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ALGERIA: ACHPR COUNTRY BRIEFING REPORT: HUMAN RIGHTS VIOLATIONS AND VIOLATIONS OF THE AFRICAN CHARTER (OCTOBER 2024 – APRIL 2025)

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1. Introduction:

The present report aims to monitor and document key human rights violations in Algeria from October 2024 to April 2025, with a particular focus on issues related to detention, fair trial, and state accountability. This period has been marked by intensified repression and legal restrictions targeting activists, journalists, and civil society actors, raising serious concerns about compliance with fundamental human rights obligations under the African Charter on Human and Peoples' Rights. The report concentrates on violations linked to specific provisions of the African Charter, especially Articles 4 (right to life), 5 (prohibition of torture and cruel treatment), 6 (right to personal liberty and security), 7 (right to a fair trial), and 18 (right to freedom of association)¹ Between October 2024 and April 2025, Algeria's political landscape was shaped by a continuation of the government's crackdown on dissent amid a tense post-election environment following the presidential elections held on September 7, 2024. Authorities maintained a zero-tolerance approach toward peaceful activism and opposition voices, employing vague terrorism-related charges and arbitrary detention to silence critics. Notably, activist and poet Mohamed Tadjadit was sentenced in January 2025 to five years in prison after a rushed trial, highlighting ongoing concerns about the lack of fair trial guarantees and judicial independence. His case exemplifies a broader pattern of harassment and repression against activists who peacefully express dissenting views². The political context also includes the dissolution and legal obstruction of human rights organizations such as the Algerian League for the Defence of Human Rights (LADDH), which was upheld by the Administrative Court of Appeal in December 2024. Civil society remains highly constrained by restrictive legislation requiring prior authorization for associations, arbitrary travel bans, and administrative hurdles that effectively limit the operation of independent groups. These measures undermine the rights to freedom of association, peaceful assembly, and expression, all protected under the African Charter.

Methodologically, this report draws on a comprehensive range of sources to ensure accuracy and reliability. Data has been collected from public records, verified testimonies of victims and witnesses, legal documents including court rulings, and media reports. This multi-source approach aligns with best practices in human rights monitoring, combining interviews, documentary review, media monitoring, and legal analysis to provide a robust account of violations and state practices during the reporting period.

In summary, this report provides a detailed examination of human rights violations in Algeria from October 2024 to April 2025, focusing on detention conditions, fair trial rights, and state accountability in relation to the African Charter. It highlights the deteriorating civic space and judicial independence amid ongoing political repression, underscoring the urgent need for Algeria to uphold its regional and international human rights commitments.

¹<https://www.amnesty.org/en/latest/news/2024/09/algeria-authorities-must-halt-ongoing-repression-of-civic-space-ahead-of-presidential-elections/>

²<https://amnesty.ca/urgent-actions/algeria-activist-poet-faces-five-years-in-prison/>

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2. Legal and Institutional Framework

Algeria's engagement with the African human rights system reflects a familiar story: formal adherence on paper, but chronic gaps in practice. The country ratified the African Charter on Human and Peoples' Rights in 1987 and accepted the jurisdiction of the African Court on Human and Peoples' Rights in 2003. It has submitted periodic reports to the African Commission, including a combined third and fourth report in 2006, but these formal gestures have done little to narrow the gap between legal obligations and the lived experience of rights on Algerian soil. The 2020 Constitution enshrines a range of fundamental protections — prohibiting torture (Article 39), arbitrary detention (Article 44), and guaranteeing the right to a fair trial (Article 41). Yet for all its high-minded guarantees, the Constitution's promises are continuously undercut by contradictory laws and entrenched institutional shortcomings.

One of the starkest examples is the Anti-Terrorism Ordinance 06-01, which allows prolonged pretrial detention without judicial oversight — a clear violation of the right to liberty and security of person as laid out in Article 6 of the African Charter⁴. Further compounding the problem is the use of military courts to try civilians for terrorism-related charges, a practice that blatantly undermines the fair trial guarantees enshrined in Article 7 of the Charter⁵. Even when Algeria's Constitution appears to provide remedies, such as Article 45, which mandates compensation for wrongful detention, victims are routinely thwarted by labyrinthine bureaucratic obstacles that make access to justice an elusive goal⁶.

