

The Verdict Without Trial *Contextualizing* *Algerian Use of Pretrial Detention*

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ABSTRACT

Algeria has received much criticism from its neighbors regarding human rights conditions concerning pretrial detention. This article seeks to analyze the concerns in contextualizing a full image of the situation, with respect to the public's concerns and objective perspectives. A multivariable and multidimensional examination of the situation, the article will analyze pretrial detention rates relative to Cross-cultural variation, Global, African, MENA, and Maghreb region perspectives. Moreover, the context of the history, and current situation of pretrial detention, will also be incorporated in answering the question: Are concerns for pretrial detention in Algeria illegitimated, exaggerated, or non-significant? The article uses the World Prison Brief 2021 data, and the Inglehart-Welzel cultural map- a Cross-cultural variation tool that demonstrates nations and relative positions to the two-dimensional world map. Analyzing Pretrial in Algeria relative to cultural variation, history, regional, and global standard.

Keywords: Cross-cultural Variation, Democracy, Expectations, Pretrial Detention, and Self-expression.

INTRODUCTION

The recent methodology of the traditional and heavy-handed approach relative to the Algerian standards and demands for governance has raised concerns. Though Algeria has always been a military regime, its authority had a distance that allowed for the dominant civil rule. Bouteflika, the previous president, was not seen in public for years before his alleged fifth-term reelection corruption at all levels, including executive branch members. In the attempt to maintain national stability, escalated tension around the nation's border and an unusual climate of authoritative control have persisted. There are numerous arrests, the closing of independent media outlets, and heavy police presence in efforts to discourage protests. Sources have stated that the detainees' advocacy aimed to "achieve the civil state with a president chosen by the people." Moreover, "Freedom of the press and the media, where the journalist reports the news as it is, and it is the role of the media to publish it without any addition or decrease." The sources also voiced concerns over "Freedom of expression is where people express their opinion without being subjected to harassment and arrests by the authorities." The most pressing concern was "Release prisoners of conscience and reduce arbitrary arrests for their peaceful political views." A sample of 156 recent detainees echoes Algerian civil society's concerns. Of these, most have been in detention and received pretrial detention. The World Prison Brief 2021 data showed a sharp increase in pretrials. It is also important to note that Algeria does have legislation and a procedural code that safeguards against pretrial detention Article 123 and 125 bis of the procedural code. The article uses the World Prison Brief 2021 data, and the Inglehart-Welzel cultural map- a Cross-cultural variation tool that demonstrates nations and relative positions to the two-dimensional world map. This article seeks to Analyze Pretrial detention in Algeria relative to cultural variation, history, regional, and global standard. Using the context of the history, and current situation of pretrial detention, will also be incorporated in answering the question: Are concerns for pretrial detention in Algeria illegitimated, exaggerated, or non-significant?

A. Theoretical Framework

The article includes analyzing the meaning of democracy, expectations, and the degree to which citizens feel satisfied with the kind of government a public has, and so the ability to influence the stability of regimes. Individual cultural norms also have important effects on citizens' understanding of democracy. According to Almond and Verba, political culture captures how individuals feel and think about political systems. This is attributed to the coherent attitude in the community and society. As a result, a civic culture was needed to promote democratic values, concluding that only a "civic culture" was the "psychological basis for democratization." Like Almond and Verba, Political scientists Ronald Inglehart and Christian Welzel claim four variables are at play: Traditional values, Secular-rational values, Survival values, and Self-expression values. From the four mentioned values, there are two significant dimensions of cross-cultural variation: Traditional values versus Secular-rational values and Survival values versus Self-expression

values. Traditional values express a vital characteristic of humble submission, respect for all authorities, and considerable national pride. Secular-rational values are opposed to conventional values and place less value on authority. Survival values are dealing physical and economic security and are attributed to a low outlook of trust and tolerance. Self-expression values place a high level of prioritization on tolerance and political life. Cross-cultural variation is considered highly limiting in development and behavior. The Cultural map in figure 1 demonstrates nations and relative positions to the two-dimensional scope mentioned.

