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ALGERIA

JOURNALIST MUST BE RELEASED IMMEDIATELY



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Algerian journalist, Merzoug Touati, sentenced to one year in prison and a fine for Facebook posts denouncing deplorable prison conditions of another detained activist, started a hunger strike on 29 March 2022 to protest his detention conditions and demand a transfer to a prison close to his official residence in Bejaia, Algeria. As the prison administration disregarded his hunger strike, Merzoug Touati did not receive any medical care until suffering sharp kidney pain which required his transfer to a hospital. His health has significantly deteriorated according to reports from his family. He must be released immediately and unconditionally.

Merzoug Touati was previously held in Ghardaia prison during his first instance and appeal trials. He was transferred to the new prison on 16 February 2022 and placed in a crowded transit area dedicated to new incoming prisoners who are supposed to stay there only for two weeks due to Covid-19 regulations. However, Merzoug Touati has already spent more than one month and a half in this transit area, placing his health at further risk.

On 9 April 2022, his family visited him in prison. They told Amnesty International that he had lost half his weight and was barely able to move. He complained of stomach pain and asked his family to get him medicine from outside prison, as the prison administration has not provided him with any medical attention needed and instead continued to disregard his hunger strike.

Police in Ghardaia summoned Merzoug Touati on 28 December 2021 without mentioning any reason. They kept him in custody for one night before transferring him to Ghardaia prison on 29 December 2021. The first instance court in Ghardaia sentenced him to one year in prison, confirmed on appeal, for “harming public institutions” and publishing “fake news”, under articles 146 and 196 bis of the penal code, respectively, after he posted on Facebook a comment denouncing the prison conditions of a detained activist.

Write to the President urging him to:

- to quash the sentence against Merzoug Touati and release him immediately and unconditionally as he is imprisoned only for exercising his right to freedom of expression
- pending his release, ensure that he is held in conditions meeting international standards and provided with the adequate medical treatment he may require, including during his hunger strike

Write to:

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Additional information

Merzoug Touati is an Algerian journalist. He founded an independent news page called "Al-Hogra" in 2015 where he publishes about political and human rights developments in Algeria. He was also a journalist at [L'Avant-Garde](#), an independent Algerian newspaper. The Algerian authorities targeted him multiple times since 2017 for documenting human rights violations and reporting on political developments.

In January 2017, he was sentenced to 10 years in prison, later reduced to five years, three of them suspended. On that occasion, he faced charges of sharing intelligence with a foreign power "aiming at harming diplomatic ties" and "incitement to gatherings and sit-ins in public spaces". The charges were based solely on the peaceful exercise of his rights to freedom of expression and peaceful assembly stemming from a Facebook post that called for protests against a new law and a video interview with an Israeli spokesperson posted on YouTube. He spent more than two years in prison and was released on 7 March 2019.

Merzoug Touati actively participated in the Hirak, both as a journalist and an activist. Police arrested him on 12 June 2020 while he was about to cover a protest in the city of Béjaïa. He was presented before the prosecutor the following day and was accused of "incitement to a gathering" along with two other activists. On 8 July 2020, he was sentenced to a fine of 100.000 Algerian dinars (around 749 USD).

On 15 November 2021, Merzoug Touati received summons at his home notifying him to show up at the Bejaia cybercrime department. On 16 November 2021, he went to the central police station in Bejaia, where he was ordered to go to the cybercrime department of Ghardaia. On 27 December 2021, Merzoug Touati travelled more than 700 km from his place of residence in Bejaia to Ghardaia. The day after, he called his wife to let her know that he was being held in custody in Ghardaia. On 29 December 2021, Merzoug Touati was presented before the prosecutor, and charged with publishing fake news and harming public institutions. On 3 January 2022, he was sentenced to one year in prison and a fine. The sentence was upheld after appeal.

At least two people detained solely for exercising their right to freedom of expression have died in Algeria following hunger strikes. Mohamed Tamalt, a journalist, died in prison on 11 December 2016, following a hunger strike to protest against a two-year prison sentence stemming from articles and posts criticizing or insulting President Bouteflika. On 28 May 2019, Kamaledine Fekhar, who was active in defending the rights of the Mozabites, an Amazigh community in the region of Ghardaïa, doctor and local president of the section of the Algerian League for the defence of human rights died in the Blida hospital while detained after 50 days of a hunger strike to protest his detention for Facebook posts critical of the authorities.