

# Algeria 2023 Human Rights Report

## Executive Summary

The human rights situation in Algeria deteriorated during the year due to increased repression, notably of the freedoms of expression, press, assembly, and association.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment by members of the security forces; arbitrary arrest and detention; serious problems with the independence of the judiciary; political prisoners; arbitrary and unlawful interference with privacy; serious restrictions on freedom of expression and media freedom, including unjustified arrests and prosecutions of journalists, censorship, and enforcement of criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and the freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions of religious freedom; restrictions on the freedom of movement and residence within the territory and on the right to leave the country; refoulement of refugees to a country where they would face a threat to their life or freedom; serious and unreasonable restrictions on political participation; serious government restrictions on or harassment of domestic and international human rights

organizations; extensive gender-based violence, including domestic or intimate partner violence and sexual violence; trafficking in persons; the enforcement of laws criminalizing consensual same-sex sexual conduct between adults; significant restrictions on workers' freedom of association; and minimal advancement on eliminating the worst forms of child labor.

The government took steps to investigate, prosecute, or punish public officials who committed human rights abuses. The General Directorate of National Security conducted investigations into allegations of mistreatment and took administrative actions against officers it deemed to have committed abuses. The Ministry of Justice reported several prosecutions or convictions of civil, security, or military officials for abusive treatment. Impunity for police and security officials remained a problem.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were few reports during the year that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings.

On July 20, according to human rights activists, members of the investigative police (BRI) allegedly beat and used a taser on Tebessa resident Haithem Djebbari during a search of his house, leading to severe injuries. Djebbari

died in the hospital on July 23 from the injuries sustained during the altercation. Prior to his death, Djebbari posted a video on YouTube in which he claimed police tortured him. Police raided the Djebbari home based on allegations a family member was involved in drug trafficking. On July 23, the prosecutor's office in Tebessa announced an investigation into the death but had not published results as of the end of the year.

## **b. Disappearance**

There were few reports of disappearances by or on behalf of government authorities.

Human rights activists on social media reported that on September 13, plainclothes police officers detained Abdel Salam Salim Bounatiro at his family home in Bejaia. Bounatiro was known for his participation in the *hirak* (movement) that caused President Bouteflika to resign in 2019. Bounatiro's family first learned of his whereabouts on September 19, when he appeared before a judge in a court in Bejaia. The government requested a one-year prison sentence, though he was acquitted on October 4.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The law prohibited such practices, but there were credible reports that government officials employed them. The law prescribed prison sentences

of between 10 and 20 years for government agents found guilty of torture. Human rights organizations reported police occasionally used excessive force against suspects, including protesters and whistleblowers exercising their right to free speech, that could amount to torture or degrading treatment.

On July 12, a court in Dar El Beida (Algiers) sentenced former soldier turned activist and whistleblower Mohamed Benhalima to seven years in prison and a fine on charges of terrorism and undermining national security. At his trial Benhalima alleged torture, beatings, and sexual abuse by authorities during his imprisonment. There was no official investigation into the allegations as of the end of the year.

The Ministry of Justice stated there were three prosecutions of police officers for abuse during the year and one conviction. Local and international nongovernmental organizations (NGOs) asserted that impunity in security forces was a problem.

## **Prison and Detention Center Conditions**

Prison conditions were sometimes harsh and life threatening due to physical abuse and inadequate medical care.

**Abusive Physical Conditions:** The Ministry of Justice reported no prison facilities were over capacity and stated it balanced the prison population across facilities to alleviate overcrowding. Some human rights organizations

disputed this and claimed overcrowding in detention facilities resulting from overuse of pretrial detention, which was legally allowed only in exceptional cases.

Prison authorities separated vulnerable persons but provided no specific legal protections for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons in prison.

**Administration:** The Directorate General for National Security (DGSN) reported it conducted investigations into 168 allegations of mistreatment, a slight increase from the previous year, and took administrative actions against officers it deemed to have committed abuses, including suspensions. The DGSN reported it conducted 170 human rights-focused training sessions for 8,467 police officers during the year in all 58 states, a significant increase from the previous year.

**Independent Monitoring:** The government allowed the International Committee of the Red Cross (ICRC) and local human rights observers to visit prisons and detention centers. ICRC staff visited prisons under the jurisdiction of the Ministry of Justice. ICRC was also authorized to visit persons detained in police custody at facilities operated by the Ministry of Interior and at Ministry of Defense gendarme stations. ICRC maintained a dialogue with the Ministry of Justice to promote conditions of detention and treatment compatible with minimum detention standards. ICRC also engaged in exchange of expertise, trainings, and the promotion of

international humanitarian law with numerous stakeholders including Ministry of Defense, Ministry of Justice, Ministry of Foreign Affairs, and Ministry of Interior.

**Improvements:** During the year the Ministry of Justice reported several improvements to prison conditions, including adding public telephones to three new prisons, the opening of two new prisons to decrease prison overcrowding, and improving medical facilities associated with several prisons throughout the country. Authorities also instituted training programs for prison officials on national and international legal protections for detainees, as well as training for special protections for women and minors in prisons.

#### **d. Arbitrary Arrest or Detention**

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government did not consistently observe these requirements. A detainee also had the right to appeal a court's pretrial detention order and, if released, seek compensation from the government. Nonetheless, the overuse of pretrial detention remained a problem during the year. Security forces routinely detained individuals who participated in unauthorized protests or publicly criticized the government. Arrested individuals reported that authorities held them for four to eight hours before releasing them

without charges.

## **Arrest Procedures and Treatment of Detainees**

The law stated police had to obtain a summons from the prosecutor's office to require a suspect to appear in a police station and could hold a suspect for no more than 48 hours. Police could make arrests without a warrant if they witnessed the offense. Lawyers reported that authorities usually, but not always, followed procedures for warrants and summonses properly.

If authorities needed more than 48 hours to gather additional evidence, they could extend a suspect's time in police detention with the prosecutor's authorization up to 12 days for minor crimes and up to 60 days for serious offenses. The law stipulated detainees should immediately be able to contact a family member, receive a visit, or contact an attorney.

The law provided detainees the right to see an attorney for 30 minutes if authorities extended the time in detention beyond the initial 48-hour period. In these cases, authorities permitted the arrested person to contact a lawyer after one-half of the extended time had expired. Prosecutors could apply to a judge to extend the period before arrested individuals could have access to an attorney. At the end of the detention, the detainee had the right to request a medical examination by a physician of their choice within the jurisdiction of the court. Otherwise, the judicial police appointed a doctor. Authorities entered the medical certificate into the detainee's file.

In nonfelony cases and in cases of individuals held on felony charges that exceeded any authorized extension, the law called for the release of suspects on provisional liberty, referred to as “judicial control,” or release on own recognizance while awaiting trial. Under provisional liberty status, authorities required suspects to report periodically to their district police station, stop professional activities related to the alleged offense committed, surrender all travel documents, and, in some terrorism-related cases, remain under house arrest. The law provided that foreigners could be required to furnish bail as a condition of release on provisional liberty status, while citizens could be released on provisional liberty without posting bail.

**Arbitrary Arrest:** Although the law prohibited arbitrary arrest and detention, authorities used vaguely worded provisions criminalizing “inciting an unarmed gathering,” “harming national unity,” “publishing fake news,” or “insulting a government body” to arrest and detain individuals they considered to be disturbing public order or criticizing the government. Amnesty International, Human Rights Watch, and other prominent human rights organizations criticized laws prohibiting unauthorized gatherings and criminalizing actions that “harm national unity” as significant sources of arbitrary arrests intended to suppress political activism. Police arrested protesters throughout the year for violating the law against unregistered public gatherings.

According to the human rights organizations and activists, at least 250



persons were arbitrarily detained for expressing their opinion during the year.

