

Collectif
des
familles
de
disparu(e)s
en
Algérie

المفقودون DISPARUS
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TRUTH AND JUSTICE
FOR THE DISAPPEARED
IN ALGERIA
NEWSLETTER

Number 2 – January/March 2002

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- I wish to join the Families of the Disappeared in Algeria Collective and am sending my dues for 2002(30 €).
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TRIBUTE TO CHRISTIAN GAY BELLILE

Christian Gay Bellile died on 23 of February 2002. Christian had been a close friend, faithful and always present in difficult moments. He had shown for a long time his commitment to the defense of human rights, particularly in Algeria. He was the founder of "One day for Algeria", a project which generated in all of France a mood of mobilization on the 10th November 1997. Christian had gathered together political personalities concerning questions of the defense of democracy and the legally constituted state in Algeria. He was involved for many years in the life of the "Collectif", both as an active member in its activities and in attaining its objective of truth and justice. He had recently become its Treasurer.

His kindness, his enthusiasm and his accessibility will be missed. All members of the Collective's committee pay tribute to Christian. We present our sincere condolences to his family, our support and our sympathy.

«4 HOURS FOR ALGERIA »

On the initiative of CEDETIM, the associations "Verite et justice pour l'Algerie", "Algerie-Droits de l'Homme pour Tous", "Le Collectif des Familles de Disparu(e)s en Algerie" and "Vivre Ensemble Dans l'Est Parisien" organized a conference/debate on 9th February 2002, in the "Salle des Metallos", Paris 11th Arrondissement.

In the presence of various personalities, an exposé of the political situation and human Rights in Algeria was put forward by Ali Yahia Abdenour, president of the "Ligue Algerienne de Defense des Droits de l'Homme (LADDH)", Rachid Ralaoui, representative of SNAPAP (the Autonomous Algerian Trade Union), Salima Ghazali, director of the Newspaper "La Nation", which has been banned since December 1996, and by Nassera Dutour, whose testimony on the 'disappeared' closed the meeting.

PARTICIPATION IN THE FORUM « CITOYENNES DES DEUX RIVES »

The association "Citoyennes des deux rives" work on women's rights around the Mediterranean. A meeting was organised on 15th and 16th of March in the Mairie de Paris on the theme: " Mediterranean Women: Memories and Horizons." "Women's rights" or "Women in the context of Immigration" were the subjects which women from Tunisia, Morocco, Libya, Israel, Palestine, and women from different professions jurists/legal experts, researchers, historian, and politicians debated. Nassera Dutour, as a mother of a 'disappeared' and Porte-Parole of the Collectif, was invited to talk about "the fight for democracy, justice and peace".

CANADIAN TOUR FROM THE 1ST TO THE 10TH OF MARCH 2002

The Canadian associations "Alternatives", "Droits et Democratie" and the "Association des Droits de la Personne au Maghreb" organised a Canadian tour for the Collectif on the theme: "The right to know about 'disappearances' in Algeria". The "Collectif des Familles de Disparu(e)s en Algeria" was represented by Nassera Dutour.

During 9 days, she took part in many discussions, met numerous political personalities and trade unionists, attended many interviews and several conferences/debates and gave a press conference on the 'disappeared' in Algeria at the head office of "Droit and Democratie" in Montreal. On the 8th of March, in commemoration of Women's Day, a group of balloons were released in front of the Algerian Consulate in Montreal. Each balloon had the name of a 'disappeared' Algerian woman written on it. The Quebecian and Algerian press covered this event to a considerable extent

PARTICIPATION IN THE FESTIVAL « VOIX DE FEMMES » IN BELGIUM

The festival of "Voix de Femmes" (Women's Voices), held in Brussels from 25 to the 30 March 2002, was organised around meetings and discussions as well as concerts and shows. Among the various themes, 3 days were dedicated to forced 'disappearances'.

The opening of the festival focused on the introduction of the different associations and a public meeting followed. The work achieved in the following days gave birth to the creation of an International Network of Mothers of the 'Disappeared' and of the Close Relatives of the 'Disappeared'. As a result of this, a declaration was designed, read and put forward before the closing concert of the festival.

ALGERIA, THE EUROPEAN UNION AND 'DISAPPEARANCES'

Algeria, as well as the Lebanon, is preparing to sign an Association Agreement with the European Union during the Inter-ministerial reunion which will be held in Valencia on the 22 and 23 April 2002.

The "Collectif des Familles de Disparu(e)s en Algerie" and SOLIDA (Support for the Lebanese detained arbitrarily) decided to unite in Spain from 20 April 2002, in the frame of the Euro Mediterranean Coalition. They will be among lawyers and legal experts in International Rights, for a conference on the theme: "Public authorities and forced 'disappearances' in Algeria and Lebanon". This conference will be followed by a press conference and demonstrations. The reason for this gathering is to underline the importance of the clause on human rights so that the European Union puts pressure on Algeria and Lebanon to comply with Human Rights. Algeria has already signed numerous treaties and international pacts but has not put them into effect.