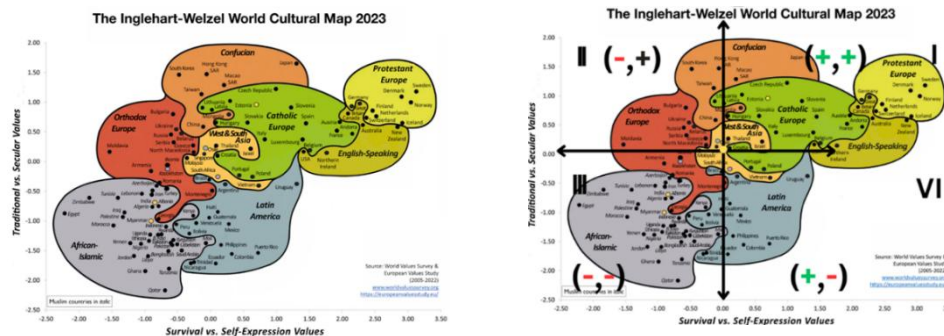


Figure 1. Cartesian plane and quadrants constructed by Farida Bouattoura. Source for map The Inglehart-Welzel World Cultural Map - World Values Survey 7 (2023). Source: <http://www.worldvaluessurvey.org/>

B. Comparative Cross-Cultural Variation

To further analyze the Cultural map, the article will place a Cartesian plane to form a relative comparison to the origin (0, 0). Though the map further relates social economic comparatives, this article will focus on states' position relative to the source and compare it to statistics formed using the World Prison Brief database on pretrial detainees. Based on the map, one can infer quadrant one states: 1). Secular-rational values oppose traditional values and place less value on authority. 2). Self-expression values place a high level of prioritization on tolerance and political life. By contrast, States in quadrant three are, relative to the origin, closer to 1). Traditional values express a strong characteristic of humble submission, respect for all authorities, and high levels of national pride. 2). Survival values are dealing physical and economic security and are attributed to a low outlook of trust and tolerance. Relative to the origin and quadrant three, the closer the state is to the origin, the increased prioritization for free choice and autonomy aspirations. The further the states in this quadrant are from the origin, the more inclined to prioritize physical and economic security over democracy.

COMPARATIVE ANALYSIS

C. MENA Comparative

In Analyzing the percentage of Pre-Trial Detainees in total prison population, Table 1 was constructed using the World Prison Brief database. Table one is broken down into three comparative parts to include African, Global, and MENA sections. MENA composes of analysis of 19 countries in the region: including Algeria, Bahrain, Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen. Yemen is the first, with 59% of the prison population compensating for pretrial detention prisoners. Using the table below, Tunisia ranks second with 54.9%, Syria in third with 50.5%, Lebanon fourth with 50%, Saudi Arabia fifth with 48.3%, Mauritania 6th with 47.5%, Qatar at 44%, Morocco at 42.2%, Egypt at 31.1%, Israel at 25.2%, Sudan at 20.4%, and Oman last at 5.6%. Algeria ranked 17th out of 19. The 19 MENA nations in question (See table 1 and figure 2) have a mean of 36.12%, a median of 38.2%, a range of 53.4, a minimum of 5.6, and a maximum of 59%. The 75 percentile is at 48.3%, and the 25th percentile is at 25.2% (See Table 1). on The Cultural map, relative to the origin and quadrant three, the closer the state is to the origin, the increased prioritization for free choice and autonomy aspirations. These states are more inclined to prioritize physical and economic security than democracy. The estimated coordinates for Yemen are (-1.25, -1.35) from the origin (0, 0). This is consistent with the data from World Prison, with traditional and survival values, which are concurrent with human or the public's prioritization of survival over democratic progress. Tunisia's estimated coordinates on the culture map are (-1.35, -.65); though less traditional than Yemen, its economic and physical security appears lower/ further from its origin. Morocco has a similar relationship to Yemen as did Tunisia. However, Morocco is far more traditional than Egypt, Tunisia, Palestine, Iraq, Lebanon, and Algeria. This translates to the Moroccan public possessing, by comparison, drastically more robust characteristics of humble submission and respect to all authorities and high levels of national pride.