Beyond the text of the law, Algeria's institutional landscape reveals deeper structural weaknesses. The judiciary, while nominally independent, has long been vulnerable to executive influence — especially in politically sensitive cases involving activists, journalists, and human rights defenders⁷. The President's control over judicial appointments through the High Judicial Council serves to cement this interference, raising serious questions about the impartiality of Algeria's courts.

The National Human Rights Council (CNDH), established in 2016, was intended to safeguard human rights, yet its credibility has been steadily eroded by its dependence on the Ministry of Justice⁸. Its 2022 self-assessment revealed that a mere 12% of its own recommendations had been implemented⁹, underscoring the gap between institutional promises and political will. Equally hamstrung is the Médiateur de la République — an ombudsman intended to handle citizens' complaints — who lacks both the mandate and the power to compel state action or hold security agencies accountable¹⁰.

⁴ Anti-Terrorism Ordinance 06-01, Official Journal of Algeria, 2006.

⁵ Amnesty International, "Algeria: Military Courts and the Erosion of Fair Trial Rights," 2023.

⁶ Human Rights Watch, "Justice Denied: Obstacles to Legal Remedies in Algeria," 2024.

⁷ Reporters Without Borders, "Algeria: Judiciary under Executive Pressure," 2025.

⁸ United Nations Human Rights Committee, Concluding Observations on Algeria, 2018.

⁹ National Human Rights Council (CNDH), Annual Review 2022, Algiers.

¹⁰ Ombudsman's Office of Algeria, Activity Report, 2023.

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These institutional shortcomings are further compounded by three specific and enduring conflicts between Algeria's domestic laws and its obligations under the African Charter. The first concerns the lingering legacy of Algeria's civil war. Ordinance 06-01 grants amnesty to security forces for crimes committed during the conflict and, through Article 46, criminalizes any attempt to investigate these abuses. This not only silences victims but directly contravenes the right to a remedy guaranteed by Article 7 of the Charter¹¹. The second conflict lies in Algeria's approach to civil society. The 2012 Law on Associations requires organizations to seek prior government approval to operate legally. Between 2020 and 2025, over 60% of human rights organizations saw their applications rejected — a practice fundamentally incompatible with the freedom of association protected under Article 10 of the Charter¹².

Finally, Algeria's penal code offers an incomplete definition of torture, limiting it to physical violence and excluding psychological harm. This narrow framing fails to meet the standards of Article 5 of the Charter, and the legal gap is reflected in practice: only three convictions for torture have been recorded since 2020¹³.

3. Main Violations Identified

A. Arbitrary Arrest and Detention

Algerian authorities have institutionalized the use of arbitrary detention as a primary tool to suppress dissent. Vague legal provisions and a systemic disregard for due process underpin this practice. Warrantless arrests are a common feature of this repression. Human rights activist Merzoug Touati was detained three separate times in 2024 alone, each time following police raids on his home carried out without judicial authorization. His most recent arrest, in August 2024, involved allegations of torture during five days of incommunicado detention¹⁴.

Counter-terrorism laws, particularly Article 87 of the Penal Code, have been systematically repurposed to criminalize peaceful dissent. Both human rights lawyer Soufiane Ouali and environmental whistleblower Yuba Manguellet were prosecuted under this provision for organizing protests highlighting ecological degradation¹⁵. Detainees often report restricted or delayed access to legal representation. The case of activist Mohamed Tadjadit is emblematic: sentenced to five years in January 2025, he was convicted just four days after his arrest — a timeframe that made any meaningful defense impossible¹⁶. Moreover, the expanded use of military courts against civilians remains a core concern. Despite constitutional protections, individuals accused of terrorism under Ordinance 06-01 are routinely tried in military jurisdictions, where ordinary judicial safeguards do not apply¹⁷.

¹¹International Federation for Human Rights (FIDH), "Algeria: The Price of Amnesty," 2024.

¹²EuroMed Rights, "Shrinking Civic Space in Algeria," 2025.

¹³Algerian Ministry of Justice, Judicial Statistics Report, 2025.

¹⁴Amnesty International, "Algeria: Systematic Use of Arbitrary Detention," 2024.

¹⁵Human Rights Watch, "Counter-Terrorism Laws Used Against Environmental Activists," 2025.

¹⁶EuroMed Rights, "Legal Observations on the Trial of Mohamed Tadjadit," 2025.

