

Collectif
des
familles
de
disparu(e)s
en
Algérie

المفقودون DISPARUS
DISPARUS المفقودون
المفقودون DISPARUS
DISPARUS المفقودون
DISPARUS المفقودون
DISPARUS المفقودون
المفقودون DISPARUS

TRUTH AND JUSTICE FOR THE DISAPPEARED IN ALGERIA NEWSLETTER

Number 8 – July/September 2003

MEMBERSHIP

Name:

Address:

Zip/ Post Code:..... City:.....

Telephone :.....

Fax:

Email Address:.....

I wish to join the Families of the Disappeared in Algeria Collective and am sending my dues for 2003 (30 €).

I wish to support your activities with a donation

Please make chek out to “Collectif des familles de disparu(e)s en Algérie” and send your membership form to : Collectif des familles de disparu(e)s en Algérie –148 rue Faubourg Saint Denis 75010 - Paris - France

WORK CARRIED OUT BY STUDENTS

It has been possible to carry out various projects during the summer of 2003, thanks in particular to the work of two students gaining work experience.

UPDATING OF THE LIST OF 'DISAPPEARED'

The files on the 'disappeared' have been reorganised: they have been re-classified, double entries have been removed and information has been checked, and with the help of Alix, a volunteer and member of the *Ligue des droits de l'homme* (LDH, Human Rights League), new files have been set up. These files - 393 in total - have been sent to the UN Working Group on Forced and Involuntary Disappearances. At the same time, information lists, containing summary information on each 'disappearance', have been updated.

STATISTICS ON FORCED DISAPPEARANCES

This work has enabled a first analysis of these lists to be made and some statistics to be produced based on the 4480 names appearing. Thus, it appears that the great majority, nearly 70% of the cases reported, of arrests and abductions were carried out in 1994 and 1995; 25.5% of these were in the region of Algiers. No age group was really spared; although men aged 20 to 35 at the time of their 'disappearance' were particularly targeted. All professional groups and groups of society were affected: doctors, lawyers, students, high school (*lycées*) students, workers, civil servants, unemployed, etc. More than half the abductions took place at the family home, and numerous others at the place of work of the 'disappeared'. The files completed by the families indicate that the abductions were, for the most part, carried out by the police (more than 17%), the *gendarmerie* (12%), or the military in uniform (12%). Others responsible were acting under the orders of the authorities, such as militia, intelligence services etc. These figures will serve as the basis of a report which is being prepared.

A website¹, with numerous documents related to the 'disappeared' has been produced. This includes the latest Amnesty International and Human Rights Watch reports, CFDA communiqués and newsletters, press articles, calls for demonstrations, photographs of the 'disappeared' and family demonstrations. Among the documents is the basis for the data, which includes the information relative to each 'disappeared', the civil status and the steps taken by the family and witnesses. A specific programme has been produced by a friend of the CFDA with the objective of assisting publication and production the data on the website. To date this contains 786 files, but there is a great deal of work still to be done to complete it and keep it up to date. At the same time the website has encountered several technical difficulties and various documents still have to be published.

RESEARCH AND FINANCE

The help of the two students has also allowed new files on finance to be prepared and four requests for financial assistance to be produced. These were addressed to an American foundation (Public Welfare), a Norwegian organisation (Norwegian Human Rights Fund), a women's association (Global Fund for Women) and the *Fondation Jean Jaurès*. This needed a great deal of work, especially since it had to be produced in English. Two of the four have been rejected since Algeria is not one of their priorities; the other two are still being considered.

On 24 July members of the CFDA met people in charge of the *Comité catholique contre la faim et pour le développement* (CCFD - Catholic Committee for development and against hunger), with the intention of re-launching a request for finance made earlier. This is a matter of informing new contacts for the Maghreb / Middle East about the CFDA and the difficulties it has met in being funded. A document was prepared and sent to the CCFD prior to it studying requests at the end of October.

⁸¹ <http://www.disparus-dz.org>

NATIONAL ENDOWMENT FOR DEMOCRACY (NED)

We have to thank the NED foundation for renewing its financial assistance for the year 2003-2004. Thanks to this assistance we have been able to maintain our office in Algiers and to continue useful work there.

MEETING WITH MICHAEL DOCHERTY

On 1 July a CFDA delegation went to Brussels to meet Michael Docherty, head of the Maghreb programme at the European Commission. This was a matter of making the commission aware of the work of the CFDA in the light of financing local projects launched by the European Union in Algeria. However, in view of the fact that “*SOS Disparus*” has not been approved by the Algerian authorities, M Docherty concluded that it was not possible to propose it as a candidate for finance by the European Union delegation in Algeria.