ALGERIA IS NO LONGER A PRIORITY FOR "LE GROUPE DE TRAVAIL" (WORKING GROUP) OF THE UNITED NATIONS ON FORCED AND INVOLUNTARY 'DISAPPEARANCES'

Following an informal meeting with the International Federation of the "Ligues des Droits de l'Homme (FIDH)", Mrs Tamara Kunanayakam, secretary of the "Groupe de Travail" of the United Nations on forced and involuntary 'disappearances', informed us that because of a lack of United Nations funds, priority will be given to the treatment of Sri Lanka cases. Of the 2000 Algeria cases submitted since 1998, 140 were mentioned in the annual report of the 'Groupe de Travail' for the year 1999 and 46 cases in the report of 2000.

During the last board committee, the Collectif decided to ask for an interview on this subject with Mrs Mary Robinson, the UN High Commissioner for Human Rights.

It has also been decided that the board committee of the Collective should pursue those cases submitted to the UN where an answer from the Algerian government has been received by the "Groupe de travail".

Finally, a letter will be written to the Justice Minister Mr Ahmed Ouyahia, in response to his declaration of the 10th March 2002 to Algerian radio, relating to the number of 'disappeared' which he estimated to be 3,300 of which 600 are terrorists. Until 1998, the Algerian authorities were asserting that "the disappeared could be counted on the fingers of one hand". During the FIDH in 1997, the president of the "Observatoire National des Droits de l'Homme" Mr Rezzag Bara, declared that 1928 cases had already been taken into account between 1994 and 1996. From 1998, the number announced by the different authorities has risen sharply to reach 4,880 cases in May 2001 (number given by the Interior Minister). Mr Ahmed Ouyahia's latest statement clearly shows the ill-will of the authorities towards the problem of 'disappearances' in Algeria.

PARTICIPATION OF “SOS DISPARUS” IN A SEMINAR IN CAIRO

Three representatives of “SOS Disparus” participated from the 15th to the 18th February in a seminar organised by Amnesty International on the theme: “The psychological and judicial rehabilitation of the victims of violation of human rights”.

This visit to Cairo was an opportunity for the participants to visit the Egyptian Centre ENNADIM for the rehabilitation of the victims of violence. During the visit, it was decided to organize a series of training sessions to compare the different methods of work relating to the psychological effects on victims. It has also been decided to study the possibilities of a common project in Algiers with Amnesty International.

A DELEGATION OF “FREEDOM HOUSE” IN ALGIERS

The offices of “SOS Disparus” received on the 16th of February a delegation from “Freedom House”, an American non-governmental organization.

During this meeting, “SOS Disparus” gave an exposé of its history and activities, followed by a discussion on the theme of impunity, of the institution of justice. They also talked about the everyday problems which the families of the ‘disappeared’ encounter. Freedom House has shown a clear interest in training projects for young lawyers.

THE ARREST OF FAMILIES OF THE ‘DISAPPEARED’ DURING A DEMONSTRATION IN ALGIERS

A demonstration was organised by the FFS (Front des Forces Socialistes) on the 14th of March in Algiers, for democracy in Algeria. This demonstration was banned and so could not be held. Demonstrators were arrested and interrogated by the police. Among them were Abderrahmane Khelil, a member of “SOS Disparus” and member of LADDH, and some families of ‘disappeared’. Mothers of the ‘disappeared’ were beaten up by policemen who tore apart and trampled over the photographs of their loved ones who have

‘disappeared’. Some of them were arrested, only to be released a few hours later. During this event, the office of “SOS Disparus” was mobilized to send press releases to the media and to the international community.

UPHEAVAL IN FRONT OF THE UNITED NATIONS HEAD OFFICES IN ALGIERS

On the 18th of March 2002, the day of the opening of the UN 58th session of the commission on human rights in Geneva, a delegation of the families of the ‘disappeared’ was to be received by Mr Lambo, the representative of the UN in Algiers, so that they could hand him a memorandum on ‘disappearances’. Around 300 people, who were to go with the delegation and gather in front of the United Nations offices, could not reach their destination. The police manhandled the demonstrators and dispersed them. Abderrahmane Khelil of “SOS Disparus” and some other demonstrators were arrested and interrogated. Mr Lambo had to go personally to the offices of “SOS Disparus” to be handed the memorandum from the families. It was only then that he understood what had happened.

FEAR FOR NEW FORCED ‘DISAPPEARANCES’ REMAIN

On the 26th of January 2002, Mr Omar Toumi left his home to go to hospital and never came back. His mother looked for him everywhere for several days (detention centre, police stations, tribunals, etc.). Finally, on the 11th of February (although the legal delay for custody in Algeria is 12 days), Mrs Toumi was informed orally by the procurer of El Harrach that her son had been brought before an examining magistrate on the 7th February and that he was detained in the prison of El Harrach in Algiers. Following this, his family and lawyer could visit him.