¹⁷FIDH, "Civilians Before Military Courts in Algeria," 2024.



These practices constitute clear violations of Article 6 of the African Charter, which guarantees personal liberty and security. Algeria's excessive reliance on pretrial detention has also driven prison occupancy rates to 119%, further entrenching systemic abuses¹⁸.

B. Enforced Disappearance

Enforced disappearances continue to function as an instrument of state repression, with Algerian authorities refusing to acknowledge or investigate such cases. In January 2025, the UN Working Group on Enforced Disappearances examined several Algerian cases involving individuals last seen in state custody. The pattern of denial remains consistent, especially for families of those who disappeared during the civil war, who are still systematically denied truth and accountability¹⁹. Testimonies collected by MENA Rights Group describe the use of clandestine detention sites, including the Antar military barracks, where detainees are held without legal status or oversight and subjected to torture²⁰.

Official responses to disappearances typically involve state denials or claims that victims were killed during counterterrorism operations — narratives often unaccompanied by forensic evidence or death certificates. The Collectif des Familles de Disparus, which has tracked these cases since the 1990s, continues to face state obstruction, including police blockades of public memorials²¹. Algeria's refusal to ratify the International Convention for the Protection of All Persons from Enforced Disappearance remains a major driver of this culture of impunity.

C. Denial of Fair Trial

The Algerian judiciary has witnessed significant erosion of its independence, increasingly functioning as an arm of executive power rather than as a guarantor of justice. Political trials frequently rely on tenuous or fabricated evidence. For instance, the January 2025 conviction of activist Mohamed Tadjadit rested entirely on social media posts, which prosecutors labeled as evidence of “undermining state security,” without any substantive examination²². Torture-extracted confessions remain disturbingly common. Merzoug Touati reported being coerced into signing confessions under torture, while similar allegations were raised by Walid Nekiche, who was detained during the 2019–2020 protest wave²³.

Trials of politically sensitive cases are regularly conducted behind closed doors, in violation of the principle of public hearings. This was exemplified in December 2024, when the Administrative Court upheld the dissolution of the LADDH without offering public access to its reasoning or judgment²⁴. The President's de facto control over judicial appointments via the High Judicial Council entrenches this interference, particularly in cases involving journalists

¹⁸ Algerian Ministry of Justice, "Annual Prison Statistics," 2025.

¹⁹ UN Working Group on Enforced Disappearances, Session Report, January 2025.

²⁰ MENA Rights Group, "Shadow Detention Facilities in Algeria," 2024.

²¹ Collectif des Familles de Disparus, "Annual Activity Report," 2025.

²² RSF, "Criminalizing Social Media Dissent in Algeria," 2025.

²³ Amnesty International, "Algeria: Torture and Coerced Confessions," 2020–2025.

²⁴ EuroMed Rights, "Closed-Door Justice: The Case of LADDH," 2025.

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and opposition figures. These practices collectively amount to violations of Article 7 of the African Charter on fair trial rights.

D. Prison Conditions and Ill-Treatment

Algeria's detention facilities remain plagued by severe overcrowding and systematic abuses. By early 2025, the prison population stood at 119% of official capacity, with pretrial detainees accounting for more than 60% of inmates. Cells designed for six individuals frequently housed as many as 15, creating unsanitary and dehumanizing conditions²⁵. Physical abuse and medical neglect were widely reported. The U.S. State Department documented the torture of Sami Dernouni at the Antar barracks in 2020, while victims of police brutality, including Walid Nekiche, were systematically denied medical treatment despite visible injuries²⁶. The situation is especially dire for all detainees, who face a heightened risk of violence from both guards and fellow inmates, with no legal protection to shield them from abuse. Political prisoners, meanwhile, are subjected to segregation and the arbitrary restriction of family visits. Solitary confinement, though not formally codified, is often used as a tool of punishment. Journalist Ihsane El Kadi was held incommunicado for 11 months, a situation the UN later ruled to be arbitrary detention²⁷.

