

# PRESS FREEDOM IN ALGERIA



## Summary

In 2019, Algeria experienced widespread mass demonstrations, also known as the “Hirak” movement, bringing an end to President Abdelaziz Bouteflika’s 20-year rule over the country. Hirak activists demanded a national political restructuring to rid government institutions of endemic corruption and transition the state to one that prioritizes democratic governance and respect for fundamental freedoms, including freedom of the press and expression. However, in the years following President Abdelmajid Tebboune’s win in a publicly contested election in December 2019, Algerian authorities have increased their crackdown on activists, journalists, and media outlets, thereby restricting the free flow and access to information. Since 2019, journalists and Hirak activists who organize and report on demonstrations via social media platforms have been routinely subject to varying forms of state-sanctioned harassment and targeting, including arbitrary interrogation and arrest, detention, and criminal prosecution.

Despite Algeria’s binding international and constitutional obligations protecting press freedom and prohibiting any forms of censorship without a court order, Algerian authorities routinely weaponize overly-vague legal provisions under the Law on Information (Law No. 12-05), Penal Code, and a series of executive decrees and ordinances to criminalize freedom of expression. The Law No. 12-05 is the frequently cited legal authority governing the right to information and the press in Algeria. It provides Algerian authorities with broad discretion to restrict publication of information

based on vague terms including “national security and defense,” “public order,” and “the economic interests of the State.” The Law on Associations (Law No. 12-06) and the Law on Audiovisual Activity (Law No. 14-04) subject privately owned media organizations to invasive content restrictions and opaque licensing processes. Algerian authorities weaponize vaguely defined counterterrorism and national security provisions within the Penal Code to target journalists and effectively criminalize the right to freedom of expression. Furthermore, the Tebboune government passed a number of binding executive decrees in 2020 and 2021 affecting press freedom, including the country’s first digital media law which allows the removal of digital content to prevent the spread of “disinformation” or “illegal content.” The government deems perceived dissidents and opposition voices—publishing on public corruption, covering the Hirak movement, or criticizing government policies—as a threat to “national unity” and leverages unchecked government powers to silence dissent.

Since Algeria’s last UPR in May 2017, particularly amid the Hirak movement, the detention and imprisonment of journalists on vague charges has significantly increased. Authorities have increasingly targeted foreign and local news outlets and websites reporting on the country’s political landscape since 2019, under the pretense of failing to comply with national broadcast licensing regulations and/or spreading false news; independent news websites reporting on protests in the country have also been blocked.

# Recommendations

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- Amend the Penal Code to prohibit the prosecution of journalists under laws not related to media or journalism; and release all imprisoned journalists, drop all charges against them, and stop arresting and prosecuting journalists for their work.
- Exclude journalistic work from terrorism classification and amend Ordinance No. 21-08 (which expanded the state's already-vague definition of terrorism) to allow journalists and media outlets designated as terrorists to challenge that classification before an independent judicial body.
- Establish an impartial regulatory oversight committee to review any content censored by the government.
- Ease registration restrictions to allow media organizations to receive donations and grants; and provide media organizations with proper notice and opportunity to be heard prior to suspension of their license.
- Stop revoking, and threatening to revoke, the press accreditations of foreign news outlets; and halt the expulsion of foreign journalists for their journalistic work.