On August 20, local media reported that police in the province of Bejaia arrested dozens of individuals attempting to gather in the locality of Ifri-Ouzellaguène to commemorate the 67th anniversary of the Soummam Congress, a pivotal event in the creation of the modern Algerian state. Those arrested included former hirak detainee Mohamed Tadjadit, two members of the Rally for Culture and Democracy political party, and two attorneys. Authorities released all the arrestees later that day but prevented them from gathering for the commemoration.

**Pretrial Detention:** Prolonged pretrial detention remained a problem. The length of pretrial detention frequently equaled or exceeded the maximum sentence for the alleged crime.

According to Ministry of Justice figures, 14.7 percent of the prison population was in pretrial detention, and the average duration of pretrial detention was four months.

The law limited the grounds for pretrial detention and required judges to assess the gravity of a crime and whether the accused was a threat to society or a flight risk before imposing pretrial detention, and limited the grounds on which it could be imposed. Judges rarely refused prosecutorial requests to impose or extend pretrial detention. Amnesty International

alleged that authorities sometimes detained individuals on security-related charges for longer than the 12-day prescribed period and that many of those arrested for peacefully protesting or exercising their right to freedom of expression were held in pretrial detention without scheduled trials or granted bail.

Defendants had the right to request compensation if a court overturned the detention. Most detainees had prompt access to a lawyer of their choice, and the government provided legal counsel to indigent detainees. Several human rights organizations reported authorities held some detainees without access to their lawyers and abused them physically and mentally.

On July 11, the court of Dar El Beida (Algiers) acquitted Berber activist Bouaziz Ait Chebib, who left prison after two years in pretrial detention. Authorities arrested Ait Chebib and placed him in pretrial detention in June 2021. Authorities had charged him with “terrorism,” “undermining national unity,” and “undermining the integrity of the national territory.”

## **e. Denial of Fair Public Trial**

The constitution provided for an independent judiciary, but judges were not always independent or impartial. Some human rights observers alleged the status of individuals on trial influenced judicial decisions. While the constitution provided for the separation of powers between the executive and judicial branches of government, the executive branch’s broad statutory

authorities limited judicial independence. The constitution granted the president authority to appoint all prosecutors and judges. These presidential appointments were not subject to legislative oversight but were reviewed by the High Judicial Council, consisting of the president, minister of justice, chief prosecutor of the Supreme Court, 10 judges, and six presidentially appointed individuals from outside the judiciary. The High Judicial Council was responsible for the appointment, transfer, promotion, and disciplining of judges.

## **Trial Procedures**

The constitution provided for the right to a fair trial, but judges did not always enforce this right. Most trials were public, except when the judge determined the proceedings to be a threat to public order or “morals,” such as cases involving sex crimes or vices. The penal code stipulated that defendants had the right to free interpretation as necessary. Defendants had the right to be present during their trial but could be tried in absentia if they did not respond to a summons ordering their appearance. Human rights organizations stated that courts denied some defendants’ requests to delay court proceedings when their lawyers were not present.

## **Political Prisoners and Detainees**

International and local observers alleged that authorities used antiterrorism laws and restrictive laws on freedom of expression and public assembly to

detain political activists and outspoken critics of the government.

NGOs categorized approximately 250 arbitrarily detained individuals as political prisoners (see section 1.d.). This was similar to prior years, although some new individuals were detained and others were released, making it difficult to verify the total number of prisoners. In addition, human rights activists reported NGOs and human rights attorneys faced increasing pressure from authorities, which affected their ability to collect information. These included journalists, activists, lawyers, opposition figures, and hirak protesters. International human rights organizations and local civil society groups repeatedly called on the government to release all political prisoners.

On May 17, an appeals court extended the prison sentence of retired army general and 2019 presidential candidate Ali Ghediri by two years. Ghediri was scheduled for release on June 13 upon completion of his four-year sentence for “participation in the demoralization of the army with the aim of harming national defense.” His conviction stemmed from an interview with local newspaper *El Watan* in 2018 in which he criticized the late Army Chief of Staff, General Gaid Salah.

## **f. Transnational Repression**

### **Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or**

**Threats of Violence:** On July 4, an appeals court in Algiers upheld the three-

year prison sentence of Slimane Bouhafs, whose case Human Rights Watch and other civil society organizations previously highlighted as an instance of transnational repression due to his alleged extrajudicial rendition from Tunisia to Algeria in 2021.

### **g. Property Seizure and Restitution**

Not applicable.

### **h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibited such actions but there were reports that the government failed to respect these prohibitions. The constitution provided for the protection of a person's "honor" and private life, including the privacy of home, communication, and correspondence. The law also allowed authorities to conduct domestic surveillance and required internet and telephone providers to cooperate with the Defense Ministry. According to human rights activists, citizens widely believed the government conducted frequent electronic surveillance of a range of citizens, including political opponents, journalists, human rights groups, and suspected terrorists. Security officials reportedly visited homes unannounced and conducted searches without a warrant. The Ministry of National Defense cybercrime unit coordinated the government's anti-cybercrime efforts and

engaged in preventive surveillance of electronic communications in the interests of national security, but it did not provide details regarding the limits of surveillance authority or corresponding protections for persons subject to surveillance.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provided for freedom of expression, including for members of the press and other media, but the government on some occasions restricted these rights. The government harassed critics, arbitrarily enforced vaguely worded laws, and informally pressured publishers, editors, advertisers, and journalists. Some media figures alleged that the government used its control over most printing houses and its significant public-sector advertising budget to exert undue influence on press outlets. On August 29, a new information law entered into force, which included provisions outlawing foreign funding and foreign ownership of domestic outlets, compelling media companies to disclose their financing, and requiring journalists to disclose their sources if instructed by a court order. The bulk of the law passed the upper house of parliament April 13, with a June 24 revision that stiffened the accreditation procedures for all foreign journalists seeking to report in the country. The new law also required

foreign media outlets to request accreditation but did not obligate the government to respond.

**Freedom of Expression:** Although public debate and criticism of the government were widespread, individuals were limited in their ability to cross unwritten “red lines.” The law criminalized spreading “false news” that “harms national unity” and did not distinguish between news reports, social media, and other media. Penalties included prison terms of two to five years as well as fines. The law also criminalized “hate speech.” The government used a law criminalizing speech relating to security force conduct during the internal conflict of the 1990s to encourage self-censorship by victims of human rights abuses. Government officials also monitored political party meetings.

Authorities arrested and detained citizens for expressing views deemed damaging to state officials and institutions, including the use of the Amazigh flag during protests, and citizens practiced self-censorship in expressing public criticism.

On March 19, an appeals court in Bejaia upheld a six-month sentence and 50,000 dinar fine (\$360) from 2022 against university professor Hakima Sbaihi for “contempt of the president and contempt of law enforcement forces” based on her posting in 2022 of a Facebook message critical of the government.

**Violence and Harassment:** Authorities subjected some journalists to harassment and intimidation. Journalists reported selective prosecutions served as a mechanism for intimidation. According to Reporters without Borders, the government intimidated activists and journalists. The government's actions included harassment of some critics, arbitrary enforcement of vaguely worded laws, and informal pressure on publishers, editors, advertisers, and journalists.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Organizations wishing to initiate regular publications had to obtain authorization from the government. The law required the director of the publication to be a citizen and prohibited local periodicals from receiving direct or indirect material support from foreign sources. The Ministry of Communication's Foreign Media Directorate was responsible for issuing and renewing accreditations to foreign media outlets operating in the country, but the ministry did not accredit all foreign media, preventing many foreign outlets from operating in the country. The Ministry of Communication reported 33 accredited foreign media outlets operating in the country. Regulations require the shareholders and managers of any radio or television channel to be citizens and prohibit them from broadcasting content that offends "values anchored in Algerian society."