Table 1: Pre-Trial Detainees Percentage of Prison Population Comparative

Africa	African Percentage			Global	Global Percentage		MENA	MENA Percentage	
	Pretrial	Country	Rate		Country	Rate		Country	Rate

Africa	African Percentage			Global	Global Percentage		MENA	MENA Percentage	
	Pretrial	Country	Rate		Country	Rate		Country	Rate
N	Valid	53	53	N	218	218	N	19	19
	Missing	0	0		0	0		0	0
Mean			42.558	34.573			36.1211		
Median			44.400	31.200			38.2000		
Mode			17.6 ^a	16.6 ^a			5.6a		
Std. Deviation			18.5449	19.00896			14.55165		
Skewness			.039	.650			-.378		
Range			70.5	91.70			53.40		
Minimum			9.7	.00			5.6		
Maximum			80.2	91.70			59		
Percentiles	25		24.550	19.900			25.200		
	50		44.400	31.200			38.200		
	75		56.250	47.675			48.300		

- a. Multiple modes exist. The smallest value is shown.
- b. Statics and Table Farida Bouattoura using data compiled from World Prison Brie

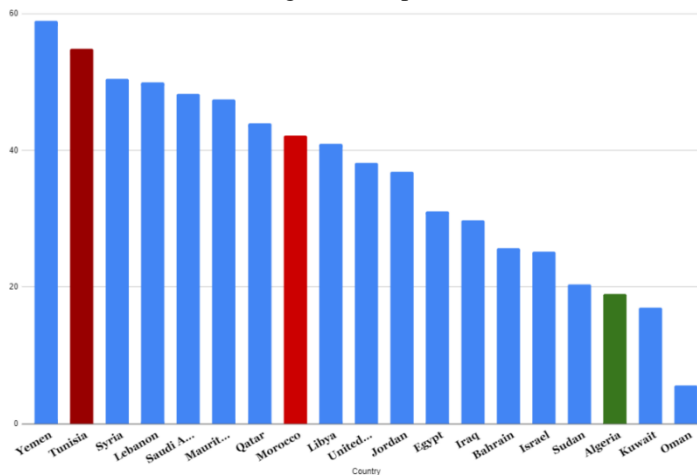
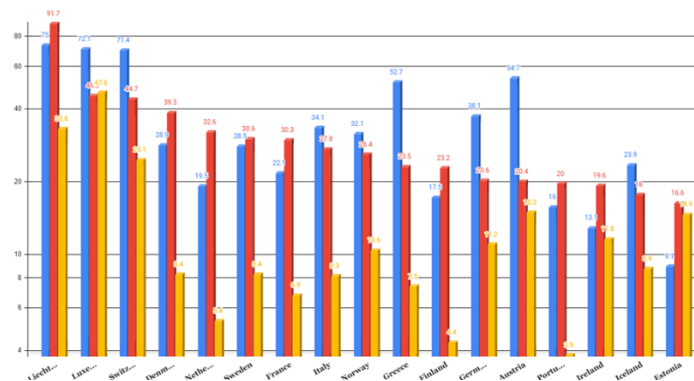


Figure 2. Percentage of Total Prison Population vs. Country (MENA). Statics and Graph Farida Bouattoura using data compiled from World

D. Global Comparative

European countries, nations in the Americas, and around the world, such as Luxembourg, Switzerland, Canada, the United Kingdom, Mexico, Denmark, Belgium, Australia, Panama, Malta, Slovenia, Netherlands, Sweden, France, Italy, Norway, Brazil, Russia, Greece, Latvia, United States, Finland, Hungary, Germany, Portugal, Costa Rica, and Ireland. Further analysis reveals a surprisingly high percentage of pretrial detainees in the total prison population. Progressive countries, which are highly critical of external human rights violations, such as Luxembourg, with close to half of the prison population at 46.3%, Switzerland at 44.7%, and Canada at 40.4%. The rates in the United Kingdom are at 39.6%, Mexico (39.3%), Denmark (39.3%), Belgium (38.4%), Australia (35.9%), Panama (35.2%), Malta (33.9%), Slovenia (33.1%), Netherlands (32.6%), Sweden (30.6%), France (30.3%), Norway (26.4%), Latvia (24.2%), etc. The United States is only marginally more than Algeria with 23.3%; considering the US's large population and territory, its pretrial detention is unexpectedly lower than most, including highly critical European countries. Table 1 presents the global mean for 218 nations at 34.57%, the Median or second quartile at 31.2%, a relatively large range of 91.7, a minimum of 0 or no pretrial detention to a maximum of 91.7%. The upper quartile, or 75 percentiles of 47.67%, fit two of three Maghreb nations, a lower quartile or 25 percentiles of 19.9%. From a global perspective, both Morocco and Tunisia have high rates, and Algeria is within the lower global quarter. Further contextualizing, European nations like the Netherlands, Slovenia, and Malta are higher than the median (middle of data) but close to the global average (see Table 1). Belgium, Denmark, and Switzerland are significantly above both global averages of median and mean, and Switzerland's rate only marginally escapes the global upper quartile (75 percentile). From the cultural map, one would predict a relatively low rate for countries in the first quadrant. Even relative to the first quadrant, states are more progressive with more secular and self-expression prioritization. Further research demonstrates Liechtenstein's 91.7% of the prison population