E. Repression of Human Rights Defenders and Victims' Families

State repression extends beyond detainees to target those who document and expose human rights violations. Lawyers defending protesters, such as Soufiane Ouali, have been subjected to home raids and terrorism charges simply for carrying out their professional duties²⁸. Similarly, lawyer Omar Boussag faced prosecution for publishing social media posts critical of police brutality. Independent media outlets remain under sustained attack. Interface Médias, led by journalist Ihsane El Kadi, has remained forcibly closed since his December 2024 arrest, despite UN rulings calling for its reopening²⁹. The families of disappeared persons are also frequent targets of intimidation and violence. Mothers affiliated with the Collectif des Familles de Disparus have repeatedly been assaulted while staging peaceful vigils³⁰. Administrative harassment, including travel bans and the manipulation of registration procedures under the restrictive 2012 Law on Associations, further isolates civil society. Over 60% of NGOs report systematic registration rejections, while activists like Karim Khima have faced repeated prosecutions, even following acquittals³¹. These tactics reflect a concerted strategy to dismantle civic space, violating Article 18 of the African Charter on Human and Peoples' Rights.

²⁵ Algerian Ministry of Justice, "Annual Prison Statistics," 2025.

²⁶ U.S. State Department, "Country Reports on Human Rights Practices: Algeria," 2024.

²⁷ UN Working Group on Arbitrary Detention, "Opinion on the Case of Ihsane El Kadi," 2025.

²⁸ Amnesty International, "Targeting Human Rights Lawyers in Algeria," 2025.

²⁹ UN Human Rights Committee, "Communication 4352/2025: El Kadi v. Algeria," 2025

³⁰ Collectif des Familles de Disparus, "Documented Attacks on Peaceful Vigils," 2024.

³¹ EuroMed Rights, "Civic Space Under Siege in Algeria," 2025.

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4. Case Studies

Case 1: Merzoug Touati — Journalist and Human Rights Defender

In August 2024, journalist and human rights defender Merzoug Touati was arrested during a pre-dawn raid at his residence in Béjaïa, by plainclothes officers affiliated with the National Security Directorate (DGSN). According to credible sources, the raid involved the seizure of his electronic equipment and the application of excessive force³². Following his arrest, Mr. Touati was transferred to the Antar military barracks in Algiers, an unofficial detention site long associated with allegations of torture and ill-treatment.³³

During the five days of his incommunicado detention, Mr. Touati was reportedly subjected to both physical and psychological abuse, including prolonged sleep deprivation and threats directed at his family members³⁴. No formal charges were presented during this period. Upon his eventual transfer to civilian judicial custody, Mr. Touati was charged under Article 87bis of the Algerian Penal Code, which broadly defines "undermining state security" — a provision frequently criticized by international human rights bodies for its vagueness and susceptibility to political abuse³⁵.

Despite being provisionally released under judicial supervision, Mr. Touati remains barred from leaving Béjaïa and continues to face judicial harassment, including fresh charges for his social media posts denouncing allegations of police corruption³⁶. The Government of Algeria has categorically denied any wrongdoing, asserting that all procedures in Mr. Touati's case complied with national legal standards³⁷. To date, no independent investigation has been launched into the allegations of torture. State-controlled media have portrayed Mr. Touati as a "threat to national unity," further exacerbating risks to his safety and reputation³⁸.

³² Amnesty International, "Algeria: Authorities must end arbitrary detentions of human rights defenders and journalists," Press Release, September 2024.

³³ Human Rights Watch, "Algeria: Journalist Detained, Accused of Undermining State Security," August 2024.

³⁴ United Nations Human Rights Office of the High Commissioner (OHCHR), "Algeria: UN experts alarmed by the shrinking space for press freedom and human rights activism," Statement, October 2024.

³⁵ Reporters Without Borders (RSF), "Merzoug Touati, victim of repeated judicial harassment," September 2024.

³⁶ Euro-Mediterranean Human Rights Monitor, "Algeria: The weaponization of the judiciary against human rights defenders," Policy Brief, December 2024.

³⁷ International Federation for Human Rights (FIDH), "Targeted by the Law: Use of Article 87bis against activists and dissidents in Algeria," Analytical Report, November 2024.

³⁸ Front Line Defenders, "Case Alert: Merzoug Touati subjected to torture and ill-treatment during detention," September 2024.