The National Agency for Publishing and Advertising (ANEP) controlled public advertising for print media, and most daily newspapers depended on ANEP-



authorized advertising to finance their operations. Press outlets reported taking extra caution before publishing articles critical of the government or government officials due to fear of losing revenue from ANEP. According to the NGO Reporters without Borders, private advertising existed but frequently came from businesses with close links to the ruling political party.

Some major news outlets faced direct and indirect retaliation from the Audiovisual Regulatory Authority (ARAV) for criticism of the government. The accreditation for *France 24* remained cancelled as of year's end. Since the withdrawal of *France 24's* accreditation in 2021 for "clear and repeated hostility towards our country and its institutions," several foreign news outlets reported that journalists – both foreign and local – faced increased bureaucratic hurdles.

The law mandated that online news outlets had to inform the government of their activities but did not require them to request authorization to operate.

On February 7, a judge sentenced Farid Harbi, the editor of the Facebook page "Tout sur Boumerdès," to three years in prison and a fine of 200,000 dinars (\$1,400) for "spreading false information." A posting on the page stated that the governor of Boumerdès had filed a complaint against Harbi, adding the journalist was being prosecuted in two additional cases that also related to publications on social media.

On October 13, the Supreme Court upheld an appeal verdict which increased by two years the prison sentence of Ihsane El-Kadi, the former director of independent online media outlets *Radio M* and *Maghreb Emergent* and of parent company Interface Media, to seven years (two years suspended) on charges of "receiving funds from abroad for propaganda purposes" and "receiving funds to accomplish acts likely to undermine national security." Authorities cited a transfer of 25,000 British pounds (approximately \$30,000) made to El-Kadi by his daughter, an Algerian citizen living and studying in the United Kingdom. El-Kadi's attorneys contended that his daughter, a shareholder of Interface Media, sent the money for the payment of the employees' salaries. On April 2, the court dissolved Interface Media and leveled fines against El-Kadi and his companies totaling 11.7 million dinars (\$86,000). On February 15, President Tebboune called El-Kadi an "informant" in an interview, which El-Kadi's attorneys criticized as undermining their client's presumption of innocence and right to a fair trial.

On October 15, the public prosecutor at the Court of Algiers requested a three-year prison sentence for Moncef Ait Kaci, the former *France 24* correspondent. On March 22, the court of Bir Mourad Rais in Algiers fined Ait Kaci 100,000 dinars (\$739) for collaborating with a foreign media without accreditation. Kaci was prosecuted for "undermining national interest," "collection of foreign funding," and "collaboration without accreditation with foreign media."

**Libel/Slander Laws:** The law provided up to one year imprisonment for defaming or insulting the president, parliament, army, or state institutions.

NGOs and observers criticized the law on defamation as vaguely drafted and the definitions in the law as failing to meet internationally recognized norms. The law defined defamation as “any allegation or imputation of a fact offending the honor or consideration of a person, or of the body to which the fact is imputed.” The law did not require that the fact alleged or imputed be false or that the statement be made with malicious intent to damage another individual’s reputation. The Ministry of Justice did not provide information on the percentage of defamation claims that originated from private citizens, as opposed to government officials. The law specified that former members of the military who made statements deemed to have damaged the image of the military or “harmed the honor and respect due to state institutions” could face prosecution.

On May 23, authorities arrested hirak activist Karim Tabbou and placed him under judicial probation on charges of insulting the president and law enforcement forces and dissemination of information undermining national security, based on his participation in a political debate on democratic transition in the Maghreb alongside former Tunisian President Moncef El Marzouki. Authorities also reportedly banned Tabbou from travelling outside of the province of Algiers and the country, and from participating in political rallies and press conferences.

On October 18, the court of Dar El Beida in Algiers sentenced journalist Saad Bouakba to six months in prison with six months of probation and a 200,000 dinar fine (\$1,450), related to an editorial he published on the news website *el-Madar TV* calling residents of the city of Djelfa “political lambs” for their support of the government and establishment political parties. Police arrested Bouakba two days after the publication of his editorial. While Bouakba initially defended his article as “sarcasm” before issuing an apology, Djelfa associations filed a complaint accusing Bouakba of “hate speech,” which eventually led to his arrest. Reporters without Borders issued a statement condemning the arrest.

The law criminalized statements denigrating Islam or insulting the Prophet Mohamed or “messengers of God.”

**National Security:** Authorities cited broad provisions under the penal code, including membership in a terrorist organization, to arrest or punish critics including journalists and human rights defenders. Human rights NGOs criticized the definition of terrorism in the penal code, expanded in 2021 to include actions “undermining national unity and stability.” The law provided for up to three years’ imprisonment for publications that “may harm the national interest.”

On October 26, an appeals court in Constantine reduced the sentence of Raouf Farrah, a Canadian-Algerian researcher with the international NGO Global Initiative Against Transnational Organized Crime to eight months with

“time served” leading to his immediate release after spending 249 days in prison. A lower court sentenced Farrah and Algerian journalist Mustapha Bendjama on August 29 to two years in prison and a fine of 200,000 dinars (\$1,460) on charges of “illegally receiving foreign funding” and “publication of classified information.” Authorities brought the charges against Farrah and Bendjama for their connection with the publication of a report on migration in Algeria. Human rights NGOs widely condemned the verdict. Human rights activists said the two were prosecuted as punishment for their association with Algerian activist Amira Bouraoui. At his August 22 hearing, Bendjama alleged authorities tortured him during his detention. Bendjama faced a second case explicitly related to his involvement in Bouraoui’s flight, for which he received a six-month sentence on November 7. During an appeal hearing on December 14, the prosecutor requested an additional one-year prison sentence. Bendjama remained in prison as of the end of the year.

According to international human rights NGO FIDH, on March 2, hirak activist Zaki Hannache learned through his attorney that the court of Sidi M’hamed in Algiers had sentenced him in absentia to 3 years in prison for undermining state security, publishing information to harm the national interest, and publishing “false information.” Neither he nor his lawyers were aware of the trial’s occurrence. Hannache received UNHCR refugee status and resettled abroad.

## Internet Freedom

While internet users regularly exercised their right to free expression and association online, including through online forums, social media, and email, activists reported that some postings on social media could result in arrest and questioning. Observers widely understood that the intelligence services closely monitored the activities of political and human rights activists on social media sites such as Facebook.

The law on cybercrime established procedures for using electronic data in prosecutions and outlined the responsibilities of internet service providers to cooperate with authorities. Under the law the government could conduct electronic surveillance to prevent terrorist or subversive acts and infractions against state security, if granted written authorization from a competent judicial authority.

The Ministries of Justice, Interior, and Post, Information Technology, and Communication had oversight responsibilities for internet activities. By law internet platforms faced criminal penalties for the material and websites they hosted, especially if subject matters were “incompatible with morality or public opinion.” The law provided sentences of six months to five years in prison and fines for users who did not comply with the law, including the obligation to cooperate with law enforcement authorities against cybercrime.

The government again blocked access to social media sites, including Facebook and X (formerly Twitter), for several days during annual nationwide high school examinations, a policy originally put in place to prevent examination materials from being posted on social media.

## **b. Freedoms of Peaceful Assembly and Association**

Although the constitution provided for the freedoms of peaceful assembly and association, the government severely restricted the exercise of these rights.

### **Freedom of Peaceful Assembly**

The constitution provided for the right of peaceful assembly, but the government generally did not respect this right. A ban on unauthorized demonstrations in Algiers remained in effect, and civil society groups reported significant difficulty securing authorization for demonstrations. Authorities utilized the ban to prohibit any form of public assembly within the city limits. Nationwide, the government required citizens and organizations to obtain permits from local governors, appointed by the national government, before holding public meetings or demonstrations. The government restricted licenses to political parties, NGOs, and other groups to hold indoor rallies or delayed permission until the eve of the event, thereby impeding organizers' publicity and outreach efforts.