compensates for pretrial detention prisoners. Belgium, Denmark, and Switzerland are significantly above both global averages of median and mean (see Table 1), and Switzerland's rate only marginally escapes the global upper quartile (75 percentile). This is due to large foreign prison populations also having extensive pretrial detention. Liechtenstein 75%, Luxembourg 72.1%, Switzerland 71.4%, Austria 54.7%, Greece 52.7%, Germany 38.1%, Italy 31%, Norway 32.1%, Denmark 28.9%, Sweden 28.5%, Spain 28.0%, European median 24.9%, Iceland 23.9%, France 22.1%, Netherlands 19.5%, Finland 17.5%, Portugal, 16.0%, European average 15.9%. England, Scotland, and Wales are 11.1%, far below the median and average. European median of 24.9% alone signifies significant concern over European foreign imprisonment, meaning 50% of Europeans have over 25% foreign prisoners. There are also some parallels between the percentage of pretrial prisoners and foreign prisoners. The more alarming figures deal with the relatively low rate of foreign residents compared to foreigners in prison and pretrial detention (see Table 1). Moreover, countries in North Africa, such as Morocco and Algeria, are considered transitional countries to Europe. Morocco has faced heavy criticism from European countries for regulating sub-Saharan migration and treating migrants. However, despite such allegations, Morocco only has 1.4% Foreign prisoners (a percentage of the prison population), while Algeria at 3.8% and Tunisia at 2.5%, far lower than European countries. Based on the data above the cultural map, one can infer that the location of such nations in the first quadrant of that designation is not reflective of foreigners. The unveiling of certain prison information is startling, with Benin, for example, having a 56.90% percentage of pretrial detainees in the total prison population in 2019 (latest data) and a 160% prison occupancy level. Saudi Arabia, with 48.3% for pretrial, and 49% of the prison population were foreign prisoners. Processing that data reveals that nearly half of the prison population has not had a trial or judgment, and roughly half are foreigners. With progressive public relations, Lebanon had a 50% pretrial detention and a jaw-dropping 211.5% prison occupancy level. Moreover, 36% of detainees were foreign in 2021- a touristic destination. Liechtenstein's 91.7% of the prison population compensates for pretrial detention prisoners. Belgium, Denmark, and Switzerland are significantly above both global averages of median and mean, and Switzerland's rate only marginally escapes the global upper quartile (75 percentile). As well as European countries with sizeable foreign prison populations also have large pretrial detention.. Figure 3 visualizes a comparative between Foreigners in prison, pre-trial detention, and percentage of foreign residents in Europe.



Foreigners in Prison-Blue vs. Pre-Trial Detention (2021)-Red vs. Percentage of foreign Residents (2017)-Yellow
Figure 3. Graph constructed by Farida Bouattoura; Data retrieved from: 1. Bundesamt für Statistik. (2018, November 26).. 2). Office fédéral de la statistique (OFS). (2023, February 16). Karte. Population résidente étrangère, en 2017. 3). Islas, P. (2019, April 17). Why most of Switzerland's prisoners are not Swiss.

E. African Comparative

However, it has relatively high rates and does not hold the number rank in Pretrial detention (Liechtenstein with 91 %). The African country with the highest percentage is Gabon, with 80.2 %, followed by Congo, CAR at 70.2%, and Nigeria at 69.7% -according to World Brief database. Table1 illustrates the mean was 42.558%, and the median was 44.4%, with a maximum of 80.2% and a minimum of 9.7%. The upper quartile (75th percentile) is 56.25%, and the lower quartile (25 percentile) is 24.5% (see Table 1). The Maghreb countries are relatively spread out within the raking: Tunisia's 54.9% is only 1.3 away from the upper quartile- with 17th out of 54 nations. Morocco is near the exact rate as the African Average with 42% and two away from the median and center of the data. At the same time, Algeria is in the lower quartile with 19% (see Table 1).Based on the statistics in the tables 1,one can infer that the Maghreb countries are spread in all quartiles; Tunisia's rate is high from a Maghreb context and African plane. Morocco is median in the Maghreb and average in the African planes. In the Maghreb context, Algeria has the lowest rate and is in the lower quartile in the African Plane. From a global perspective, Morocco and Tunisia are at the higher end, and Algeria is steadily in the lower tier.

