



General Assembly

Distr.: General
8 June 2021

English only

Human Rights Council

Forty-seventh session

21 June–9 July 2021

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Promotion du Développement Economique et Social - PDES, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2021]

* Issued as received, in the language(s) of submission only.



Situation of Human Rights in Algeria: Massive and flagrant violations of fundamental freedoms

The “Hirak”, a peaceful popular protest movement, launched on February 16, 2019, in Algeria, continues every week to protest against the retention in power of the caciques of the military authority in place since 1962.

The protesters demand the establishment of a “Second Republic”, and a fundamental change to the authority with a break, in word and deed, with the practices of the previous, authority responsible of an unprecedented social, economic, and financial crisis.

On an unprecedented scale, for decades, these demonstrations, which mainly take place on Fridays and Tuesdays, are increasingly faced with inhuman and brutal police repression with the arrest of several opponents, journalists, and activists.

The local electronic media and newspapers ¹ report, weekly, that the military force is trying to block entry to the capital and the major cities, to penalize the movement and to prevent citizens from demonstrating.

However, the anti-government protesters, continue their mobilization in order to obtain the establishment of a transition and the appointment of a President and a Government of national consensus, which will not be imposed by the Army, which the latter rejects, arguing that this proposal would be “unconstitutional” and “a source of instability”.

The military authority also imposed to the Algerians citizens, at the beginning of November 2020, a new constitution through a referendum in which less than 23.7% ² of the population took part, according to official reports.

Several reports from international human rights NGO’s as well as the US State Department Report on the Human Rights Situation in Algeria describe an alarming and a very worrying situation.

Thus, according to the report of the US State Department ³, among the human rights issues that worry Algeria, there are:

- Arbitrary detention;
- The multiplication of the number of political prisoners;
- The lack of independence and impartiality of the judiciary;
- Unlawful interference with privacy;
- Serious restrictions on freedom of expression and of the press, including arrests of journalists and blocking of websites;
- Substantial interference with the freedom of peaceful assembly and association;
- Refoulement of refugees to a country where they would be threatened for their life or their freedom;
- Corruption;
- Lack of investigation and accountability for violence against women;
- Human trafficking;
- Significant restrictions on the freedom of association of workers; and
- The worst forms of child labor.

¹ <https://www.elwatan.com/a-la-une/la-117e-manifestation-du-hirak-empechee-dans-plusieurs-villes-les-autorites-sortent-la-matraque-15-05-2021>.

² https://www.lemonde.fr/afrique/article/2020/11/02/incertitudes-en-algerie-au-lendemain-d-un-referendum-constitutionnel-boude-par-la-population_6058192_3212.html.

³ <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/algeria/>.

Violence and Arbitrary Detention

Algerian authorities use loosely worded provisions in the law, such as "inciting unarmed assembly" and "insulting a government agency", to arrest and detain individuals deemed to disturb public order or criticize the government.

Amnesty International (AI) and other human rights organizations have criticized the law banning unauthorized⁴ demonstrations and demanded that its amendment only require notification rather than a request for permission.

In the same wake, the said report raised the case of "Kamel Eddine Fekhar", a political activist, who died on May 28, 2019 in Blida, specifying that the Algerian Government did not investigate his death occurred during a pre-trial detention after his arrest in March 2019, despite continued requests from NGO's and his family members to order an investigation.

In the chapter on conditions of detention, the US State Department said that there have been "significant reports of psychological and physical abuse in detention centers which have raised human rights concerns". Lawyers and human rights activists have expressed their concern over the handling of COVID-19 in prisons.

The US State Department report also confirms that human rights activists have reported that Algerian police use "excessive force against protesters, which could constitute torture or degrading treatment"⁵.

According to AI, at the end of May 2021, there were more than 300 people arbitrarily arrested, at least, since the start of the "Hirak"⁶.

AI has also documented at least three cases of detainees subjected to ill-treatment in detention. The lawyers of "Chems Eddine Brahim Lalami", an activist arrested on November 20 2020, said he had bruises on his face and his arm and could not stand up, indicating he was beaten while in detention. In solitary confinement since his arrest, he is awaiting trial and is currently on a hunger strike. "Sofiane Babaci", another peaceful political activist, was beaten during his arrest on November 26 2020 in "Boumerdes", according to one of his lawyers. "Younes Redjal", a protester arrested during a demonstration in "Oran" the same day, had bruises and was almost unconscious when he was found by members of the "Algerian League for the Defense of Human Rights" (LADDH) in a police station. "Younes Redjal" told AI that he was beaten during his arrest⁷.

