

URGENT ACTION

BLOGGER ON HUNGER STRIKE AFTER UNFAIR CONVICTION
Algerian blogger and prisoner of conscience Merzoug Touati began a hunger strike on 8 July in protest at being imprisoned solely for peaceful online posts. Held in solitary confinement since he began the hunger strike, there are concerns for his physical and mental wellbeing. He should be immediately and unconditionally released.

Merzoug Touati began a hunger strike on 8 July in protest at his recent unfair conviction on 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 right to freedom of expression, specifically a Facebook post that called for protest against a new law and a video interview with an Israeli spokesperson posted on YouTube that was critical of the Algerian authorities. After more than 16 months in pre-trial detention, on 24 May, the Court of First Instance in Béjaïa, a city in the Kabylia region of northern Algeria, sentenced him to 10 years in prison and a fine of 50,000 Algerian dinars (approximately US\$430). A month later, on 21 June, the Court of Appeal in Béjaïa reduced the prison sentence to seven years, while maintaining the same fine. The lawyers have two months to file an appeal before the Court of Cassation, Algeria's highest court.

Merzoug Touati has been held in solitary confinement since he started his hunger strike on 8 July, in Oued Ghir prison, Béjaïa. According to the UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), this amounts to prolonged solitary confinement and as such constitutes a form of torture or other ill-treatment. According to his lawyers, he is physically weak and the isolation has taken a heavy toll on his psychological wellbeing. Although the prison administration provides him with unlimited quantities of water and sugar on a daily basis, he is forced to pay for them since he is in isolation.

Merzoug Touati, a university graduate, began running in 2015 a Facebook page and a blog called *Alhogra.com*, since deleted, where he regularly commented on political and human rights developments in Algeria. He has had conducted seven hunger strikes before his trial in protest at the extended period of pre-trial detention.

Please write immediately in Arabic, French or your own language urging Algerian authorities to:

- Release Merzoug Touati immediately and unconditionally and ensure that his conviction is quashed, as he is a prisoner of conscience detained solely for peacefully expressing his views online;
- Immediately end his solitary confinement and ensure his detention conditions are in line with international standards, including free access to water;
- Ensure he has adequate access to qualified health professionals providing health care in compliance with medical ethics, including the principles of confidentiality, autonomy, and informed consent.

PLEASE SEND APPEALS BEFORE 14 SEPTEMBER 2018 TO:

President of the Republic
 Abdelaziz Bouteflika
 Presidency of the Republic
 El Mouradia, Algiers, Algeria
 Fax: +213 21 6915 95 / +213 21 6096 18
 Email: president@el-mouradia.dz

Salutation: Your Excellency

Justice Minister
 Tayeb Louh
 Ministry of Justice
 8 Place Bir Hakem 16030
 El Biar, Algiers, Algeria
 Fax: +213 21 9217 01
 Email: contact@mjustice.dz
Salutation: Your Excellency

And copies to:
President, National Human Rights Institution
 Mme Fafa Benzerrouki Sid Lakhdar
 Conseil national des droits de l'Homme
 Palais du Peuple Avenue Franklin
 Roosevelt, Algiers, Algeria
 Fax: +213 21 2399 58
 Email: contact@cncppdh-algerie.org
Salutation: Dear Madam

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below.

Please check with your section office if sending appeals after the above date. This is the first update of UA 117/18. Further information:

<https://www.amnesty.org/en/documents/mde28/8606/2018/en/>

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ADDITIONAL INFORMATION

Merzoug Touati is a citizen journalist who was unemployed at the time of his arrest. He regularly commented on political and human rights developments on his blog *Alhogra.com* and on Facebook. The blog had gained a significant readership, attracting over 20,000 likes on Facebook, before being deleted by the authorities after his arrest. His most recent posts had covered communal violence in Ghardaia, Amazigh cultural rights and the legislative elections in Algeria in 2017. He is not affiliated to any political party or association.

Police raided his home, seized his computer and arrested him in Béjaïa on 18 January 2017 after he published a post on Facebook and a video interview on his YouTube channel.

In the message on Facebook, posted on 2 January 2017, he called for residents of Béjaïa to protest the new Finance Law.

In the video interview, posted on his YouTube channel on 8 January 2017, Merzoug Touati interviewed via teleconference an Israeli foreign ministry spokesperson, who denied accusations by the Algerian authorities that the Israeli authorities were involved in protests in Algeria. The spokesperson's statements rebutted the frequent accusation made by the Algerian authorities that foreign governments, including Israel, have fomented unrest in Algeria by manipulating grievances about austerity measures. In the same interview, the spokesperson stated that Israeli and Algerian officials had been in contact with each other up until 2000.

During his interrogation, Merzoug Touati told the investigative judge that the interviews he had conducted with diplomats, human rights defenders, and activists from different religious and political backgrounds were solely for documentation purposes in order to produce articles that he then posted online to enlighten public opinion.

Amnesty International reviewed the court documents of Merzoug Touati's trial, which contained as the only "evidence" against him the Facebook post of 2 January 2017 and other commentary he had published before his website was deleted, and examined the video interview, and concluded that the material contained no incitement to violence or advocacy of hatred. Merzoug Touati's lawyer, Salah Dabouz, told Amnesty International that "the facts on which the Court of First Instance based its verdict have no relation with the charges against him".

Amnesty International considers Merzoug Touati a prisoner of conscience, held solely for expressing his peaceful opinions.

For more information see: <https://www.amnesty.org/en/latest/news/2018/05/algeria-blogger-facing-death-penalty-for-online-posts> and <https://www.amnesty.org/en/latest/news/2018/05/algeria-blogger-sentenced-to-10-years-for-online-posts/>

Name: Merzoug Touati
Gender m/f: M

Further information on UA: 117/18 Index: MDE 28/8887/2018 Issue Date: 3 August 2018

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