On October 13 and 17, authorities dispersed attempted pro-Palestinian protests that had not received prior government authorization and arrested several individuals, including the former leader of the Movement for a Society of Peace political party.

On October 9, the Workers' Party reported that authorities arrested a small group of teachers gathering in front of the education directorate of the province of Bejaia for illegal assembly. The detained teachers were subsequently released.

On January 17, the National Committee for the Liberation of Detainees (CNLD) reported authorities released Rahim Attaf, age 16, from prison, where he had been held since his arrest in December 2022. Police arrested Attaf for participating in a gathering of families and for publishing social media posts that the government claimed had "incited an unarmed assembly."

Hotels in Algiers and other major cities refused to rent meeting spaces to political parties, NGOs, and civil society groups without written authorization from the Ministry of Interior. NGOs reported instances of not receiving the written authorization in time to hold planned meetings and of the government threatening hotel and restaurant owners with penalties. Police continued to ban unauthorized protests and disperse unauthorized gatherings.



While the government briefly detained former president of the opposition party the Movement of a Society for Peace (MSP) Abderrazak Makri for attempting to organize a protest on October 13, the government permitted a protest in support of Gaza to take place in Algiers on October 19. The peaceful march along a government-approved route drew an estimated 10,000-30,000 participants. By the end of the year, the government had not permitted any other public protests.

## **Freedom of Association**

The constitution provided for the right of association, but the government restricted this right.

The law's extensive requirements and uneven enforcement served as major impediments to the development of civil society. The law granted the government wide-ranging oversight of and influence in the day-to-day activities of civil society organizations. It required national civil society organizations to apply to the Ministry of Interior for permission to operate. Once registered, organizations had to inform the government of their activities, funding sources, and personnel, including notification of personnel changes. The law imposed an additional requirement that associations obtain government approval before accepting foreign funds. If organizations failed to provide required information to the government or attempted to operate with or accept foreign funds without authorization, they were subject to fines and individual representatives of the

organizations could face up to six months' imprisonment.

According to the law, associations that applied for accreditation were entitled to receive a response within two months for national organizations, 45 days for regional associations, 40 days for provincial associations, and 30 days for communal organizations. While the Ministry of Interior oversaw the accreditation process for most associations, local assembly presidents approved applications for communal associations.

The Ministry of Interior could deny a license to or dissolve any group regarded as a threat to the government's authority or to public order, and it sometimes failed to grant prompt official recognition to NGOs, associations, religious groups, and political parties. According to the ministry, the receipts it provided to organizations upon submission of their completed application for accreditation was sufficient for them to begin operating, to open a bank account, and to rent office or event space. NGOs reported, however, that this was not always respected.

Many organizations reported they never received a receipt and that even with the receipt, it was difficult to conduct necessary administrative tasks without formal accreditation. Other organizations reported they never received any written response to their application request, even after calling the ministry and trying to register at local police stations. The ministry maintained that organizations refused accreditation or not receiving a response within the specified period could appeal to the State Council, the

administrative court responsible for cases involving the government. There was no evidence of any NGOs appealing accreditation refusals, and many NGOs did not consider it a legitimate recourse. NGOs reported that the inability to register or receive a response from the government to complete applications put them in legal jeopardy, including the threat of arrest, fines, and closure of the organization.

On February 23, the country's highest administrative court confirmed the 2021 dissolution order against the Youth Action Rally, an NGO previously engaged in civic participation activities. The UN special rapporteur for human rights defenders released a statement condemning the government's crackdown on civil society, specifically citing the closure orders against Youth Action Rally and the Algerian League for the Defense of Human Rights (LADDH) in 2021 and 2022, respectively.

On March 30, a court in Bejaia dissolved the NGO "Azday Adelsan n' Weqqas" (the Cultural Association of Aokas), at the request of the governor. Authorities accused the NGO of engaging in religious proselytizing for distributing documents (compact discs, printed materials, and leaflets) with a Christian religious theme.

The government issued licenses and subsidies to domestic associations, especially youth, medical, and neighborhood associations. According to the Ministry of Interior, there was an increase in both local and national civil society organizations. Of the 126 registration applications for national

associations, 48 were accepted and registered, 31 were rejected, and 47 remained in process by the end of the year. Some unregistered associations remained active, but rarely received government assistance, and citizens at times hesitated to associate with these organizations.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution provided for freedom of internal movement, foreign travel, emigration, and repatriation, but the government restricted the exercise of these rights.

**Foreign Travel:** The constitution provided citizens the right to enter and exit the country. The law did not permit those younger than 18 to travel abroad without a guardian's permission. Married women younger than 18 could not travel abroad without permission from their husbands. The government did not permit young men eligible for the draft who had not completed their military service to leave the country without special authorization. The government granted such authorization to students and persons with special family circumstances.

Human rights groups raised concerns over the government's use of travel bans, including extrajudicial bans, to target journalists, activists, and critics.

Government authorities imposed a travel ban on human rights activist Amira Bouraoui, who then fled the country for Tunisia on February 1. Bouraoui, a dual French-Algerian citizen who faced pending blasphemy charges, ultimately traveled to France on February 6.

On July 12, authorities prevented university professor Kamel Aissat from boarding a flight, citing a recently opened investigation into "spreading false information" by criticizing a government zinc mine project. Aissat was a well-known environmental activist and vocal critic of the proposed mining project, which the government deemed a priority.

## **e. Protection of Refugees**

The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern including on Sahrawi refugee cases.

The government protected a significant number of refugees in five refugee camps near Tindouf. UNHCR, the World Food Program, UNICEF, the Algerian Red Crescent, the Sahrawi Red Crescent, and other organizations assisted Sahrawi refugees. The government previously intervened to

provide temporary support to prevent abrupt food shortages in the camps; however, the Sahrawi refugee response relied on international donors' support.

UNHCR continued registering asylum seekers, determining refugee status, issuing documentation, and advocating for the adoption of legislation to protect persons in need of international protection. UNHCR monitored and advocated for the release of refugees from migrant detention facilities.

**Access to Asylum:** The law provided for asylum or refugee status, but the government had not established a formal system through which refugees could request asylum. There were no reports the government granted refugee status or asylum to new applicants during the year. According to UNHCR, the government did not accept UNHCR-determined refugee status for individuals. UNHCR reported most of its registered refugees came from Syria, Guinea, Mali, Cameroon, Nigeria, Benin, Niger, Burkina Faso, Cote d'Ivoire, and other countries in sub-Saharan Africa. There was no evidence of any pattern of discrimination toward asylum applicants, but the lack of a formal asylum system made this information difficult to assess.

**Refoulement:** There was a significant group of refugees, asylum seekers, and economic migrants in the country; however, the lack of a formal asylum system made it difficult to establish the status of these individuals.

Authorities deported many of these individuals in coordination with consular officials from their countries of origin, and the individuals were not

permitted to challenge their deportation. By putting these individuals at risk of physical harm and abuse, authorities engaged in refoulement. In addition, there were reports of the government deporting refugees or asylum seekers registered with UNHCR and sending them to active conflict zones, such as Niger.

**Abuse of Refugees and Asylum Seekers:** Human rights NGOs reported refugees and migrants traversing land routes to and through the country continued to risk death, kidnapping, gender-based violence, physical abuse, sex and labor trafficking, as well as other forms of violence. Human rights NGOs reported individuals deported or expelled to Niger were subjected to violence and degrading treatment. During the year, refugees deported from the country reported cases of violations of their human rights during their arrest or detention, including physical and verbal abuse.

Human rights NGOs said the government deported those perceived to be sub-Saharan Africans to Niger, including to active conflict zones, and continued to do so despite reports of significant overcrowding in detention and transit center facilities in northern Niger, creating a humanitarian crisis. Official deportations of Nigerien citizens took place under a 2014 bilateral agreement, while unofficial convoys expelled thousands of individuals to Niger – including refugees and asylum seekers with UNHCR status or appointments – regardless of their country of origin.

