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Follow-up and implementation of the Vienna Declaration and Programme of Action

Written statement* submitted by Réseau Unité pour le Développement de Mauritanie, 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.

[23 January 2023]

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



An Overview Of The Situation of Human Rights In Algeria

There many human rights violations that were reported in Algeria because the authorities are trying to weaken the social and political protests taking place in Algeria since the Election of Abdel Majid tebboune. the election results were refused by many political parties whose leaders are jailed for not accepting the results.

The living conditions in Algeria are hard in absence of basic food like milk that's beside the increase of prices. theses circumstances obliged Algeria to silence any voice who tries to reveal the truth or criticize the situation.

Basic Freedoms are threatened under these circumstances so, in this statement, we will Evoque some important concerns.

1. Human right institutions

Algeria gave strong promises to align its human rights institution to Paris principles but many worries were raised concerning the independence of its members and of transparency of the choice process.

CNDH Algeria failed to address human rights violations in Algeria like enforced disappearance, torture, migrants' issues violations against Al Hirak activists.

2. The independence of judiciary

In spite of Algeria's obligation to work on legal autonomy and attempt reforms, the Judiciary keeps on experiencing obstruction by the political and military leaders.

In complete violation and challenge of human rights standards, miliary tribunal still try civilians, the military council put Luisa Hannon a political leader was sentenced IN May 2019 BY 15 years jail for conspiring against the state.

3. Freedom of speech

The Algerian Penal Code punishes non-violent speech offenses with imprisonment.

“Offending,” “insulting” or “defaming” public officials and institutions are accusation that may lead activists who peacefully criticize with non-violent speech the state symbol or military institution to jail.

Algeria keeps denying the imprisonment of journalists for their opinion but several journalists, human rights defenders, and political activists have been

deprived of liberty for peacefully expressing their views. Like the case of the journalist Khaled Drareni was sentenced to two years in prison in September 2020 for “inciting an unarmed gathering” and “endangering national unity”, due to his covering of the Hirak.

Human rights NGOs listed about 231 persons, including Hirak protesters, journalists, politicians and civil society activists, as behind bars for expressing dissent.

4. Freedom of assembly

The article 52 of the Constitution provides that “freedom of assembly and peaceful demonstrations are guaranteed, and may be exercised by simple declaration” on the other side many restrictions are put to ban public meeting and peaceful gathering such as pre authorization, respecting public order, public decency, these vague concepts are excuses that the authorities use to ban a peaceful gathering or punish activists.

5. Torture and ill treatment

The definition of torture revered in the Correctional Code isn't in accordance with international standards, and there is no arrangement unequivocally to forbid the utilization of confession got under torture.

Many activists who were subjected to torture in the military barracks by agents of the General Directorate of Internal Security Forces, respectively. Though an enquiry was opened by the Public Prosecutor in February 2021 into the torture suffered by Nekiche, it has not yielded any results. Said Chetouane also alleged that he was subjected to sexual violence in an Algiers police station on 3 April 2021.

Reports and testimonies from Tinduf camps talks about the spread systematic torture against the Saharawi refugees who are against the Polisario front. These violations happen in hostile prison like Eddhebya and Errachid on Algerian territories which make Algeria responsible for these human rights violations which are taking place on its soil.

Recommendations:

- Release all those detained arbitrarily on charges related to the Alhirak protests.
 - Enable peaceful assemblies in practice and cease all excessive use of force against peaceful demonstrators;
 - Revoke the 2001 blanket ban on demonstrations in Algiers.
 - Immediately cease efforts to dissolve civil society groups and associations and guarantee the establishing of associations upon notification.
 - Fulfill its international obligations for protecting the Sahrawi refugees from human rights violations committed by Polisario.
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