F. The Maghreb RegionComparative

Within the Maghreb region, Tunisia's numbers are oppressive, with a 54.90% pretrial detention rate, and an overwhelming majority in pretrial detention in 2021.3.3% female prisoners, the most significant amount in the Maghreb, and 126.40% occupancy level of detention; Seconds to Morocco. Morocco has had 42.2% pretrial detention,

2.3% female prisoners, and the most occupancy level in the region with 136.9%. Algeria has less than half of Morocco and Tunisia's pretrial detention prisoner rate at 19%—the lowest female detention rate at 1.5% and the lowest occupancy level in North Africa. Morocco's approximate coordinates on the map are (-1.50, -1.10). By contrast, Algeria is at (-.80, -.75). Far closer to the origin, Algerians have increased values that oppose traditional values and place less on authority. To the Algerian public, self-expression values place a high level of prioritization on political life. Tunisia's estimated coordinates on the culture map are (-1.40, -.70). Though slightly less traditional than Algeria, its economic and physical security appears lower/ further from its origin. Based on both measures of the culture map and World Prison Brief, Algeria, on all accounts, surpasses the regional, African, and MENA Standards, with a more favorable culture to progress and development, a public far less submissive to authorities, and sound economic and physical security. This renders individuals and society to demand and expect more from the authoritative body compared to other countries in the region, which are more traditional. Such countries are in no financial or physical security position to be preoccupied with self-expression values, hence having lower standards and relative normalcy. Tunisia has had a consistent rate of upper-tier and high pretrial detention. The numbers are apparent though media coverage has had a mixture of years. The protocol has been for pretrial detention, and while there was a slight increase of about 2%, the rates have been over 50% for over a decade. Whether relative to the global, MENA, African, and Maghreb standards, Tunisia has a high percentage of pretrial detention compared to the overall prison population. Morocco has also had a persistent climate of a relatively high percentage of pretrial imprisonment. From a global perspective, the rate is on the higher upper tier, above the median and mean in the MENA region. While relatively median with African nations and the median within the Maghreb region. Though the rate of 42.2% is significantly high, the comparison is diluted as the rate has passed into normalcy. Numbers had little fluctuations since 2000, an increase to 52.3% in 2005 but then adjusting back to the Moroccan norm of 42.2% - slightly escaping the global higher quarter. Table two illustrates both dimensions measure and sums up the total distances for both variables (s + t). The larger than figure the further from the origin, the humbler submission to authority, the lower the expectation and standards for political life and self-expression. By contrast the smaller the figure the higher expectation for self-expressions and political life, and the more critical cultures is of authorities.

Table 2:Pre-Trial Detainees (World)

States	Cross-Cultural Variation			Difference from Origin		
	Values	Survival vs. Self-Expression (s)	Traditional vs. Secular (t)	s	t	(s + t)
Algeria		-0.85	-0.75	.85	.75	1.6
Morocco		-1.50	-1.10	1.50	1.10	2.6
Tunisia		-1.40	-0.70	1.40	.65	2.05

- a. Estimated coordinates.
- b. Table Farida Bouattoura using data compiled from The Cultural Map.

G. Algeria

Algeria, by all accounts: Global, African, MENA, and Maghreb, has a low tier rate of pretrial detention percentage of the total prison population. Even in 2000, the rate was significantly lower at the height of the violence. Even at the double the current rate, Algeria would not match its Maghreb neighbors. In a comparative context, Algeria has one of the lowest in Africa, ranking 49th of 53; 17/19 MENA countries are listed in the table. The lowest in the Maghreb, relative to the entire context provided, leaves a missing element to explain the protests and escalations of public concerns with pretrial detention. According to the Cultural map and Table 2, Algerians have a culture that priorities political life and self-expression, and a culture that is more likely to critiize authorities. Contrary to Moroccan culture, that is submissive to authorities. The translates to Algerians having higher values for political life, and even if contions are worst in other part of the region, Algerians render more likely to demand higher standards. This can serve to plausibly explain, why protest and public discontent over the lowest pre-trial of the region. Also why other countries that have worst conditions have demonstrated less concern and/or prioritizations as Algerians have.

