

Présidence de la République Algérienne Démocratique et Populaire
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8 June 2022

RE: IMMEDIATELY RELEASE AND ANNUL THE SENTENCE OF ENVIRONMENTAL HUMAN RIGHTS DEFENDER

Your Excellency,

On 9 and 15 June 2022 respectively, human rights defender Mohad Gasmi will have appeal hearings in two cases, in which he was sentenced to 5 years in prison on 17 October 2021, and 3 years in prison on 14 April 2022, for exercising his right to freedom of expression and his civil society activism. Some of our organisations have already raised [concerns](#) about [his case](#) in the past year. The undersigned organisations are deeply concerned that Mr Gasmi's sentencing to a total of 8 years of prison may soon be confirmed.

Mr Gasmi is an environmental, social and economic rights defender from the 'Unemployed Movement' and the anti-shale gas drilling movement in southern Algeria. Mohad Gasmi is also part of the Hirak movement which calls for democratic political and social reforms.

Police in Adrar arrested him on 8 June 2020. In October 2021, he was found guilty of "glorification of terrorism" (Article 87 bis 4 of the Penal Code) for a Facebook post where he attributes the radicalisation of a prominent Algerian militant, considered a "terrorist" by the Algerian authorities, to their failure to deliver justice and dignity to their population. In the second case, which was brought against him while serving his initial sentence, he was charged with "revealing confidential information without the intention of treason or espionage" (Article 67 of the Penal Code) for travelling abroad to attend environmental conferences and for email exchanges about the exploitation of shale gas in the south of Algeria. Authorities notably accuse him of sharing a picture of military police - a picture already available online - over email. The investigation has not demonstrated how the picture revealed confidential information.

In light of the above, we respectfully urge Your Excellency to immediately release Mohad Gasmi and quash his convictions. We ask that authorities stop misusing the criminal justice system to harass Mr Gasmi and guarantee a safe and enabling environment for all human rights defenders in Algeria to carry out their activities - including expressing their opinions, communicating and meeting with international and local civil society organisations - without fear of punishment, reprisal or intimidation. We also call on your government to stop using bogus charges related to terrorism or the disclosure of information to crackdown on peaceful activism and freedom of expression.

We draw your attention to Articles 7, 9, 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Algeria, which guarantee the right to be protected from torture, the rights to liberty and security, the prohibition of arbitrary detention, the right to freedom of expression and the rights to freedom of

peaceful assembly and association. We also draw your attention to the United Nations Declaration on Human Rights Defenders, Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”.

The use of trumped-up terrorism-related charges to prosecute journalists, human rights defenders and peaceful activists has become alarmingly widespread over the past year in Algeria. Journalists Hassan Bouras and Mohamed Mouloudj, lawyer Abderraouf Arslane and peaceful protesters Fatima Boudouda and Moufida Kharchi, and UN-recognised refugee Slimane Bouhafs are among the many individuals currently held arbitrarily in lengthy pre-trial detention over unfounded terrorism-related charges.

We recall that on 27 December 2021 ([DZ 12/2021](#)), UN Special Procedures stated that the Algerian counter-terrorism framework was in direct opposition to best practices and undermined the rights to peaceful assembly and freedom of expression. UN Experts again expressed their concern about this matter in another communication on 31 March 2022 ([AL DZA 3/2022](#)).

We thank you for your attention and consideration to this very important matter. We hope that the government of Algeria will give this case the attention it deserves. We will continue to monitor it closely.

Yours sincerely,

Amnesty International

Cairo Institute for Human Rights Studies (CIHRS)

Front Line Defenders