

Reporters Without Borders

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Middle East/North Africa - Algeria

Court ignores new law

Journalist given two-month sentence for defamation in Algeria

20 June 2012

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Reporters Without Borders is dismayed at the verdict of a court in the western Algerian city of Mascara on 20 May sentencing the journalist **Manseur Si Mohamed** to two months' imprisonment and a fine of 50,000 dinars (approx. 500 euros) for "libellous comments".

"Imprisoning a journalist for a press offence is unworthy of a country that has decriminalized defamation in its new media law which took effect in January," the press freedom organization said.

"The conviction of Manseur Si Mohamed shows that the legislative reform is an illusion since it can be bypassed by provisions of the criminal code. The verdict clearly violates Algeria's international undertakings, such as the International Covenant on Civil and Political Rights.

"The Human Rights Commission notes in its General Comment No. 34: 'States parties should consider the decriminalization of defamation' and 'imprisonment is never an appropriate penalty'."

The court penalized Mohamed, bureau chief of the French-language newspaper La Nouvelle République and head of the Mascara branch of the Algerian Journalists' Union, for publishing an [article](#) on 20 December last year ruled to be defamatory. The article, headlined: "Council of State – What Is It For?" was written as a criticism of the failure to apply rulings by the Supreme Court and the Council of State penalizing public authorities.

At the first hearing in Mascara, 300 km west of Algiers, on 6 May, the public prosecutor sought a six-month prison term and a 50,000-dinar fine. The final penalty handed down was two months' imprisonment, an unfair sentence in the view of Reporters Without Borders.

Mohamed's article criticized the Mascara district tax inspector for refusing to reinstate a senior official whose demotion had been overruled by the Council of State.

"These penalties are clearly disproportionate and could discourage Algerian journalists from expressing themselves freely and carrying out investigative work," the press freedom organization added.

Kamel Amami, general secretary of the National Journalists' Union told Reporters Without Borders two days ago the judges' verdict was "over-zealous" in bypassing the new media law. He said the union was closely following the case and would appeal against the verdict.

Mohamed himself told the organization that he and his lawyer had filed an appeal on 18 June. He said he was being victimized and the verdict showed that "double standards" were applied to journalists in Algeria. He was pessimistic about the outcome of his appeal.

You can download those documents on our website :

- Journalist given two-month sentence for defamation in Algeria - In arabic, (PDF - 268.1 kb)