A deeper analysis, however, reveals that although rates are not globally alarming, they certainly are relative to Algeria. Algeria has had average rates at most 12.4% for over a decade since 2008. Since 2015 rates have reached 8.6%, to a shock sharp 19% in 2021, and a jump from 5,352 in 2015 to 18,000 in 2021. Over three times the pretrial detentions and double the rate of previous years. Global comparison is not the issue; a higher standard has become the norm. The latest judicial trajectory is beneath the Algerian standard and drastic escalation to the norm.

The recent methodology of the traditional and heavy-handed approach relative to the Algerian standards and demands for governance has raised concerns. Algeria has always been a military regime; its authority had a distance that allowed for the dominant civil rule. Bouteflika, the previous president, was not seen in public for years before his alleged fifth-term reelection corruption at all levels, including executive branch members. In the attempt to maintain

national stability, escalated tension all around the nation's border, and an unusual climate of authoritative control has persisted. There are numerous arrests, the closing of independent media outlets, and heavy police presence in efforts to discourage protests. According to the sample of 156 recent detainees echoes Algerian civil society's concerns (taken by ADVANCE organization). Of these, most have been in detention and received pretrial detention. The World Prison Brief 2021 data showed a sharp increase in pretrials. From the 156 samples, 85 were arrested in 2021. This translates that 54 % of the sample prisoners detained concerning their advocacy or rhetoric in 2020-2023 were arrested and placed in pretrial detention in 2021. This data validates concerns in the Algerian standards and norms context.

The figures illustrating the location of the arrests range from all Algerian regions, and not isolating any region. The most significant amount in the sample is from Bejaia, with 24 arrests on September 8, 2021. The data also aligns with the notion that this is a political and ideological expression concern, contrary to the two organizations' submission and rhetoric to the Universe Periodic review. "At the end of December 2021, there were 340 political detainees in Algeria, of which about 90% are Amazigh-Kabyles." The allegations that these arrests are discriminatory based on ethnicity are false. Data has yet to be produced to claim that 90% of the detainees are Kabyle, nor is the claim even plausible according to our data. 24% from a sample of 156, of a total estimated population of 300, makes the sample results strong.

CONCLUSION

Finally, Research has argued that cultural norms affect political attitudes and behavior in two different avenues. The first is on an individual level, and the other is on a community level. Political scientist and researcher Tianjian Shi uses this approach to explain the resilience of authoritarian politics. They further state how standards in cultural norms determine the means for the country. Political scientists Ronald Inglehart and Christian Welzel claim that four variables are at play: Traditional values, Secular-rational values, Survival values, and Self-expression values. Traditional values express a vital characteristic of humble submission, respect for all authorities, and considerable national pride. Secular-rational values are opposed to conventional values and place less value on authority. Survival values are dealing physical and economic security and are attributed to a low outlook of trust and tolerance. Self-expression values place a high level of prioritization on tolerance and political life. From the four mentioned values, there are two major dimensions of cross-cultural variation: Traditional values versus Secular-rational values and Survival values versus Self-expression values. Cross-cultural variation is considered highly limiting in development and behavior. The Cultural map demonstrates nations and relative positions to the two dimensions mentioned. Due to this cultural variation in the region, advocacy in Algeria comes with added complications. Algerians' advocacy is taken out of context due to the public's low standards and submissive nature. This can lead to the instrumentalization of human rights and results in application challenges; when such human rights are appropriated and used as a tool, they discredit the initiatives. To recentralize around the initial question posed in this article: Are concerns for pretrial detention in Algeria legitimated, exaggerated, and nonsignificant? The question will answer on two grounds. The first is on the international scope of urgency and infraction level, while the second is from a domestic national comparative perspective.