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Case 2: Soufiane Ouali — Human Rights Lawyer, and Yuba Manguellet — Whistleblower

On 14 July 2024, human rights lawyer Soufiane Ouali was arrested during a coordinated operation by the Anti-Terrorism Brigade (DGSI) in the province of Tizi Ouzou. The raid targeted his residence and resulted in the simultaneous detention of Mr. Ouali, whistleblower Yuba Manguellet, and 14 additional environmental and civil society activists³⁹. Mr. Ouali and Mr. Manguellet were both charged under Article 87bis, accused of "organizing and inciting demonstrations with the aim of disturbing public order and financing terrorist activities." The charges stemmed from their involvement in peaceful public protests against environmental degradation allegedly linked to state-sanctioned industrial projects⁴⁰. Both detainees were reportedly denied access to legal counsel for 72 hours following their arrest, in violation of their rights under both Algerian law and international human rights treaties. According to their testimonies, confessions were extracted under duress, raising serious concerns about the use of torture or other forms of cruel, inhuman, or degrading treatment⁴¹.

As of the time of writing, Mr. Ouali remains under strict judicial control, while Mr. Manguellet faces the prospect of up to 10 years' imprisonment if convicted⁴². In its public statements, the Algerian government has justified the charges on the grounds of "combating the financing of terrorist activities"⁴³. State-affiliated media outlets have further sought to discredit Mr. Ouali, depicting him as a "foreign agent exploiting youth for destabilization purposes"⁴⁴.

5. Reactions by Regional and International Actors

Regional and international human rights organizations, as well as legal advocacy groups, have consistently raised alarm over the Algerian government's escalating campaign against civic space and fundamental freedoms. Throughout 2024 and into early 2025, lawyers' associations and national non-governmental organizations reported systematic patterns of arbitrary arrests, restrictions on freedom of movement, and the criminalization of peaceful dissent⁴⁵.

In February 2025, a coalition of eight leading international human rights organizations—including Human Rights Watch, Amnesty International, the International Federation for Human Rights (FIDH), and the World Organisation Against Torture (OMCT) and others—

³⁹ Comité des droits de l'homme des Nations Unies, "Observations finales sur le quatrième rapport périodique de l'Algérie," CCPR/C/DZA/CO/4, November 2018, para. 37-38 (always cited as a benchmark in ongoing monitoring).

⁴⁰ Amnesty International, "Algeria: Wave of Arrests Targets Environmental and Indigenous Rights Defenders in Kabylie," August 2024.

⁴¹ Human Rights Watch, "Algeria: Detained for Defending the Environment," August 2024.

⁴² Alkarama Foundation, "Algeria: Legal Abuses and Arbitrary Detention of Environmental Activists," Urgent Appeal Submission to UN Working Group on Arbitrary Detention, August 2024.

⁴³ United Nations Special Rapporteur on the promotion and protection of human rights while countering terrorism, "Mandate Communication to the Government of Algeria on abuse of anti-terrorism legislation," UN Doc AL DZA 5/2024, September 2024.

⁴⁴ EuroMed Rights, "Algeria's Counter-Terrorism Laws: A Tool for Repression," Briefing Paper, October 2024.

⁴⁵ Human Rights Watch, Amnesty International, World Organisation Against Torture et al., *Joint Open Letter to the UN Human Rights Council on Algeria's Escalating Repression*, January 2025.

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addressed a joint open letter to the President of the UN Human Rights Council. The letter warned of Algeria’s “brutal crackdown on the rights to freedom of expression, association, and peaceful assembly” and cited a pattern of legislative and judicial practices inconsistent with the country’s international obligations⁴⁶. The coalition urged the Council to press the Algerian authorities for the immediate release of all individuals detained solely for exercising their internationally protected rights⁴⁷.

In addition to the concerns raised by civil society, the United Nations Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor, expressed particular concern regarding the worsening environment for human rights defenders in Algeria. Following her country visit in late 2023, the Special Rapporteur noted the “continued criminalization of human rights defenders” and highlighted a climate of fear generated by arbitrary detention, unfair judicial procedures, and restrictions on freedom of movement imposed on civil society actors⁴⁸. Presenting her findings to the Human Rights Council in March 2025, Ms. Lawlor underscored that the persistence of these abuses not only undermines civic space but also erodes the rule of law⁴⁹.

Parallel to UN advocacy, international non-governmental organizations such as Human Rights Watch published a series of reports in early 2025 documenting the widespread and arbitrary application of travel bans against political activists, human rights defenders, and members of the Hirak protest movement⁵⁰. The reports indicated that these restrictions were frequently imposed without judicial oversight or legal justification, in clear contravention of Algeria’s obligations under international human rights law, particularly with regard to freedom of movement and freedom of association⁵¹.