Human Rights Watch (HRW), for its part, reported that the police brutally dispersed the activists. It arrested protesters, in "Algiers", "Blida", "Sétif" and "Tizi Ouzou" on August 21 2020, and in "Annaba" and "Bejaïa" on September 24, 2020⁸.

More recently, on May 14, 2021, police blocked the weekly "Hirak" march after Friday prayers in "Algiers". Police forces, in large numbers, surrounded the mosque "Errahma", the starting point of the march. Protesters and journalists, who were about to participate, were pushed around and arrested⁹.

On May 04, 2021, in Tindouf, Algerian soldiers killed two young gold miners. One of them has been identified: "Saïd Ahmad Salem Rguibi" from the tribe of "Rguibat Ahl Qassem". Two other artisanal miners were arrested, and six others are missing.

⁴ <https://www.amnesty.org/fr/latest/news/2021/05/algeria-stop-using-unlawful-force-against-protesters/>.

⁵ Idem.

⁶ <https://www.amnesty.org/fr/latest/campaigns/2019/12/algeria-hirak-protests/>.

⁷ Idem.

⁸ <https://www.hrw.org/fr/world-report/2021/country-chapters/377336>.

⁹ https://www.lemonde.fr/afrique/article/2021/05/15/en-algerie-une-marche-du-hirak-empechee-et-emaillee-d-arrestations_6080271_3212.html.

Violations of Freedom of Expression

On March 24, 2021, the Algiers Court of Appeal sentenced to one year of prison, a politician in favor of “Hirak”, “Karim Tabbou”, the National Coordinator of the “Democratic and Social Union” (UDS), an opposition party. “Tabbou” had been charged with "undermining national defense", "undermining national unity" and "undermining the morale of the army", for peaceful comments posted on social media¹⁰.

According to the report of the US State Department, the Algerian authorities have kept “Tabbou”, head of the UDS, in solitary confinement since his arrest in September 2019, until his release in July 2020.

“Khaled Drareni”, “Walid Kechida”, and “Abdelkrim Zeghileche”, are also cases of non-respect by the Algerian authorities for freedom of expression and the right of journalists to exercise their profession freely.

Many news sites were censored by the authorities in 2020, such as Radio M, Maghreb Emergent, Interlignes, L'Avant-Garde, TSA, Maghreb Emergent and Radio M. They are completely inaccessible, after being partially unlocked in early October, 2020.

Other media are subject to the same censorship, such as Tariq News and Ultra Sawt, which constitutes an attack on press freedom. Reporters Without Borders (RSF), which regularly denounces threats to press freedom in Algeria, “strongly condemned the censorship of free and independent media”.

Conditions in prisons and detention centers

According to the US State Department, there have been significant reports of psychological and physical abuse in detention centers which have raised human rights concerns. Lawyers and human rights activists have expressed concern over the handling of COVID-19 in prisons¹¹.

On July 17, 2020, “Moussa Benhamadi”, former Minister and member of the “National Liberation Front” (FLN), died in prison as a result of COVID-19. “Benhamadi” had been in pre-trial detention in “El-Harrach” prison since September 2019.

The same report claims that the Algerian authorities have "kept" some activists in pre-trial detention in prolonged solitary confinement.

Another example of the arbitrary policy against opponents, the trial of “Rachid Nekkaz”, President of the “Movement for Youth and Change” party and former presidential candidate, in the Criminal Court on July 29, 2020. The Government detained him in the isolation in “Kelea” prison after his arrest in December 2019¹².

On March 1, 2019, police in “Algiers” arrested “Ibrahim Daouadji”. On March 19, 2019, “Daouadji” was judged in a court in “Algiers”; the authorities did not inform his lawyer. According to local NGO’s, “Daouadji” was victim of kidnapping and torture by the security forces in the “Antar” detention center of “Algiers” dependent on the political police, the DGSI (formerly called “DRS”).

Migrants and asylum seekers

According to HRW, between January and October 2020, the Algerian authorities, citing “the fight against illegal migration”, summarily assembled and collectively expelled more than 17000 migrants, among whom were hundreds of women and children and some applicants. asylum duly registered as such.

¹⁰ <https://www.hrw.org/fr/world-report/2021/country-chapters/377336>.

¹¹ <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/algeria/>.

¹² <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/algeria/>.

These expulsions continued even after the borders were closed in March 2020 because of the Covid-19. Security personnel separated children from their families, confiscated their property, failed to individually verify their immigration or refugee status, and did not allow them to challenge their refoulement.

We urge the Algerian authorities to stop resorting to violence and to end arbitrary arrests and detentions of demonstrators exercising their rights to freedom of opinion, expression and peaceful assembly.

We also call on the Algerian authorities to end all forms of harassment and intimidation against journalists and human rights defenders.