The Cultural map places Algeria at the estimated coordinates (-.80, -.75). Relative to the origin, Algerians have increasingly valued that oppose traditional values and place less value on authority. Meaning to the Algerian public, self-expression values in political life are significantly more prioritized than that of the Maghreb region, continent, or even MENA region. Algerian public would be more prone to protest for authoritative infractions, which are comparably minuscule in regional comparison. And where far escalated measures have passed into normalcy. This is illustrated by the Algerian public's unacceptance figure of 19% Pretrial detention, whereas Morocco's 42% has not had any protest. Therefore, on the international scope based on the infraction level, Algeria's case does not warrant global prioritization or urgency in its infractions. Any attempt would warrant interference in the entire region, MENA, and African content before it deserves interference in Algeria. Anything less would be the instrumentalization of human rights. All of Algeria's neighbors have greater infractions.

From a domestic and national perspective, comparative historical patterns and public demands are another matter altogether. Sources have stated that the detainees' advocacy aimed to "Achieve the civil state with a president chosen by the people." Moreover, "Freedom of the press and the media, where the journalist reports the news as it is, and it is the role of the media to publish it without any addition or decrease." The sources also voiced concerns over "Freedom of expression is where people express their opinion without being subjected to harassment and arrests by the authorities." The most pressing concern was "Release prisoners of conscience and reduce arbitrary arrests for their peaceful political views."

It is also important to note that Algeria does have legislation and a procedural code that safeguards against pretrial detention Article 123 and 125 bis of the procedural code. However, recent legislative adjustments introduced vague provisions that have sharply escalated to pretrial detention. Hence, the primary concern is the authoritative undemocratic trajectory and divergence from the norm and any improvement. There are two variables that Algerian

civil society wants: "Radical change" from this trajectory and "the priority of the inside over the outside"- to prioritize Algerian interests, not foreign governments' interests, or influence. In answering the initial question: Are pretrial detention concerns in Algeria legitimated, exaggerated, and insignificant? Despite the relative comparison to the region or the world, Algeria has had relatively low rates of pretrial detention. The daily domestic perspective signifies a drastic change, one that is unfitting and unacceptable to the Algerian revolutionary standards and one that, indeed, warrants concerns. The trajectory renders dangerous to the Algerian Standards, and so advocacy cannot and must not halt. Therefore, from a domestic and national perspective, comparative to historical patterns and public demands Algerian, to answer the question: Are concerns for pretrial detention in Algeria legitimated, exaggerated, and nonsignificant? Public concerns are entirely legitimate, non-exaggerated, and indeed significant. Algerians must heed that accepting such an escalation can led to a new normalcy of governance mirroring the lower regional standards that are unacceptable and unfit for Algeria. By all accounts, the Algerian government has a sovereign obligation to adhere to the Algerian public concerns. The country's unity and public concerns are virtual to securing the national threats of failed states surrendering Africa's largest country.

H. Implications

Unfortunately, geopolitics has its residuals and ways of precipitating into human rights advocacy. Algerians have a near mission impossible, in their fight to improve standards and not be instrumentalized in geopolitics. In OHCHR's stakeholders' summary report, there were 15 joint submissions, and 16 individual organizational submissions for the Algerian U.P.R. noted, with joint submissions commencing from JS4. Furthermore, the 64 paragraphs of content covered a wide range of categories and topics. The highest-mentioned topic was Tindouf camps conditions; 15/64 (23.4%) of the paragraphs were related to the Tindouf refugee camps. 14/64 (22%) cited religious or culturally tied concerns. As for freeing the detainees, which according to surveys and direct involvement with the ground is the top priority for Algerians, was only briefly mentioned in about two paragraphs-meaning the top priority for Algerians compensated for only 3% of the content. The second most significant concern is freedom of expression, which was mentioned in four paragraphs. Ironically during the working group review session of the Algerian UPR, only 1 out of 122 delegations voiced concern over the Tindouf camps conditions -the topic that OHCHR's stakeholder summary report covered the most. All Moroccan submissions (and only Moroccan submissions) made claims of "widespread," "gross violation," "systematic," and "large scale" of "extrajudicial killings," "rape," "kidnappings," and "enforced disappearances." "All of which are contextual elements that determine if the allegations are crimes against humanity. Implicit terminology in the U.N. website, R2P, and the Rome statute of the international criminal court. Most Moroccan or Moroccan-affiliated N.G.O.s' allegations are crimes against humanity, specifically mentioned in the Rome Statute of the International Criminal Court. During the UPR France recommends that Algeria "Ratify the Rome Statute of the International Criminal Court (Estonia) (France) (Luxembourg) (Mauritius)". Katlyn Thomas, a former MINURSO official (the United Nations mission in Western Sahara) and in charge of Legal Affairs, supervised the interview process that led to the 1999 Western Sahara voting list.