During the first months of the year, a refugee was hospitalized following a

beating by police in November 2022 in Algiers. Human rights activists reported three police officers handcuffed the individual, kicked him in the abdomen, and pressed their knees into his chest to prevent his breathing. The activists report the individual was beaten unconscious, causing fractures and internal bleeding. The refugee was deported to Niger where he was later hospitalized.

**Freedom of Movement:** The government allowed Sahrawi refugees to travel to the town of Tindouf, but they had to obtain special permission to leave the Tindouf-Sahrawi camp area. Sahrawi refugees generally were able to travel after seeking permission and many traveled between the Sahrawi camps, other cities in the country, Spain, and Cuba.

**Employment:** The government did not formally allow refugee employment, but many worked in the informal market and were at risk of labor exploitation due to their lack of legal status in the country. Other individuals, asylum seekers, and Malians and Syrians who had a “special status” with the government relied largely on remittances and support from family and acquaintances, as well as assistance from the Algerian Red Crescent and international aid organizations.

**Access to Basic Services:** Sahrawi refugees lived predominantly in five camps administered by the Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro (POLISARIO) near the city of Tindouf. The remote location of the camps and lack of government presence resulted in a lack of



access to police and courts. Non-Sahrawi refugees, asylum seekers, and other non-Algerian nationals had access to free public hospitals, but NGOs reported instances of health-care facilities turning these individuals away or denying treatment and of children being unable to enroll in school.

**Durable Solutions:** The government did not accept refugees from foreign countries for resettlement. The Sahrawi refugees had not sought local integration or naturalization during their nearly 50-year stay in the refugee camps near Tindouf, while POLISARIO continued to call for a referendum on independence for Western Sahara. The IOM led an Assisted Voluntary Return and Reintegration program to help refugees return to their homes willingly with economic and social support, including personalized professional training and other socioeconomic assistance. Although the government was not a financial donor to the initiative, it did cooperate.

**Temporary Protection:** The government also provided temporary protection to individuals who might not qualify as refugees through the Algerian Red Crescent. There was no data available on the number of individuals provided temporary protection during the year.

## **Section 3. Freedom to Participate in the Political Process**

The constitution provided citizens the ability to choose their government in

free and fair periodic elections held by secret ballot and based on universal and equal suffrage, but restrictions on freedom of assembly and association as well as restrictions on political party activities inhibited the activity of opposition groups.

## **Elections and Political Participation**

**Abuse or Irregularities in Recent Elections:** National elections were widely reported to not be fair and free of abuses and irregularities. In November 2020 the country held a referendum to enact a new constitution.

In June 2021, the country held legislative elections. Official voter turnout was 23 percent, the lowest in the country's history for a parliamentary election. Several political parties boycotted the election citing restrictions on their freedoms of expression, assembly, and association that they claimed prevented a free and fair election.

**Political Parties and Political Participation:** The Ministry of Interior had to approve political parties before they could operate legally.

Opposition political parties claimed they did not have access to public television and radio except during election campaigns. Occasionally security forces dispersed political opposition rallies and interfered with the right to organize. Since taking office in 2019, Tebboune's government blocked foreign funding and pressured media to limit government criticism. The law prohibited political parties based on religion, ethnicity, gender, language, or

region, but the government tolerated various political parties with religious or ethnic affiliations. According to the Ministry of Interior, in September there were 70 registered political parties. The Ministry of Interior rejected two applications to form new political parties.

The Ministry of Interior required parties to hold a party congress to elect a party leader and confirm membership before it granted them formal registration. Membership in the Islamic Salvation Front, a political party banned since 1992, remained illegal. The law also banned political party ties to nonpolitical associations and regulated party financing and reporting requirements. By law political parties could not receive direct or indirect financial or material support from any foreign individuals or organizations. The law also required parties to report all campaign contributions, donations, and revenue from party activities, in addition to possible state funding, to the Ministry of Interior.

On February 23, the country's highest administrative court confirmed the 2021 dissolution order against the Movement for Social Democracy and ordered the closure of its headquarters.

### **Participation of Women and Members of Marginalized or Vulnerable**

**Groups:** Members of marginalized or vulnerable groups were permitted to participate in the political process, and they did participate. The elimination of gender quotas for the 2021 legislative elections resulted in fewer women in parliament.

## Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption, which were prosecuted in the courts.

**Corruption:** On April 7, a court in Algiers ordered Deputy Minister for Micro Enterprises Nassim Diafat into pretrial detention as part of an antigraft investigation, citing "abuse of power and squandering of public funds" during his time in government from January 2020 to September 2022. Local media reported Diafat appeared before the court alongside his wife, brother, and several other defendants who were also implicated in the case.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of domestic human and international rights groups generally operated with varying degrees of government restriction. Government

officials rarely were cooperative or responsive to their views.

**Retribution against Human Rights Defenders:** On January 20, documents leaked on social media showed that an administrative judicial authority in Algiers issued a ruling dissolving LADDH in June 2022 for having engaged in “provocative activities.” The ruling stated that “LADDH also issued inflammatory statements accusing the authority of suppressing [hirak movement] marches while adopting strict positions to impede the course of reforms to disturb public order and incite protest movements...” LADDH stated publicly it had never been notified of the complaint, trial, or ruling. On January 23, police in Bejaia sealed the organization’s offices. LADDH appealed the closure order, which was pending at year’s end.

On December 18, media reported that the government appealed the December 3 acquittal of LADDH members Kaddour Chouicha, his wife Djamila Loukil, and journalist Said Boudour. During her November 26-December 5 visit to Algeria, the UN Special Rapporteur for Human Rights Defenders Mary Lawlor attended their trial. Social media commentators attributed the defendants’ initial acquittal to the presence of the UN special rapporteur.

Human rights organizations reported other incidents of retribution against human rights defenders. Human rights activists reported that on April 4, police arrested hirak activist Mohamed Tajadit at his home in Azafon, Tizi Ouzou Province, his fifth arrest. Authorities allegedly pressured Tajadit,

known informally as the “Poet of the hirak,” to release a video denouncing his activism, but he refused. Authorities did not inform Tajadit’s family of his whereabouts or allow them to contact him during his detention; they released him on April 6. According to human rights activists, on January 2, police summoned Tajadit on undisclosed charges and searched his house and confiscated his computer and books.

**Government Human Rights Bodies:** The National Human Rights Council (CNDH) had budgetary autonomy and the constitutional responsibility to investigate alleged human rights abuses, officially comment on laws proposed by the government, and submit a published annual report to the president, the prime minister, and the two speakers of parliament. The CNDH reported representation in nearly all communes and five regional delegations located in Chlef, Biskra, Setif, Bechar, and Bejaia.

The CNDH noted that during the year it conducted prison visits, held sessions with the Arab League and Penal Reform International, visited hospitals and nursing homes to ensure equal access to health care for vulnerable populations, and held special sessions to address climate change following wildfires in the country’s northeast.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law criminalized rape but did not explicitly address spousal rape. Prison sentences for rape ranged from five to 10 years and, although rape was rarely reported due to cultural norms, authorities generally enforced the law. The penal code allowed an adult accused of “corruption of a minor” to avoid prosecution if the accused subsequently married their victim and if the crime did not involve violence, threats, or fraud. The law stipulated sentences of one year to life imprisonment for “anyone who voluntarily causes injury or blows to their spouse.” It also provided penalties for verbal and psychological violence, sexual assault, harassment, and indecent assault.

