

(Translated from Arabic)

Reply from the Algerian Government to the urgent action communication from Special Rapporteurs concerning the case of Hassan Bouras

With regard to the ruling issued by the Indictment Division on 27 June 2016 (in the case concerning circulation of provocative tapes and defamation of State institutions), Hassan Bouras filed an appeal against the ruling that was referred to the Criminal Court, which has not yet handed down a judgment on the appeal.

With regard to the second case, in which Hassan Bouras was prosecuted for the misdemeanours of unlawfully exercising a legally regulated profession, participating in the defamation of a judge and public authorities during the performance of their duties, and insulting a State institution, the legal proceedings were instituted against the background of video recordings of people with criminal records that were produced by the person concerned in summer 2016 and broadcast on Al-Magharibia channel on 21 September 2016. The recordings propagated false news to the effect that the [REDACTED] had engaged in sexual harassment in his office and in bribery, and that his staff officers had blackmailed them by fabricating drug-related cases against them. He also alleged that the judges in the Court and Council were acting in collusion with the aforementioned circumstances against the background of his conviction.

On 2 October 2016, legal proceedings were instituted against Hassan Bouras by the Public Prosecutor's Office of the Republic at El Bayadh Court pursuant to a request to open an investigation into the aforementioned charges. The investigating judge issued an order to have him placed under judicial surveillance and ordered his referral to the Misdemeanours Court on 23 October 2016.

On 28 November 2016, the Misdemeanours Division of El Bayadh Court convicted the accused Hassan Bouras of the misdemeanours of unlawfully exercising a legally regulated profession, of participating in the defamation of a judge and of law enforcement officers in the performance of their duties, and of insulting a State institution. He was sentenced to immediate imprisonment. He lodged an appeal against the judgment on 29 November 2016.

On 17 January 2017, the Indictment Division of the Judicial Council of El Bayadh endorsed the judgment of the lower court and reduced the sentence to a six-month suspended sentence. It also declared him innocent of the misdemeanour of insulting the State institution, and he was released on the same date.

Algeria, February 2017

