

REPORTERS WITHOUT BORDERS

FOR FREEDOM OF INFORMATION

Paris, 19 September 2016

UN Human Rights Council
Universal Periodic Review
27th session – May 2017

**Contribution by Reporters Without Borders (RSF),
a non-governmental organization with special consultative status,
about freedom of the media and information in Algeria**

A very disturbing decline in freedom of the media and information in Algeria

The state of freedom of the media and information in Algeria is worrying. Algeria is ranked 129th out of 180 countries in RSF's 2016 World Press Freedom Index, ten places lower than its position in the 2015 Index.

1- Legislation that does not provide sufficient protection for freedom of the media and information

The Algerian constitution was amended in March 2016. Article 50 of the constitution now guarantees freedom of the print, broadcast and online media without any form of prior censorship, and prohibits using prison sentences to punish press offences.

The constitution nonetheless also states that "the dissemination of information, ideas, images and opinions in complete freedom is guaranteed within the framework of the law and respect for the Nation's religious, moral and cultural

characteristics and values." This very broad wording of exceptions does not comply with article 19 of the International Covenant on Civil and Political Rights, to which Algeria has been a party since 1989.

Furthermore, Algeria's current legislation, including the penal code, has not been brought into compliance with the new constitution and with Algeria's international obligations regarding freedom of the media and information. Legislation still penalizes written texts, drawings and images that insult or offend the president, the parliament, the judiciary or the armed forces.

As a result, the Algerian authorities continue to use various provisions of the penal code to prosecute persons who criticize them.

2- Pressuring and harassment of journalists and other information providers by the Algerian authorities

The Algerian authorities put direct and indirect pressure on the media and journalists.

Senior politicians have not hesitated to threaten the media in their public statements in the past two years. The communication minister, for example, said in October 2015 that any TV channel that dared to attack "Algeria's symbols" would be treated "without compunction" by the authorities.

Sudden decisions by advertisers to withdraw their business as a result of pressure and the ensuing loss in advertising revenue suffered by newspapers critical of the authorities, such as *El Watan*, have helped to curtail media freedom.

The state's control of printing and print media distribution has resulted in the censorship of some newspapers, such as the daily *El Fajr*, which was prevented from being printed for a month in 2014.

The closures of *El Djazaira TV* and *El Watan TV* in April and October 2015 had an impact. Only four privately-owned TV channels – *Dzair TV*, *Ennahar TV*, *El Djazair* and *Echourouk TV* – are currently operating with official permission in Algeria and none of them is very critical of the government.

The jail sentence that an appeal court imposed on the cartoonist Djehiche Tahar in November 2015 for including President Abdelaziz Bouteflika in a cartoon criticizing shale gas production in the Sahara is another example of the decline in media freedom in Algeria.

Pressure on independent media was stepped up in May 2016, when Prime Minister Abdelmalek Sellal announced measures to "clean up" the broadcasting sector and shut down TV channels operating without permission. The aim, he said, was to stop those broadcasters that were "crossing red lines" and were attacking "the values and principles of Algerian society" and the "nation's foundations."

At around the same time, the authorities increased pressure on two newspapers with a critical editorial line – *El Khabar*, Algeria’s second most widely read Arabic-language newspaper, and the French-language daily *El Watan*. Both have existed since 1990 and both have developed into significant media groups. They have shared a printing press since 1998 that allows them to be completely independent of the state-owned printing presses (formerly a state monopoly). The state presses still print most newspapers and state advertising, which is distributed to government supporters via the National Agency for Publishing and Advertising. This maintains pressure on the print media.

The police surrounded *El Watan*’s new headquarters on 24 June 2016, preventing anyone from entering and forcing the newspaper’s staff to resume working in their old premises. The authorities claimed that the new headquarters lacked the necessary permits.

In May 2016, the communication ministry sought an injunction preventing the *El Khabar* media group, which had lost more than 40% of its advertising revenue in 2015, from selling a majority stake to Ness Prod, a subsidiary of the Algerian privately-owned industrial group Cevital. The sale would have allowed *El Khabar* to resist government-instigated economic pressure. After an unprecedented legal wrangle with political overtones lasting several months, a court voided the sale on 15 July.

Finally, *El Watan* reporter Rbaha Beldjena and *El Khabar* reporter Lahcèn Bourbia were turned away at Houari Boumédiène Airport in Algiers on 3 June 2016 when they tried to fly with other journalists to Tindouf (1,500 km southwest of Algiers) to cover Polisario Front leader Mohamed Abdelaziz’s funeral. No reason was given for the decision to turn them away.

RSF’s recommendations to the Algerian authorities:

- Harmonize legislation, including the penal code and 2012 media code, with the new constitution and with the International Covenant on Civil and Political Rights.
- Stop using arbitrary administrative and criminal proceedings to prohibit and criminalize freedom of expression and independent journalism.
- Put a stop to repeated verbal threats by senior political officials against media outlets on such vague grounds as the defence of “society’s values,” “the nation’s principles” and “Algeria’s symbols.”
- Allow the new Broadcasting Regulatory Authority (ARAV) that was established on 20 June 2016 to act with complete independence when issuing licences to TV channels and radio stations.
- Quickly establish the Council for Media Ethics and Professional Conduct that is envisaged in the 2012 media code.

- Involve national media civil society actors, including the national union of journalists, in any reforms undertaken in the media sector.
- Issue visas and accreditation without restriction to foreign journalists who request them, and allow foreign journalists to move about without a security services escort.

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