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ALGERIA

ACTIVIST CONVICTED OF TERRORISM GLORIFICATION

On 17 October, the First-Instance Tribunal of Adrar, a city 1400 km southwest of Algiers, the Algerian capital, convicted environmental activist Mohad Gasmi to five years in prison for "glorification of terrorism" for a Facebook publication in which he blamed the Algerian authorities for the radicalization of a well-known militant. Mohad Gasmi has been detained since 8 June 2020 in a detention facility in Adrar. The authorities must quash his conviction and grant his immediate release.



Police in Adrar arrested Mohad Gasmi on 14 June 2020. His house was searched and police seized his phone, computer and USB flash drive. He was charged with "glorification of terrorism" for a Facebook post where he attributes the radicalization of a prominent Algerian militant, considered a "terrorist" by the Algerian authorities, to their failure to deliver justice and dignity to their population.

Mohad Gasmi is a civil society and environmental activist who was among the leaders of the protest movement against the exploitation of the shale gas in the south of Algeria between 2012 and 2015. He also took part in the Hirak protests which erupted in February 2019 and called for political change in Algeria.

The Algerian authorities are increasingly resorting to trumped up terrorism-related charges to prosecute journalists, human rights defenders and political activists in the country. Journalists Hassan Bouras and Mohamed Mouloudj are currently [held](#) in pre-trial detention on terrorism-related charges for their online publications criticizing the authorities. Three members of the Algerian League for the Defense of Human Rights in Oran are also being [prosecuted](#) for "terrorism" to punish them for their participation in the Hirak movement.

Write to the President urging him to:

- immediately release Mohad Gasmi and quash his conviction, as he is detained solely for peacefully exercising his right to freedom of expression
- stop using charges of terrorism to crackdown on peaceful activism in Algeria

Write to:

President of the Republic of Algeria
Abdelmajid Tebboune
Présidence de la république
Place Mohammed Seddik Benyahia, El Mouradia,
Alger 16000
Algérie
Fax: 011 213 02169 15 95
Email: President@el-mouradia.dz
Salutation: Your Excellency,

And copy:

His Excellency Larbi El Hadj Ali
Ambassador for the People's Democratic Republic of Algeria
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Additional Information:

The prosecutor of the Adrar First Instance Tribunal brought charges against Mohad Gasmi of "glorification of terrorism" and he was held in provisional detention for the maximum time allowed by the law which is 16 months. On 17 October, a court in Adrar convicted the activist to five years in prison based on article 87bis 4 of the penal code. He was also banned from voting or participating in an election for five years.

According to Mohad Gasmi's lawyer, the Court used as evidence a [Facebook](#) post he published on 18 January 2018, where he points to the responsibility of Algerian authorities in the radicalization of Abdesslem Termoune, head of the armed group "the South's Sons Movement for Justice", who was [killed](#) in Libya in January 2018. In his publication, which Amnesty International reviewed, he pays tribute to Termoune, and says that there is no wonder some took up arms in the Algerian Sahara to protest marginalization and express social demands. He concludes by considering that "the authorities are responsible for extremism within society through their disdain."

The Algerian penal code punishes with up to five years "anyone who glorifies, encourages or finances, with any means" the acts of terrorism. The Algerian code definition of terrorism and glorification of it contains broadly worded offences that criminalise legitimate expression. The right to freedom of expression includes speech that offends, shocks and disturbs. Mohad Gasmi's sentencing for a Facebook post that does not appear to incite a criminal act is contrary to international law and Conventions to which Algeria is a state party.

In another case against him, the Court of Adrar prosecuted Mohad Gasmi on penal code charges related to "having access to secret information", "offending" the President of the Republic and "offending" public institutions for online posts such as one where he wrote that the police who helped distribute Covid-19 aid was the same that repressed activists during Hirak. A tribunal in Adrar held its first hearing in this case on 13 October and the judge ordered further investigation.

Since 2019, the Algerian authorities have been prosecuting, arresting and detaining hundreds of activists for the exercise of their rights to freedom of expression and peaceful assembly. Since April 2021, Algeria's authorities have increasingly resorted to the use of "terrorism" or "conspiracy against the state" charges to prosecute human rights defenders and Hirak activists. They have arrested and prosecuted activists for their alleged ties with unregistered political organizations from Algeria, such as *Rachad* and the *Movement for the Self Determination of Kabylie (MAK)*, designated as terrorists' organizations in May 2021 by the authorities.

There are currently 222 people in Algeria detained on the basis of the peaceful exercise of their rights to freedom of expression and peaceful assembly, according to the National Committee for the Liberation of detainees in Algeria, a national watch dog group.