.html

El-Kadi was prosecuted for 'disseminating false information likely to undermine national unity' and 'disrupting elections' according to the provisions of Article 146 of the Penal Code, and for 'reopening the history of the national tragedy' of the 1990s: a reference to the decade of internal warfare that successive governments justified under Article 46 of the Charter for Peace and National Reconciliation. During El-Kadi's trial, held on 17 May 2021 at the Sidi M'hamed court in Algiers, the public prosecutor requested a sentence of three years in prison, a fine of 100,000 dinars and a ban on all public activities for a period of five years.² Maghreb Emergent, 'El-Kadi Ihsane condamné à six mois de prison ferme', Lien : <https://maghrebemergent.net/ihane-el-kadi-condamne-a-six-mois-de-prison-ferme/>

On 7 June 2021, the Sidi M'hamed court sentenced Ihsan El-Kadi to six months in prison, a fine of 50,000 dinars and damages.

ARTICLE 19 condemns the closure of Radio M and Maghreb Emergent, and the systematic attack on independent journalism in Algeria. We also condemn the arrest and imprisonment of journalist and editor Ihsan El-Kadi, and call on the Algerian authorities to release him immediately, to stop harassing Algerian journalists, to respect the freedom and independence of their work, and not to subject them to provisions of the penal code. They should instead be tried under laws specifically designed to deal with the media.