The Collectif des Families de Disparu(e)s en Algérie has been approached by new families who have recently received visits from policemen or summonses from different police stations for an investigation into one of their children. These methods, used during for

the last 10 years, send a clear signal that there is no desire on the part of the Algerian authorities to put an end to these practices.

The case of Gouasmia Hillel is clear evidence. This young man of 22 years old was abducted on the 10th September, tortured and locked up for 70 days then freed and abandoned 18 km away from his home. On the 24th of February 2002, he was again abducted, by the same elements of the military security and tortured on the public highway. On the 17th March 2002, he escaped other abduction, by the same people. The next day, the 18th March 2002, again subjected to other abduction, Hillel succeeded to escape from shots fired at him. Gouasmia Hillel has now gone underground.

VISIT OF A JOURNALIST FROM FRANCE-INTER

On the 10th of March 2002, Benoit Colombat, a journalist from France Inter was received in the offices of "SOS Disparus". Mr Colombat was preparing a programme on the 40th anniversary of the signing of the Evian Agreement. Mr Colombat, who wanted to interview the families which had lived through the Algerian war, was also interested in the parents of the 'disappeared' who had suffered violence in recent years.

Heavy condemnation for the defender of human rights, Mohamed Smain / The support committee for Mohamed Smain

On the 24th of February 2002, Mohamed Smain, representative of the LADDH in Relizane, was condemned by the court of appeal of Oran to a year in prison and ordered to pay a fine of 30 000 Algerian Dinars for damages incurred by each of nine plaintiffs. Following this condemnation, a press conference was organised by "SOS Disparus" and LADDH in Algeria. The conference was conducted by Mohamed Smain and was held in presence of Ali Yahia Abdenour and members of "SOS Disparus".

At the same time in Paris, a support committee for Mohamed Smain was being created by the initiative of the associations "Algerie-Droits de l'Homme pour Tous", "Verite et Justice pour l'Algerie", "Ligue

Algerienne de Defense des Droits de l'Homme (LADDH)" and the "Collectif des Familles de Disparu(e)s en Algerie".

APPEAL BY THE SUPPORT COMMITTEE

On the 24th of February 2002, the verdict was announced: Mohamed Smain was condemned by the court of appeal to a year in prison and ordered to pay 30 000 AD in damages to each of the nine plaintiffs.

This is another heavy blow for Algerian defenders for human rights. Coming shortly before the legislative elections, set for the 30th May 2002, the warning is clear: the regime does not want anyone to cause a stir. Mohamed Smain continues to be harassed and pressurized and his persecution continues.

Mohamed Smain is the leader of the LADDH "Ligue Algerienne de Defense des Droits de l'Homme" in the west of Algeria. He was accused of defamation in defending the rights of the families of the 'disappeared' to obtain a truthful answer to their question: "What has happened to our children, where are our children?" He had done this by letting the truth be known about mass graves in Relizane.

Mohamed Smain is the victim of a false trial destined to silence truth and favour impunity. The truth is that a paramilitary group, the GAT, organised by Hadj Fergane around 1993 and placed under the direct control of the DRS (Direction, Research and Security) of the ANP (Popular National Army), of the wilaya of Relizane, was responsible for abductions, disappearances and assassinations on a big scale, according to the direct testimonies of the victims' relatives.

The "crime" of Mohamed Smain was to undertake research in the name of the families of the 'disappeared' to discover the truth about the mass graves in Relizane, to acknowledge with other witnesses the responsibility of Hadj Fergane and of his group and to denounce them publicly to Algerians and to international opinion.

In 1998, Hadj Fergane and six of his companions were accused by the population. The group was put under arrest on the 27th March 1998 then freed 15 days later. The official reaction was that "a judicial investigation, opened on the 11th April 1998 under the number 885/257/98 is still pending before the military jurisdiction".

The speed with which Mr Smain is being prosecuted and condemned contrast with the slowness of the instructions brought against Hadj Fergane and his group. It is the manifest evidence of justice carried out under the orders of the regime.

The support committee for Mohamed Smain, which has just been created, praises his courage as a defender of human rights and stands at his side to obtain his release and rehabilitation

The real trial of Relizane should be the one of the mass graves, of the establishment of the truth and of the judgement of the real culprits and of their accomplices.

The support committee calls on members and the associations for the defence of human rights to join it.

The members of the support committee are:

Kamel Daoud, president of "Algerie, Droits de l'Homme pour Tous (ADHT)", Nassera Dutour, porte-parole of the "Collectif des Familles de Disparu(e)s en Algerie (CFDA)", Yahia Assam, member of the "Ligue Algerienne de Defense des Droits de l'Homme (LADDH)", Nesroulah Yous, president of "Verite et Justice pour l'Algerie (VJPA), Noureddine Abdi, vice-president of ADHT, Zaima Benachour from CFDA and secretary of ADHT, Gerard Dutour from CFDA, Halima Thiery-Boumediene, European depute, Pascal Holenweg, from "Commission Socialiste de Solidarite Internationale", Marine from CEDETIM, Françoise Geze from "Edition la Découvert