She is also the author of *The Emperor's Clothes: The Naked Truth about Western Sahara*. She stated that the allegation of slavery and such in Tindouf Sahrawi camps are complete "fabrications" It is also important to note that several embassies, including France and the U.S., have regular access to the Sahrawi camps. Neither has expressed any concerns; furthermore, Staffan de Mistura, the U.N. Personal Envoy for Western Sahara's ongoing visit to the region, clearly and repeatedly stated that there were no signs nor credibility to the claim. Furthermore, if Algeria is "unable" or "unwilling" to bend to international pressure, "the primary responsibility for the protection of its people rested first and foremost with the State itself. However, a 'residual responsibility' also lay with the broader community of states, which was activated when a particular state is clearly "either unwilling or unable to fulfill its responsibility to protect or is itself the actual perpetrator of crimes or atrocities." In the process of shaping behaviors of the advocacy groups, the lobby groups and policymakers apply pressure to ensure that their preferences and political agendas are well defended and succeed even without the basis of the rights-based approach advocated for by human rights advocates. There are three main issues in question: First, is that this paper trail of crimes against humanity renders Algeria vulnerable to international interference. Whether that is the intent or not by other countries it is not apparent nor necessary, Algeria is resource rich and so vulnerable to incited ambitions. Second, the premises are false and accuses Algerian military of crimes they simply are not guilty of. Though they might be heavy handed to limiting political expression of the Algerian public, they have not committed any crimes against humanity. Furthermore, this report completely overshadows Algerian public concerns and priorities. Finally, this interference sends out the wrong message to Algeria. The Moroccan organizations need to take heed, that in their zeal for rivalry they have not only placed a brotherly nation vulnerable to international interference, admitted false crimes on United Nation documentations, but through their carelessness falsely represented the Moroccan position.

As his majesty Moroccan King Mohammed VI urged, on numerous occasions, the "two brotherly peoples" need to re-open relation. Further stating "I stress once again that the borders that separate the Moroccan and Algerian brothers will never be barriers preventing their interaction and understanding," The wise Monarch even expressed "We consider Algeria's security and stability as part of Morocco's security and stability." This is the important note the Moroccan and/or Moroccan administrated organizations who made the false accusations need to understand. As his majesty

Moroccan King Mohammed VI, so eloquently stated, “What affects Morocco will also affect Algeria, because they are complementary twins.” The rivalry has gone a step to far. Further note that this included some Moroccan Human Right elite with noble titles such as Arch commander, and even previously held posts of consultation to the sovereign himself. Such persons need to understand the perception of their affiliation and not jeopardize two brotherly nations relation and security of the region all in the spirit of rivalry. Not to mention that such actions would also be directly opposing and contradictory to his majesty Moroccan King Mohammed’s VI wise and unifying words. Algerian civil society should unify to remove such document and frame their own advocacy. Algerian civil society’s reliance on international organization has placed a completely disassociated text. For example, Freedom house has rate Algeria’s freedom status same as that of Mali. Niger and the colossal migration of its people to Algeria place as partly free. Niger, according to Freedom House, has a rating of 51/100. While Algeria has 32/100, Morocco in the same boat as Algeria with 37/100, oddly Tunisia at 64/100. Tunisia who has had the worst financial conditions, worst pre-trial detention of the region, second highest pre-trial detention rate in MENA. Even more astonishing is that Freedom House rated Benin 59/100, far more liberal than Morocco and Algeria. Benin has had far worse infractions then that of Morocco or Algeria, such as the extreme case of the Prodemocracy campaigner Reckya Madougou, who was accused of terrorism and sentenced to 20 years of prison after facing nine months of pretrial detention. This is the product and result of the rivalry of Algeria and Morocco, and Algerian reliance on international organizations- a distorted and disfigured projection of reality. Algerian civil society should unify to remove such document as the stakeholder report and frame their own advocacy. By doing so preventing a disastrous result that would not benefit any Algerian nor Moroccan. They also must not confuse this act to represent the official Moroccan position, as it clearly is not indicative of the loyal rhetoric of his majesty Moroccan King Mohammed VI.

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