PARTICIPATION IN A BELGIAN TELEVISION PROGRAMME

Nassera Dutour went to Algiers on 1 July to prepare meetings between mothers of the ‘disappeared’ and reporters from the Belgian television broadcaster RTBF. This was in view of a report on the theme ‘women and politics’ for the programme *Dunia*. However, the two leaders of the FIS, Ali Belhadj and Abassi Madani, were released on 2 July, and the Algerian authorities expelled all foreign journalists from Algeria. The Belgians were therefore not able to carry out their work and were expelled the next day (3 July).

Following this expulsion, the Belgian programme head still wanted to include the ‘disappeared’ in her transmission, and sent a reporter and two technicians to the CFDA office in Paris. This served for the programme *Dunia* transmitted between 20 and 26 August; Nassera was the principal invitee in Liège on 12 August.

THE CFDA ACTION PLAN

Following the expulsion of the Belgian reporters on 3 July, Nassera used the occasion to organise meetings with families. This was done to make them aware of the importance of bringing all documents in their possession about their ‘disappearances’ to the “*SOS Disparus*” office, so that complete files could be presented to the commission proposed by Mr Ksentini to the President of the Republic. The meetings also served to make the families aware of the importance of following up their complaints so that the file would not be closed by the authorities. Nassera then went to Oran with the same objective, and organised a meeting between the families’ committee in Oran and two members of the *assemblée populaire de la wilaya d’Oran* to make them aware of the situation of the families of the ‘disappeared’ and to try and win their support.

Nassera also participated at a meeting of “*SOS Disparus*” in Algiers, which is held twice a month on Tuesdays. A work programme was produced: it was decided to have a demonstration in front of a different institution each week (*Observatoire national des droits de l’homme*, Minister of Justice, Minister of the Interior, Presidency of the Republic, etc). Press release, meetings with politicians, calls for demonstrations, production of flags etc were prepared.

As a result, a demonstration was held on 6 July in front of the Minister of Justice. A letter to the Minister had been prepared, in order to obtain an interview. Following some negotiations, it was proposed that the usual junior civil servant should receive the delegation, but this was refused and a meeting with someone more influential was demanded. In fact this civil servant had told the families on several occasions that the solution was not in his hands. It is a matter of protesting against the pressures and intimidation of the families. A number of them have in effect been called for questioning and to sign *procès verbaux* without knowing the contents (see Newsletter 7) on several occasions. A second

demonstration was organised at the same place on 13 July.

On 14 July “SOS *Disparus*” was invited by the National Democratic Institute (NDI) to a seminar about electoral processes. Several associations and political parties were also invited with whom SOS was able to make contact.

FAMILIES ARRESTED BY THE AUTHORITIES

While the mothers of the ‘disappeared’ from the *wilaya* of Oran were ending their weekly demonstration in front of the Tribunal of Oran on 9 July, two individuals dressed in civilian clothes brutally seized one of them, Mme BOUTEIBA, and pulled dragged her along the ground to their vehicle. Other individuals ran behind other women and arrested Mmes BOUGUETAYA and her daughter Zohra, BOUSSEKAK, TRAÏBA, MEKALECHE and BAKHTA, the last two being respectively 75 and 82 years old. These seven women were taken to the *commissariat* of Oran’s 2nd *arrondissement*, where *procès verbaux* were established. Towards 1300 hrs they were taken to the central Oran *commissariat*, where they were photographed by police agents and had their finger-prints taken. They were then placed in cells until 1900 hrs. There, the Division police superintendent, accompanied by two uniformed officers, freed them but commanded them to come to the central *commissariat* on Saturday 12 July at 0900 hrs. On that day, the police took the seven women to the Benzerdjeb court in Oran. The prosecutor listened to them and informed them that files on their ‘disappeared’ children were being established and that there was not any need for further demonstrations. At 1400 hrs they received notice to attend the judgment on 4 October.

COMPLAINT TO THE GTDA

Following unofficial information about the detention in an Algerian army barracks of Amine Amrouche, ‘disappeared’ since 30 January 1997, the *Collectif* addressed a communication to M Miguel de la Lama, Secretary of the UN Working Group on Arbitrary Detention on 12 July 2003. This

communication was transmitted to the Algerian government.

MEETING WITH NGOS IN BARCELONA

During the month of August, two “SOS *Disparus*” representatives, Hassan Ferhati - office treasurer, and Amine Sidhoum - families’ lawyer, went to Barcelona to participate in a week’s solidarity with Palestine. The week included debates, meetings, conferences and gatherings with various international human rights organisations, which allowed the exchange of information.

