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Second UA: 37/23 Index: MDE 28/7026/2023 Algeria of July 20, 2023

ALGERIA**JOURNALIST, IHSANE EL KADI'S SENTENCE INCREASED ON APPEAL**

On June 18, the Algiers Court of Appeal announced the verdict of Ihsane El Kadi's appeals trial, confirming his conviction and increasing his sentence from five to seven years, two of which are suspended. This is the heaviest sentence against a journalist since the election of President Abdelmadjid Tebboune in 2019.

Ihsane El Kadi was convicted on charges of receiving funds "that could harm the security of the state" and receiving foreign funds "for political propaganda". The appeals court failed to recognize and remedy violations against Ihsane El Kadi from the moment of his arrest.

He must be released immediately from El Harrach prison where he remains, and his conviction must be quashed.

Write to the President of Algeria urging him to:

- Immediately and unconditionally release Ihsane El Kadi and quash his conviction.
- Bring an end to the targeted crackdown and censorship of independent media and journalists in Algeria through vaguely worded articles of the Penal Code which are used to violate the right to freedom of expression.

Write to:

President of the Republic of Algeria
Abdelmadjid Tebboune
Présidence de la République
Place Mohammed Seddik Benyahya, El Mouradia,
Alger 16000 Algeria
Email: President@el-mouradia.dz
Salutation: Your Excellency:

And copy:

His Excellency Nouredine BARDAD DAIDJ
Ambassador
Embassy of the People's Democratic Republic of Algeria
500 Wilbrod Street
Ottawa, ON K1N 6N2
Tel: (613) 789-8505; -0282
Email: info@embassyalgeria.ca

ADDITIONAL INFORMATION

Ihsane El Kadi is a journalist and the director and founder of "Interface Media", which comprises media outlets Radio M and Maghreb Emergent. He has written several articles openly criticizing the Algerian

authorities who have responded by harassing him and targeting his media outlets. The websites of both Radio M and Maghreb Emergent were blocked inside Algeria in 2020. On several occasions since 2021, security services summoned Ihsane El Kadi to the Antar security center in Algiers, where he was interrogated.

On the day of his arrest, the security officials led Ihsane El Kadi in handcuffs to the offices of his media outlet, where they ordered staff to leave, seized computers and other materials and sealed the doors, without providing any explanation nor informing him of the allegations on which he was arrested. Security officers held Ihsane El Kadi for five days and interrogated him about his publications. On December 29, 2022, an investigative judge at the first instance Tribunal of Sidi M'hamed in Algiers ordered his detention at El Harrach prison after a prosecutor charged him with several offences under the Penal Code, including receiving funds "that could harm the security of the state", receiving foreign funds "for political propaganda", and distributing or selling propaganda "with the aim of harming the national interest" – a charge which was later dropped.

The judge also accused him based on Ordinance 77-3 dating back to 1977, which requires prior authorization from the governor or the Minister of Interior for fundraising. On January 15, 2023, a judge in the Sidi M'hamed court renewed Ihsane El Kadi's pretrial detention without the presence of his lawyer, so breaching his fair trial rights.

Two courts in Algeria previously prosecuted Ihsane El Kadi in February and March 2022 for "terrorism" and other charges because he was in contact with Zaki Hannache and Tahar Khouas, two human rights defenders who were detained in Algeria for several weeks. The charges against him were dropped but, in June 2022, he was convicted to six months in prison in a third case for an article he wrote in 2021 about the role of the non-recognized political party Rachad in the protest movement Hirak, following a complaint filed against him by the Minister of Communication.

On April 2, 2023, the tribunal of Sidi M'hamed in Algiers convicted Ihsane El Kadi to five years in prison, of which two were suspended, a fine of 700,000 Algerian dinars (around USD 5,150), and ordered the dissolution of his media company, one of the last media outlets in the country. It also ordered that the media company pays for damages to the Algerian audio-visual regulatory body worth 10 million dinars (around 73 862 USD), following the authorities' launching a civil lawsuit against Interface Media for "exploiting an audiovisual communication service without authorization".

Ihsane El Kadi was convicted for investing money sent to him by his daughter into his media company and exercising his work as a journalist. His conviction is a clear violation of his right to freedom of expression and the latest example of the Algerian authorities tightening their grip on critical voices and the independent media.

The most recent sentencing of Ihsane El Kadi is yet another example of the growing repression in Algeria. In the past two years, at least 280 journalists, bloggers, activists and human rights defenders have been harassed and unlawfully imprisoned on charges related to the exercise of their rights to freedom of expression and peaceful assembly.