Domestic violence remained a persistent problem. The law stated that a person claiming domestic abuse had to visit a “forensic physician” for an examination to document injuries and that the physician had to determine the injuries suffered “incapacitated” the survivor for at least 15 days. The law prescribed sentences of up to 20 years’ imprisonment for those convicted of domestic abuse, depending on the severity of injuries. If domestic violence resulted in death, a judge could impose a life sentence. The accused could receive a reduced sentence or avoid punishment altogether if pardoned by a spouse. The law also required six months to two

years' incarceration for men who withheld property or financial resources from their spouses. The government generally enforced these laws.

The commission formed in 2022 by the Ministry of Justice to consider revisions to the penal code, specifically concerning rape and the pardon clause for survivors of domestic violence, received recommendations from civil society organizations during the year. The commission took no actions, however, and there were no changes to the penal code.

Government statistics did not distinguish between gender-based violence and domestic violence. The Ministry of Justice reported a 35 percent increase in domestic violence prosecutions over the previous year for a total of 8,075.

The Ministry for National Solidarity, Family, and Women provided psychological care, guidance, and administrative and legal support to victims of physical and sexual abuse through its Social Action and Solidarity Departments teams in each of the country's provinces. The ministry operated a free domestic violence hotline for women in distress and ran a nationwide domestic violence awareness campaign, advertising the legal options and available aid for women in domestic distress.

The government maintained 275 shelters for women who were survivors of domestic violence throughout the country.

According to statistics from women's advocacy groups, 21 women were



killed because of their gender in the country as of August. Local civil society organizations noted that funding constraints limited their ability to track these cases.

Civil society organizations such as the Wassila Network coordinated medical, psychological, and legal support to survivors of sexual violence. The Wassila Network reported receiving hundreds of calls of violence against women, but noted this number was likely a fraction of actual cases since survivors of domestic violence rarely reported the abuse. Civil society organizations attributed this hesitancy to family and social pressure, as well as a lack of understanding available resources and the definition of domestic violence. The Wassila Network also noted that family and social pressure often convinced the victim to forgive the aggressor, resulting in the abandonment of charges.

On August 16, local press reported that the forensic medicine department of Bouira's hospital received a woman, who was found strangled to death at her home in the village of Lemkessem, in the province of Bouira. Police arrested the victim's husband, whose trial was pending as of October.

**Female Genital Mutilation/Cutting (FGM/C):** FGM/C was a criminal offense punishable by up to 25 years in prison. The practice was not generally used in the country but was present among immigrant communities in southern regions, particularly among sub-Saharan African migrant groups. There were no reports of any related convictions or any official pronouncements

by religious or secular leaders proscribing the practice.

**Discrimination:** Although the constitution provided for gender equality and the law prohibited discrimination with respect to employment, salary, and work environment based on gender and marital status, aspects of the law and traditional social practices discriminated against women. In addition, some religious actors advocated restrictions on women's behavior, including freedom of movement. The law allowed Muslim men to marry non-Muslims but prohibited Muslim women from marrying non-Muslims, although authorities did not always enforce this provision. There was a greater prevalence of conservative views of gender roles in rural parts of the country. Civil society organizations noted that women with disabilities, as well as LGBTQI+ persons, faced additional discrimination, compounding gender-based discrimination.

Women could seek divorce for irreconcilable differences or violation of a prenuptial agreement. The law allowed divorced women to retain the family's home until all children reached age 18. Authorities normally awarded custody of children to the mother, but she could not make decisions regarding education or take the children out of the country without the father's authorization. The government provided a subsidy for divorced women whose former husbands failed to make child support payments.

The law affirmed the religiously based practice of allowing a man to marry

as many as four wives. The law permitted polygamy only upon the agreement of all wives involved, and the determination of a judge that the husband's financial ability was sufficient to support an additional wife. It was unclear whether authorities followed the law in all cases because local officials had significant discretion and the government did not maintain nationwide statistics.

Women suffered from discrimination in inheritance claims and were entitled to a smaller portion of an estate than male children or a deceased husband's brothers, in accordance with Islamic law. Women rarely had exclusive control over assets that they brought to a marriage or that they earned during the marriage.

Women could own businesses, enter contracts, and pursue careers like those of men. Women enjoyed rights equal to those of men concerning property ownership, and property titles listed women landowners' names. Women faced discrimination in employment and occupation.

Although the law stated women should receive a salary equal to men, leaders of women's organizations reported discrimination was common and that women were less likely to receive equal pay for equal work or promotions, particularly in the private sector. Men held a large percentage of positions of authority in both government and the private sector, and women reported job offers being extended regularly to less qualified male applicants. The law restricted women from working from 9 p.m. until 5 a.m.

In addition to the legislative provisions in force, employers had to ensure that the work entrusted to women, minors, and persons with disabilities did not “require an effort exceeding their strength.”

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Societal and family pressure restricted women from making independent decisions regarding their health and reproductive rights. Local civil society organizations reported a geographic disparity in access to reproductive health care, with rural communities experiencing limited access to quality care, including emergency care.

Conservative elements of society challenged the government’s family-planning program, including the provision of free contraception, the distribution of educational materials, and the employment of social workers by municipalities to provide guidance on reproductive health care resources. The Algerian Society of Fertility and Contraception reported more than 50 percent of women used safe, affordable, and effective contraception of their choice. Married and unmarried women had access to contraceptives, although some clinics required a prescription before dispensing birth control pills to unmarried women. NGOs reported unmarried women often had to come to them to obtain contraceptives, because they had difficulty obtaining contraceptives through medical providers. Doctors required permission of the partner for women who sought tubal ligation; no such

spousal permission was required for men who sought a vasectomy. Emergency contraception was not widely available, although it could be obtained from midwives after a medical examination, if the woman requested it and medical personnel deemed it appropriate. Medical providers were permitted to provide emergency contraceptives in cases of sexual assault but could refuse to do so at their own discretion. State health facilities did provide sexual and reproductive health services for survivors of sexual violence, and emergency contraception was given to victims of rape. Postexposure prophylaxis was administered when it was available; however, not all hospitals in the country had access to it.

According to World Health Organization (WHO) data, the maternal mortality rate gradually dropped from 179 deaths per 100,000 live births in 1998 to 112 deaths per 100,000 live births in 2017 (the most recent available annual data). The WHO attributed the decline to increased medical training, investments in health care, and specific government initiatives aimed at reducing maternal deaths.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law criminalized discrimination and hate speech, and the constitution prohibited discrimination based on place of birth, race, sex, opinion, or any other personal condition or circumstance. The law did not explicitly prohibit discrimination with respect to employment based on religion. The

government generally enforced the law.

According to researchers with the Algerian National Centre for Prehistoric, Anthropological and Historical Research (CNRPAH), Black Algerians and sub-Saharan African migrants suffered from societal and official discrimination and racism. According to CNRPAH, authorities in the large coastal cities of Algiers, Constantine, and Oran typically did not issue work permits or provide written contracts to sub-Saharan migrants, limiting employment opportunities to the informal market. Discrimination reportedly existed against migrant workers in the informal economy who lacked a legal means to address unfair working conditions. Women and children from sub-Saharan Africa were particularly vulnerable, especially those who had been lured into the country to accept jobs in the informal economy and then subjected to forced labor conditions. NGOs reported instances in which unaccompanied migrant girls were exploited as domestic workers or as sex workers. Human rights organizations reported Black Algerians and sub-Saharan African migrants also faced generalized discrimination at police checkpoints and on public transportation.

According to members of religious minority groups, ethnic or racial minorities were more likely to face discrimination if they were not Muslim.

## **Indigenous Peoples**

The country's Amazigh minority was not homogenous and existed in

constituent subcultures throughout the country. Approximately half of the Amazigh population was concentrated in the Kabylie region in the north of the country, including the *wilayas* (provinces) of Tizi Ouzou and Bejaia. The second largest Amazigh group, the Shawiya, inhabited the mountains in the east of the country. Two smaller Amazigh communities included the Mozabites in Ghardaia and the Touareg nomads in the south. There were no reports of employment discrimination against Amazigh persons. Individuals from the Kabylie region, who were predominately of the Amazigh ethnicity, were some of the most highly educated in the country and were well represented in business and government.

