



**LAWYERS FOR
LAWYERS**



Human Rights
Institute

Organization: Lawyers for Lawyers

Item: 6

Date: 24, 27, 28 March

Speaker: Marije Pricker

Oral Statement to the 52nd Session of the UN Human Rights Council from Lawyers for Lawyers and the International Bar Association's Human Rights Institute, NGOs in special consultative status

Mr President,

We welcome the decision of Algeria to accept some of the recommendations made at its fourth UPR related to the protection of human rights defenders, including lawyers.ⁱ However, there are also recommendations relating to human rights defenders that Algeria has not accepted or considers already implemented. We call upon Algeria to accept and effectively implement all these recommendations without delay.

A fundamental aspect of the rule of law is access to legal representation by an independent legal profession. Lawyers must be able to carry out their professional duties without harassment, intimidation or improper interference.

In Algeria, lawyers are often faced with harassment and criminal prosecution, especially when they work on human rights cases and the defense of Hirak detainees. Lawyers' professional activities are also being hindered due to difficulties in accessing clients in police custody and not knowing when their clients are presented to court.

Furthermore, lawyers are often victims of disciplinary measures based on improper grounds. This includes being suspended from practicing law without any explanation and being "warned" by the bar association not to speak publicly about certain politically sensitive cases.

Concerns about the freedom of expression have also been raised, particularly since the disruption of the Hirak protests and the introduction of Ordinance No. 21-08 which broadened the already vague definition of "terrorism", allowing the criminalization of peaceful dissent. We are also concerned about Ordinance No. 21-09 which provides for up to 15 years imprisonment for individuals who share information deemed "classified" – defined in a broad manner – and 3 to 5 years imprisonment for individuals who share information about ongoing judicial investigations.

We urge Algeria to:

- Effectively implement all supported UPR recommendations without delay;
- Take immediate measures to ensure lawyers' protection physical safety and freedom of expression.

Thank you.

ⁱ Rapport du Groupe de travail sur l'Examen périodique universel Algérie, 2 March 2023, A/HRC/52/12/Add.1.

Accepted recommendations:

43.123 Further amend legal frameworks and take the necessary administrative measures with a view to ensuring that respect for freedom of expression, of opinion and of association and the right of access to information for journalists, human rights defenders, political parties and civil society organizations is in line with international standards and best practices (Romania)

43.137 Ensure that legislation passed at the highest level does not curtail the work of the media and human rights defenders (Greece)

Noted recommendations:

43.80 Repeal the amendments to article 87 bis of the Penal Code, which established an overly broad definition of terrorism, and release journalists, human rights defenders and others held under these provisions (United States of America)

Accepted recommendations considered already put in place:

43.86 Modify article 87 bis of the Penal Code to define more precisely the crime of "terrorism" in accordance with the norms and standards of international human rights law that prevent the use of anti-terrorist legislation against political opponents, journalists and human rights defenders (Spain)

43.118 Guarantee the effective exercise of freedom of expression, assembly and association by reforming legislation that hinders the legitimate work of non- governmental organizations and human rights defenders (Luxembourg)

43.134 Take measures to foster a safe, respectful and enabling environment for civil society, human rights defenders and journalists, free from persecution, intimidation and harassment (Latvia)