In an apparent response to both domestic and international pressure, Algerian authorities initiated a legislative review process in early 2025, circulating a draft law on associations for consultation. However, independent experts and civil society groups have criticized the proposed amendments, arguing that the revisions maintain restrictive registration requirements and confer overly broad discretionary powers on administrative authorities, thereby failing to align with international standards on freedom of association⁵². Overall, the response from international human rights actors has been both clear and consistent: an end to arbitrary detention, the immediate release of human rights defenders, and the implementation of

⁴⁶ Amnesty International, Algeria: Authorities must end brutal crackdown on freedom of expression, assembly and association, Press Release, January 2025.

⁴⁷ Office of the United Nations High Commissioner for Human Rights (OHCHR), Special Rapporteur on the Situation of Human Rights Defenders Concludes Visit to Algeria, End-of-Mission Statement, December 2023.

⁴⁸ United Nations Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights Defenders, Mary Lawlor — Follow-up to Algeria Country Visit, A/HRC/58/XX, March 2025.

⁴⁹ Human Rights Watch, Algeria: Systematic Use of Arbitrary Travel Bans to Silence Dissent, Report, February 2025.

⁵⁰ United Nations Human Rights Committee, General Comment No. 27: Freedom of Movement (Art. 12), CCPR/C/21/Rev.1/Add.9, November 1999.

⁵¹ EuroMed Rights, Shrinking Space for Civil Society in Algeria: Draft Law on Associations Fails to Meet International Standards, Policy Analysis, February 2025.

⁵² International Commission of Jurists (ICJ), The Right to Freedom of Association: Algeria’s Legal Framework under Scrutiny, Legal Briefing, March 2025.

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meaningful legal and institutional reforms are urgently required to restore respect for fundamental freedoms in Algeria⁵³.

6. Conclusion and Recommendations

Key Findings

The present report highlights serious and systematic violations of the African Charter on Human and Peoples' Rights committed by the Algerian authorities between October 2024 and April 2025. Documented abuses include the widespread practice of arbitrary detention, enforced disappearances, and the denial of fundamental fair trial guarantees, in contravention of Articles 4, 5, 6, 7, and 18 of the Charter⁵⁴.

Human rights defenders, independent journalists, and civil society actors are disproportionately targeted through the abusive application of counter-terrorism legislation, notably Article 87bis of the Algerian Penal Code⁵⁵. Reports further confirm the persistence of torture and ill-treatment within detention facilities, including in unofficial places of detention, and a systematic pattern of judicial harassment designed to silence dissent⁵⁶.

Judicial independence has suffered further erosion, as courts continued to endorse politically motivated prosecutions, thereby undermining the rule of law⁵⁷. In parallel, civil society organizations, independent unions, and the families of victims have faced restrictions on their freedom of movement, arbitrary association dissolutions, and targeted reprisals⁵⁸. These violations appear to form part of a deliberate state policy aimed at repressing fundamental freedoms and shielding perpetrators from accountability.

Compliance with the African Charter

The findings indicate that the Algerian State has failed to fulfil its obligations under the African Charter. The reliance on emergency frameworks, the prosecution of civilians before military courts, and the selective enforcement of restrictive legislation contravene Article 6 (right to liberty and security) and Article 7 (right to fair trial)⁵⁹. Moreover, the recurrent use of torture, enforced disappearances, and degrading treatment constitutes a flagrant violation of Article 5 (prohibition of torture and cruel, inhuman, or degrading treatment)⁶⁰. The criminalization of legitimate civic activism, including peaceful assembly and association, represents a breach of

⁵³ FIDH & LADDH, Algeria: Discretionary Executive Powers and the Criminalization of Civil Society, Joint Report, March 2025.

⁵⁴ African Commission on Human and Peoples' Rights, African Charter on Human and Peoples' Rights, 1981.

⁵⁵ Penal Code of Algeria, Article 87bis, as amended by Law No. 16-02 of 19 June 2016.

⁵⁶ United Nations Human Rights Council, Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on Algeria, A/HRC/58/XX, March 2025.

⁵⁷ International Commission of Jurists, The erosion of judicial independence in Algeria: A legal analysis, March 2025.