The government's 2021 designation of the Amazigh separatist group Movement for the Autonomy of Kabylie (MAK) as a terrorist group gave the government additional legal tools to pursue MAK-affiliated political opponents, both in the country and abroad.

Amazigh groups contended they were losing their traditions and language to Arabization despite the 2020 constitution recognizing Tamazight as one of the country's official languages and the government's recognition in 2017 of Yennayer, the Amazigh New Year, as a national holiday. Some Amazigh groups perceived the recognition of the Tamazight language more as an attempt to appease calls for greater autonomy than a genuine government effort to incorporate the Tamazight language into society.

On July 4, a court of appeal in Algiers confirmed the three-year prison

sentence and 100,000 dinar (\$730) fine of human rights defender Kamira Nait Sid, co-president of the World Amazigh Congress, an international NGO defending the rights of the Amazigh people. The charges against Nait Sid included “belonging to a terrorist organization” (MAK), “receiving funds from abroad for the purpose of political propaganda,” “hate speech and discrimination,” “use of technology to spread false information,” and “conspiracy.”

## Children

**Child Abuse:** Child abuse was illegal but a persistent problem. The government devoted significant resources and attention to the problem. A national committee was responsible for monitoring and publishing an annual report on the rights of children. The Office of Protection of Vulnerable Persons at the Directorate General of National Security (DGSN) reported that 2,557 children were survivors of violence during the first eight months of the year, a slight increase from 2022, which the DGSN attributed to increased enforcement.

The Ministry for National Solidarity, Family, and Women reported 50 children’s shelters and centers for at risk children.

The law establishing the National Body for the Protection and Promotion of Children (ONPPE) to address children’s matters gave judges authority to remove children from an abusive home and allowed sexually abused



children to provide testimony on video rather than in court. During the year, the ONPPE operated a toll-free telephone line for reports of ill-treatment and infringement of children's rights. These reports were divided roughly equally between boys and girls.

**Child, Early, and Forced Marriage:** The legal minimum age of marriage was 19 for both men and women, but children could marry with parental consent, regardless of gender. The law prohibited legal guardians forcing children under their care to marry against their will. The Ministry of Religious Affairs required that couples present a government-issued marriage certificate before permitting imams to conduct religious marriage ceremonies.

**Sexual Exploitation of Children:** The law prohibited solicitation for commercial sex, the sale or grooming of children, child pornography, and fully criminalized child sex trafficking. The law stipulated prison sentences of between 10 and 20 years when the offense was committed against a person younger than 18. By law the age for consensual sex was 16. The law stipulated a prison sentence of between 10 and 20 years for rape when the survivor was a child. Authorities generally enforced the law.

## **Antisemitism**

The country's Jewish population numbered fewer than 200 persons.

Religious and civil society leaders reported that the Jewish community faced

unofficial, religion-based obstacles to government employment and administrative difficulties when working with government bureaucracy.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** The law criminalized public indecency and consensual same-sex sexual acts, with penalties that included imprisonment of six months to three years and a fine. The law did not define public indecency, but it was understood to mean an “immoral” intimate act performed in public, judged by cultural or religious standards. The law also criminalized “homosexual acts,” which were not defined but were understood to mean any behavior suggestive of a homosexual orientation, and stipulated penalties of two months’ to two years’ imprisonment and fines. If a child was involved, the adult could face up to three years’ imprisonment and a fine. Local LGBTQI+ activists reported that the vague wording of laws criminalizing “homosexual acts” and “acts against nature” permitted sweeping accusations that resulted in multiple arrests for consensual same-

sex sexual acts, although there were no reported prosecutions during the year. LGBTQI+ status was not criminalized, but LGBTQI+ persons could face criminal prosecution under superficially neutral legal provisions that were disproportionately applied against LGBTQI+ persons, such as laws concerning commercial sex, public indecency, and “associating with bad characters.” NGOs reported that judges gave harsher sentences to LGBTQI+ persons for such crimes compared to non-LGBTQI+ persons. An NGO reported that within the LGBTQI+ community, men were targeted more often than women, but LGBTQI+ activists noted that lesbian, bisexual, and trans women faced additional discrimination based on their gender.

On August 14, the Ministry of Culture announced a ban on the *Barbie* movie, which was shown in major cities since July 20, saying the film “was promoting homosexuality and other Western deviances, and therefore does not comply with Algeria’s religious and cultural beliefs.”

On August 10, the Audiovisual Regulatory Authority (ARAV), which monitors television content, suspended Essalam TV’s programs for 20 days on the grounds that they violated religious values and moral codes. While the station did not provide details regarding the suspension motives, press and social media reported that the channel had aired the Disney film *Under Wraps 2*, which included a scene with a same-sex wedding ceremony.

**Violence and Harassment:** LGBTQI+ activists reported hostility towards the LGBTQI+ community was prevalent and typically emanated from the

younger generation. Activists reported members of the LGBTQI+ community were often followed and intimidated, and sometimes the harassment escalated to physical violence.

LGBTQI+ community members reported members were targeted by criminals via social messaging and dating apps. They were robbed, extorted, beaten, or preyed upon with impunity. Victims were often too fearful to report to police, believing they would be prosecuted rather than helped.

**Discrimination:** Although the constitution stated that all citizens were equal before the law, the law did not extend explicit protection from discrimination to LGBTQI+ persons based on sexual orientation, gender identity or expression, or sex characteristics. Government officials did not act to prevent discrimination against LGBTQI+ persons. LGBTQI+ persons faced discrimination in accessing health services, such as longer wait times, refusal of treatment, and shaming. Some organizations maintained a list of “LGBTQI+ friendly” hospitals, and several NGOs operated mobile clinics specifically for vulnerable communities. NGOs reported that employers refused jobs to persons perceived to be LGBTQI+. LGBTQI+ activists also noted police and government harassment while obtaining services, such as at airports.

Lawyers versed in LGBTQI+ matters were not widely accessible, and other lawyers feared getting involved with the cases of LGBTQI+ persons.

LGBTQI+ leaders said journalists were aware of the community’s situation,

and although many were sympathetic, most would not report on LGBTQI+ discrimination, and believed state censorship would not permit the stories to be published regardless.

LGBTQI+ activists said the political and economic crises – particularly combined with LGBTQI+ discrimination in medical and legal services and in employment – were intensifying other psychological issues within their community, such as depression and anxiety.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available in the country.

**Involuntary or Coercive Medical or Psychological Practices:** Activists reported social and family pressures were so oppressive that LGBTQI+ identity was driven underground and rarely acknowledged. Activists reported authority figures in schools and religious institutions emphasized traditional gender roles and disciplined children perceived to be LGBTQI+.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** During the year, LGBTQI+ NGOs organized virtual and in-person meetings, despite reporting government harassment, including threats of imprisonment. No LGBTQI+ NGOs operating in the country were registered with the government, and therefore none had authorization to operate.

The government campaign against LGBTQI+ symbols launched in December 2022 continued through the first week of January. Civil society expressed

concern about the campaign stigmatizing the LGBTQI+ community and symbols.

## **Persons with Disabilities**

The law prohibited discrimination against persons with disabilities and provided for equal access to public services, although the government did not always effectively enforce these provisions. Persons with disabilities reported challenges in access to education, public services, transportation, and employment. The government engaged in public education campaigns on disability rights and societal acceptance.

The National Agency for Employment started to use the information system “El Wassit,” a special section for disabled job seekers, and trained advisers to assist disabled applicants. Few businesses abided by the law requiring that they reserve 1 percent of jobs for persons with disabilities. NGOs reported that the government did not always enforce fines for failing to abide by the law. The Ministry of Labor reported it attempted to enforce the 1 percent quota during the year, inspecting 236 businesses to verify compliance.

