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World Report 2023



Algeria

Events of 2022

Algerian lawyer Abdellah Haboul, party leader Zoubida Assoul, Democratic and Social party member Khadija Belkhodja, Algerian League for the Defence of Human Rights (LADDH) Aissa Rahmoune, and Socialist Workers' party secretary general Rochdi Mahmoud give a news conference in Algiers in support of Hirak detainees, July 7, 2021.

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Algerian authorities continued their crackdown on dissent despite a lull in anti-government protests through restrictions on freedoms of expression, association, assembly, and movement. Activists, human rights defenders, journalists, and lawyers have been prosecuted for their peaceful activism, opinions, or in connection to their professions. Around 250 individuals were being [held in prison](#) for their participation in peaceful protest, activism, or expression as of October, of which one-third were in [pre-trial detention](#), according to national rights groups.

Authorities have increasingly used charges related to terrorism, after expanding an already overly broad definition of the crime in June 2021, to prosecute human rights defenders, activists, and other critics. They have also taken legal action to dissolve or else restrict the activities of civil society organizations and opposition political parties.

Political Rights and Freedom of Expression

On February 19, [Faleh Hammoudi](#), head of the Tlemcen office of the Algerian League for the Defense of Human Rights (LADDH), was arrested. He was sentenced to three years in prison for “offending public bodies,” “spreading fake news” that might harm public safety, and “running an

unregistered association,” according to [the National Committee for the Liberation of Detainees \(CNLD\)](#). Hammoudi was provisionally released on March 30. Upon appeal, he was sentenced on May 15 to a one-year suspended prison term.

Authorities have prosecuted at least eight [members of LADDH](#) for their activism or expression, including four—Kaddour Chouicha, Djamila Loukil, Saïd Bouddour, and Hassan Bouras —on unsubstantiated [terrorism-related charges](#).

[Zaki Hannache](#), a human rights defender known for his activism in the Hirak pro-reform movement and for his monitoring of arrests and trials of other activists, was arrested on January 18. As of November, Hannache was under investigation for unsubstantiated charges of “apology for terrorism,” “spreading false news,” “obtaining funds in order to undermine the security of the state,” and “undermining national unity.” He was granted provisional release on March 30.

On April 24, [Hakim Debbazi](#), a Hirak activist, died in custody in [unclear circumstances](#). Debbazi was arrested on February 20 and held in pretrial detention in connection to a Facebook post related to the Hirak protest movement. He was charged with “inciting an unarmed gathering,” “offending public officials” and “publishing content that might “harm the national interest.” His family filed a legal suit against the Algerian state for manslaughter after his death. Algerian authorities [said](#) Debbazi died of natural causes, citing a government autopsy report.

Two lawyers, Abdelkadir Chohra and Yacine Khelifi, have been imprisoned for denouncing Debbazi’s suspicious death in custody. Authorities arrested Chohra on May 14 and Khelifi on May 30 in connection to a [video](#) published on Facebook about the activist’s death and detention conditions in Algerian prisons. Both lawyers were charged with “spreading fake news” among others. On August 15, they were sentenced to six-month suspended prison terms and released, [according to the CNLD](#).

In an effort to crush dissenting voices, authorities also targeted activists and critics in Algeria’s [diaspora](#). Between January and April, they imposed [arbitrary travel bans](#) on at least three Algerian-Canadian activists. The dual nationals were blocked for months from leaving Algeria.

On March 24, Mohamed Benhalima, a former military officer and activist who fled to Spain in 2019 fearing reprisals for his participation in the Hirak movement, was [deported to Algeria](#). Spain twice rejected Benhalima’s asylum application despite the UN Refugee Agency’s opinion that he faced a credible risk of torture and that Algeria’s criminalization of peaceful opposition was recognized internationally.

In May, Benhalima was notified that he had been sentenced to death [in absentia](#) by a military court. Prosecuted in dozens of cases on terrorism-related charges and espionage among others, Benhalima was jailed and tried for his videos posted on social media related to alleged state corruption. On June 19, he declared in court that he had been subjected to [torture](#). On September 4, he was sentenced to a total of 12 years in prison in connection with three separate cases, [according to *El Watan*](#) newspaper. In 2021, a court sentenced Benhalima to 10 years in prison in absentia for his online publications related to the army.

Freedom of Association and Assembly

On September 1, authorities [closed](#) the headquarters of [Santé Sidi El Houari](#), a group focused on preserving the cultural and historical heritage of the city of Oran. The governor of Oran had filed a [complaint](#) against the association in May, alleging “foreign funding without the approval of the competent authorities.” On December 19, the administrative court of Oran [issued a judgment](#) in favor of the association, opposing its dissolution.

An Algiers court dissolved [Rassemblement Action Jeunesse \(RAJ\)](#), a prominent civic association, on October 13, 2021, after an Interior Ministry complaint that its activities were contrary to the

objectives of Law 12-06 related to associations and the group's bylaws. In April, RAJ activists appealed the decision to the highest administrative court in Algeria. RAJ has openly supported the Hirak movement and authorities have since prosecuted 13 of its members, imprisoning at least 10.

In April 2021, another association known for its support of the Hirak protest movement, [SOS Beb El Oued](#), was shut down by the authorities after 21 years of activity, and its president [Nacer Meghnine](#) imprisoned for [his activism](#).

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

Women and Girls' 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.

[Féminicides Algérie](#), a civil society initiative monitoring femicides, reported that by October, [34 women and girls](#) were killed in 2022 by their husbands, ex-husbands, neighbors, brothers, fathers, sons, or other family members.

Article 326 of the penal code, [a colonial-era relic](#), allows a man who abducts a minor to escape prosecution if he marries his victim.

A 2015 law amended the penal code to make assault of a spouse punishable by up to 20 years in prison and a life sentence for injuries resulting in death. However, it contains loopholes that allow convictions to be dropped or sentences reduced if victims pardon their perpetrators. The law also does not set out any measures to prevent abuse or protect survivors, such as protection orders.

There were no laws to ensure unmarried [pregnant girls](#) and adolescent mothers, who are exposed to threats of criminal punishment, can remain in school. [Corporal punishment](#) of children is prohibited in schools but not in the home and remains common.

Migrants and Refugees

During 2022, Algerian authorities continued arbitrary and collective expulsions to Niger of migrants of multiple nationalities, including children, often without individual screenings or due process. Migrants reported 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. Algerian authorities expelled at least 14,000 migrants to Niger between January and May 2022, [according to Doctors Without Borders](#).

The collective expulsions were carried out in inhumane conditions, and in violation of Algeria's obligations under international and regional refugee and human rights law. As in prior years, most expelled migrants, including some who had suffered serious mistreatment, were abandoned in the desert at the Algeria-Niger border.

Though a party to the African and UN refugee conventions, Algeria lacks a national asylum law and protection framework.

Sexual Orientation and Gender Identity

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

Restrictions on freedom of assembly, and association under [Law 12-06](#) hinder the work of lesbian, gay, bisexual, and transgender (LGBT) groups. This law [poses risks](#) to those who want to form or become active in LGBT groups, as well as to human rights organizations that otherwise might support such activities.

According to [a 2019 analysis](#) by the International Lesbian, Gay, Bisexual, Transgender, and Intersex Association, laws regulating nongovernmental organizations in Algeria make it virtually impossible for [organizations](#) working on issues of sexual orientation and gender identity to register legally.