⁵⁸ EuroMed Rights, Shrinking Civic Space in Algeria: Trends and Patterns, Policy Report, April 2025.

⁵⁹ African Commission on Human and Peoples' Rights, General Comment No. 3 on the African Charter, Article 7: The Right to a Fair Trial, 2018.

⁶⁰ UN Committee Against Torture, *Concluding Observations on Algeria's 6th periodic report*, CAT/C/DZA/CO/6, December 2024.

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Article 18 of the Charter⁶¹. Despite formal constitutional guarantees, the existing legal framework and institutional practices facilitate — rather than prevent — serious human rights violations, underscoring a structural failure to comply with regional human rights obligations⁶².

Recommendations to the Algerian Government

1. Immediate and Unconditional Release of Arbitrarily Detained Individuals

The Government of Algeria must ensure the immediate release of all persons arbitrarily detained for the peaceful exercise of their rights, including human rights defenders such as Merzoug Touati and Soufiane Ouali⁶³.

2. Independent and Impartial Investigations

An independent investigative mechanism must be established to address allegations of torture, enforced disappearances, and deaths in custody. The mechanism should guarantee the meaningful participation of victims and ensure adequate witness protection⁶⁴.

3. Prohibition of Military and Exceptional Courts for Civilians

The trial of civilians before military or exceptional courts should be unequivocally prohibited. All accused persons must be tried by independent, impartial, and competent ordinary courts⁶⁵.

4. Strengthening of Fair Trial Guarantees

- Ensure all detainees have prompt and unhindered access to legal counsel and all relevant evidence.
- Nullify convictions based on confessions extracted under coercion or in the absence of procedural safeguards.
- Guarantee public access to trial schedules, decisions, and judicial reasoning, in line with the principles of transparency and accountability⁶⁶.

⁶¹ African Commission on Human and Peoples' Rights, *Guidelines on Freedom of Association and Assembly in Africa*, 2017.

⁶² Human Rights Watch, *Algeria: Repressive Laws and Structural Impunity*, Analysis, February 2025.

⁶³ Amnesty International, *Urgent Action: Algeria must release arbitrarily detained human rights defenders*, March 2025.

⁶⁴ UN Human Rights Council, *Principles on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Istanbul Protocol), 1999.

⁶⁵ African Commission on Human and Peoples' Rights, *Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa*, 2003.

⁶⁶ UN Human Rights Committee, *General Comment No. 32, Article 14: Right to Equality before Courts and Tribunals and to a Fair Trial*, CCPR/C/GC/32, August 2007.



5. Legislative Reforms

- Urgently revise Article 87bis of the Penal Code to prevent its misuse against peaceful dissenters⁶⁷.
- Amend the 2012 Law on Associations to align with Article 10 of the African Charter, notably by abolishing prior authorization requirements and ensuring the protection of freedom of association⁶⁸.

6. Accountability for Human Rights Violations

- Investigate and prosecute, without delay, all state agents — including security officials and judicial actors — suspected of involvement in torture, arbitrary detention, or other serious violations, irrespective of their official capacity or rank⁶⁹.

7. Enhanced Cooperation with International Human Rights Mechanisms

- Extend a standing invitation to UN Special Procedures, notably the Special Rapporteurs on torture and on the independence of judges and lawyers, and authorize unannounced visits to all places of detention⁷⁰.
- Implement the outstanding recommendations issued by the African Commission on Human and Peoples' Rights during its 2023 periodic review⁷¹.

The human rights situation in Algeria requires urgent structural reforms aimed at dismantling the current repressive legal and institutional framework. Without immediate corrective measures, including accountability for perpetrators and alignment with regional human rights standards, the risk of further entrenchment of systemic violations will persist, deepening the country's isolation within the international human rights community.

⁶⁷ Human Rights Watch, Algeria's Article 87bis: A Legal Tool for Silencing Dissent, Legal Commentary, February 2025.

⁶⁸ International Service for Human Rights (ISHR), Legal Analysis of Algeria's 2012 Law on Associations, March 2025.

⁶⁹ UN General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation, A/RES/60/147, December 2005

⁷⁰ United Nations Special Procedures, Country Visit Requests and Standing Invitations, Status Overview, April 2025.

⁷¹ African Commission on Human and Peoples' Rights, Concluding Observations and Recommendations on Algeria's State Report, 2023.

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