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Algeria: Stop summarily expelling migrants, criminalizing exercise of rights to free speech, assembly, association and religion

Algerian authorities must stop summarily deporting migrants and arbitrarily restricting the rights to freedom of expression, peaceful assembly, association and religion, Amnesty International said today. The UN Human Rights Committee, which monitors state parties' compliance with the International Covenant on Civil and Political Rights (ICCPR), is scheduled to review Algeria's record on 4 July.

In its [submission](#) to the committee, Amnesty International highlighted the positive steps Algeria has taken to bring its laws in line with international human rights law, including amendments to the constitution and reforms of the judicial system in 2015 and 2016, as well as the establishment of a national human rights council in 2017.

Amnesty International's submission to the committee noted further necessary reforms to laws that unduly restrict the rights to freedom of expression (article 19), peaceful assembly (article 21), religion (article 18) and association (article 22). Algeria must also stop arbitrarily arresting and summarily expelling foreign nationals without due process (article 13).

Specific recommendations include:

1. Amend Article 144 of the Penal Code, on "offending" public officials, Article 144 bis 2 on "offending the Prophet", and Article 146 on "offending public bodies";
2. Amend Articles 97 and 98 of the Penal Code, and Articles 15, 17, 19 and 23 of Law No. 89-28 on public meetings and demonstrations, as amended by Law No. 91-19, to remove the prohibition on unauthorized "unarmed gatherings", and substitute the requirement for prior authorization in these articles with a prior notification;
3. Immediately and unconditionally release all individuals imprisoned solely for the peaceful exercise of their human rights, including of the rights to freedom of expression and assembly;
4. Adopt national legislation implementing the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, as well as other international laws and standards for the protection of persons in need of international protection;
5. Amend the Code of Criminal Procedure to ensure its compliance with the right

to fair trial, particularly concerning detainees' access to their lawyers, families and independent medical practitioners;

6. Accede to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
7. Ratify the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty;
8. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance; and
9. Ratify the Rome Statute of the International Criminal Court.

Background

The Human Rights Committee is the body of independent experts that monitors state parties' implementation of the ICCPR. Algeria submitted its [fourth periodic report](#) in January 2017, 10 years after its last review. Two Amnesty International staff members will brief the Human Rights Committee on Algeria ahead of its 4 July review of the country's compliance with the treaty.

All state parties to the ICCPR are obliged to submit regular reports to the committee on how the treaty's provisions are being implemented. The committee of 18 independent experts examines each report and addresses its concerns and recommendations to the state party in the form of "concluding observations".