

Reporters Without Borders

<http://www.rsf.org/algerie-journalist-held-without-trial-in-17-11-2014,47235.html>

Middle East/North Africa - Algeria

Arbitrary detention

Journalist held without trial in eastern city for 15 months

17 November 2014

Reporters Without Borders calls on the Algerian authorities to allow imprisoned journalist Abdessami' Abdelhai to defend himself in fair and properly constituted legal proceedings. He began a hunger strike 12 days ago in protest against his detention without a trial in Tébessa (600 km east of Algiers) for the past 15 months.

Abdelhai worked for a regional radio station in Tébessa and was the local correspondent of the Arabic-language daily *Jaridati* when [arrested](#) on 18 August 2013 for allegedly helping *Jaridati* editor Hicham Aboud to flee the country to escape prosecution.

According to Abdelhai's lawyer, the police held him for five days (three days more than the legal limit) and mistreated in several different police units before transferring him to Tébessa prison, where he has remained ever since without any trial hearing being scheduled.

A diabetic, Abdelhai [began](#) the hunger strike on 5 November after his lawyer's fourth request for his provisional release was rejected. Since 15 May, his case has been awaiting a decision by the supreme court as to whether he should be tried before a magistrate or a criminal court.

According to article 123 of the Algeria's [code of criminal procedure](#), pre-trial detention is supposed to be an exceptional measure and it is far from clear that grounds for exceptionality exist in Abdelhai's case.

"By holding this journalist for 15 months without trial, the Algerian authorities have violated his fundamental rights, above all, his right to freedom and a fair trial," Reporters Without Borders programme director Lucie Morillon said. *"We urge them to put him on trial now, so that he can defend himself, or otherwise free him at once."*

Aboud, Abdelhai's former editor, said the police questioned several people on the grounds that they had been in contact with him before he left the country.

Aboud was [charged](#) last year with "endangering national security, territorial integrity and the proper functioning of national institutions" because he [discussed](#) President Bouteflika's health with the international media. He was subsequently also charged with leaving the country illegally.

The authorities [seized](#) the latest issues of *Jaridati* and the other newspaper Aboud edited, the French-language *Monjournal*, in May 2013 and closed them four months later. Aboud told Reporters Without Borders he left Algeria legally on 10 August 2013 using his passport, which had the stamps of both the Algerian and Tunisian border police.

Aboud confirmed that he did meet with Abdelhai before crossing the border (which is 20 km east of Tébessa) but insisted that this did not constitute grounds for arresting Abdelhai. They arrested Abdelhai for political reasons, above all because they wanted to incriminate him (Aboud), he claimed.

More than 430 people have so far signed a [petition](#) launched by journalists and activists on the Avaaz website last month [urging](#) the justice minister to free Abdelhai.

Algeria is ranked 121st out of 180 countries in 2014 Reporters Without Borders [press freedom index](#).