The ministry reported that it conducted training for 4,346 professionals working with children with disabilities, in all 58 states. Training included how to work with children with sensory difficulties and children with autism. The ministry’s training centers provided training on new approaches in the

care of autistic children as well as trainings for teachers of special education, psychologists, and educators working in psycho-pedagogical centers for mentally disabled children and integrated classes.

The Ministry of National Solidarity, Family, and Women's Affairs stated that it worked with the Ministry of Education to integrate children with disabilities into public schools to promote inclusion. Most of the ministry's programs for children with disabilities remained in social centers for children with disabilities rather than in formal educational institutions. Advocacy groups reported that children with disabilities rarely attended school past the secondary level. Many schools lacked teachers trained to work with children with disabilities, threatening the viability of efforts to mainstream children with disabilities into public schools. For the 2022-23 school year, the government reported it had added or promoted 1,420 instructors to assist children with disabilities. The government also reported it limited class sizes for children with auditory, visual, and mental disabilities.

Many persons with disabilities faced challenges casting ballots due to voting centers that lacked accessible features.

## **Other Societal Violence or Discrimination**

Social stigmas associated with persons who engaged in commercial sex, men who had sexual relations with men, and drug users deterred testing of these HIV-vulnerable groups. The government reported it did not take measures

to specifically prevent and treat HIV and AIDS in the LGBTQI+ community. Members of the country's LGBTQI+ community reported preexposure prophylaxis was not available. The law did not explicitly prohibit discrimination with respect to employment based on HIV-positive status.

## **Section 7. Worker Rights.**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution allowed for the right of workers to join and form unions of their choice. The law required that workers obtain government approval to form a union and required the Ministry of Labor to approve or disapprove a union application within 30 days. To form a union, the prospective president of the union had to be Algerian by birth or have held Algerian nationality for at least 10 years. Joining a union was open to all workers, regardless of nationality. Unions were permitted to recruit members at the workplace. In March, parliament adopted a new law on trade union rights, which narrowed some rights and prohibited trade unions from political activity. The law raised from 20 percent of an enterprise's workforce to 25 percent the threshold the union's membership had to meet or exceed annually to maintain its registration and engage in collective bargaining.

The law further imposed restrictions on international cooperation with



other NGOs, which observers said constituted interference in trade union activity. Amnesty International denounced these restrictions in a communique from their Algeria chapter. Unions had the right to form and join federations or confederations. The law permitted unions to affiliate with international labor bodies and develop relations with foreign labor groups. For example, the General Union of Algerian Workers (UGTA), which represented most public-sector workers, was an affiliate of the International Trade Union Confederation. The law prohibited unions from associating with political parties or receiving funds from foreign sources. The courts could dissolve unions that engaged in illegal activities. The government could invalidate a union's legal status if authorities perceived its objectives to be contrary to the established institutional system, public order, good morals, law, or regulations.

The law provided for collective bargaining by all unions, and the government permitted the exercise of this right. Nevertheless, the UGTA remained the only union authorized to negotiate collective bargaining agreements during the annual tripartite meeting of government representatives, business owners, and union representatives. Collective bargaining for public-sector workers was usually restricted to the tripartite meeting. Other authorized unions could bargain with business owners in limited circumstances.

The law provided for the right to conduct legal strikes, subject to conditions. There were no strikes during the year. By law, the right to strike only

applied when a dispute persisted after conciliation and mediation procedures were exhausted. Striking required a majority vote by secret ballot of the whole workforce. The right to strike was only protected with respect to collective labor disputes between workers and employers within the enterprise. Collective bargaining for public-sector workers was usually restricted to the tripartite meeting. The government could restrict strikes if they “are liable to give rise to a serious economic crisis” or if they ran afoul of other ambiguous grounds. Furthermore, all public demonstrations, including protests and strikes, had to receive prior government authorization. The law required that a minimum level of essential public services be maintained during public-sector service strikes, and the government had broad legal authority to require public employees to work. The list of essential services went beyond International Labor Organization (ILO) standards for essential services and included banking, radio, and television. Penalties for unlawful work stoppages ranged from eight days to two months imprisonment.

The government did not effectively enforce laws protecting freedom of association, collective bargaining, and the right to strike for workers. Many trade unions remained unrecognized by the government; they identified delayed processing and administrative hurdles as the primary obstacles to establishing legal status and attempts by new unions to form federations or confederations faced similar challenges. The law prohibited discrimination by employers against union members and organizers and provided

mechanisms for resolving trade union complaints of employers' antiunion practices. Penalties were commensurate with penalties for similar crimes. Penalties were sometimes applied against violators.

Abuses in the workplaces occurred. The government reported 99 trade unions and 66 employers' organizations in its registry. Representatives of the National Autonomous Union for Public Administration Personnel (SNAPAP) stated their union continued to function, but without official status, leaving it without standing to engage in collective bargaining.

Attempts by new unions to form federations or confederations faced similar challenges. The General Autonomous Confederation of Workers in Algeria, an independent trade union confederation that included workers from unions representing government administrators, diplomatic personnel, state electricity and gas employees, university professors, public transport and postal workers, lawyers, and migrant workers, requested official recognition under new regulations, but had not received a response by year end.

SNAPAP and other independent unions faced government interference throughout the year, including official obstruction of general assembly meetings and police harassment during sit-in protests. Furthermore, the government restricted union activities and the formation of independent unions in certain critical public services sectors, such as oil and gas and telecommunications. The International Trade Union Confederation reported that judicial abuse of trade union leaders had intensified.

On May 1, members of several independent trade unions gathered near the headquarters of progovernment union UGTA to protest the recently passed laws on trade union activities as well as the law on labor disputes. Online news outlet *Radio M* reported the protest lasted roughly one hour and included education unions UNPF and SATEF, among others.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>

## **d. Discrimination (see section 6)**

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** A tripartite social pact among business, government, and the official union established a national, monthly minimum wage which was above the poverty income level.

The standard workweek was 40 hours, including one hour for lunch per day.

Half of the lunch hour was considered compensated working time. Employees who worked longer than the standard workweek received premium pay on a sliding scale from time-and-a-half to double time, depending on whether the overtime occurred on a normal workday, a weekend, or a holiday.

**Occupational Safety and Health:** Occupational safety and health (OSH) standards were appropriate for the main industries in the country. Responsibility for identifying unsafe situations remained with OSH experts under the Ministry of Labor and not the worker. The law provided workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. There were no known reports of workers dismissed for removing themselves from hazardous working conditions. If workers faced such conditions, they could renegotiate their contracts or, failing that, resort to the courts. While this legal mechanism existed, the high demand for employment in the country gave an advantage to employers seeking to exploit employees.

**Wage, Hour, and OSH Enforcement:** The government sometimes enforced occupational safety and health laws. Penalties for violations were commensurate with those for crimes like negligence. Penalties were regularly applied against violators.

The Ministry of Labor's eight regional inspection divisions lacked sufficient labor inspectors to enforce compliance effectively or consistently, in part

due to the large informal sector. Inspectors had the authority and mandate to make unannounced visits and initiate sanctions.

The government's labor laws did not formally allow refugee employment or adequately cover migrant laborers; therefore, many economic migrants from sub-Saharan Africa and elsewhere who worked in the informal sector, primarily in construction, the restaurant industry, and as domestic workers, were at risk of labor exploitation due to their lack of legal status. The International Monetary Fund reported that roughly 30 percent of workers in country were employed in the informal sector.

The government did not enforce labor laws in this sector, but government required employers to declare their employees to the Ministry of Labor and to pay social security benefits. The government allowed undeclared workers to gain credit for social security and retirement benefits for time spent in the informal economy if they repay any taxes owed after registering.