GENEVA

A CFDA delegation participated in an informal meeting in Geneva with the UN Commission’s Human Rights Working Group which has been charged with producing a legal document to protect everybody against forced disappearance (*un projet d’instrument normatif juridiquement contraignant pour la protection de toutes les personnes contre les disparitions forcées*). The NGOs present (Fedefam, AFAD, FIDH, AI, CFDA etc) met and adopted a common strategy, faced with the reticence of states to do anything. The newly created African network against forced disappearances (RADIF) was present (see Newsletter 7).

THE ALGIERS OFFICE MOVES

Nassera went to Algiers at the end of September to organise the moving of the office. A search needed in the weeks before this to find a place that would be suitable for welcoming the families and the office staff. Significant work had to be done in the new office involving the contacting of craftsmen, the purchasing of material, the carrying out of re-decoration, the renewing of sanitary installations and cleaning up. Various people assisted in moving furniture and files from one office to another.

CONSCIOUSNESS RAISING AT CONFERENCES

Nassera spoke at conferences in August and September at St Etienne and Belfort at the invitation of local Amnesty International groups. A 'café group' was also organised by a section of the *Ligue des droits de l'homme* (LDH, Human Rights League) at Eaubonne in the Paris region. The *Collectif* was also asked to speak at other places.

SPEAKING TO DIPLOMATIC REPRESENTATIVES IN ALGIERS

The work of the *Collectif* and of "SOS Disparus" also included meeting with diplomatic representatives of foreign states in Algiers. The CFDA met with M Graham Hand, UK ambassador on 18 August: he was particularly concerned to understand what action the families of 'disappearances' were taking. On 24 September "SOS Disparus" met with the ambassador of the USA and on 29 September with the Belgian representative in Algeria.

NO COMMISSION OF ENQUIRY FOR THE 'DISAPPEARED'

In March 2003 the President of the *Commission nationale consultative de protection de droits de l'homme* (CNCPPDH - National Consultative Commission for the protection of Human Rights), Farouk Ksentini, had proposed in his report that a commission of enquiry into forced disappearances (see Newsletter 7) be established. However, on 9 August President Abdelaziz Bouteflika announced, in a press communiqué, the installation of an *ad hoc* mechanism (*un 'mechanism ad hoc'*) to deal with the question of 'disappearances'. "SOS Disparus" had already demanded that the mechanism should take into account the claims of families. The mechanism was officially set up on 20 September, during a discourse specially prepared for the occasion by President Bouteflika, in the presence of numerous military chiefs. According to these terms the body is not a 'commission of enquiry which will take the place of the administrative and legal authorities, but to

manage, and have an interface between, the authorities and the families concerned. In his speech President Bouteflika recognised the problem of the measures already taken to settle the 'disappeared' files, but still does not recognize

The responsibility of the security forces in carrying out crimes.

The CFDA reacted to this announcement by sending out a press release that was taken up by some Algerian newspapers (see particularly *El Watan* 30 Sept).

ABSENCE OF TEXT CONCERNING THE AD HOC MECHANISM

Nassera contacted Farouk Ksentini by telephone on the day that the mechanism was set up, in order to obtain more information about the mission of this body. Ksentini told her that it would be necessary to await the publication of the presidential decree in the *Journal Officiel*, since he did not know what authority it would have. M Boucetta, Secretary General of the CNCPPDH, later announced that the decree would be published in the *Journal Officiel* No 55, during October.

THE REACTION OF THE FAMILIES OF THE 'DISAPPEARED'

The leaders of the various regional committees of Algiers, Oran, Constantine, Relizane, Mostagenem, Djelfa, Tipasa, Blida, Sétif and Médéa, as well as the Secretary General of the *Association nationale des familles de disparus* (ANFD) and CFDA, met in Algiers on 30 September at the office of SOS Disparus in order to agree on a position to adopt in regard to this new measure. Those present reiterated their desire to see a true commission of enquiry put in place: this should be competent to lead impartial and independent investigations should include human rights organisations, the representatives of families, their lawyers and the families themselves. In the absence of the text the leaders of the committees decided to wait for the publication of the decree.

The same day the leaders of the committees organised a national press conference. Numerous Algerian journalists responded to this, and *ANFD* spokespersons explained the position that they had taken. Most of the Algerian press took up and publicised claims of the families of the ‘disappeared’.

MEETING WITH MEMBERS OF A EUROPEAN PARLIAMENTARY DELEGATION

At the end of the afternoon of 30 September, several organisations were able to meet members of a European Parliament Maghreb delegation; these included *SOS Disparus*, *RAJ*, *LADDH*, *CFDA* and three ‘victims of terrorism’ organisations. The president of the delegation explained that the European Union would be calling for offers, as from January 2004, to finance projects in connection with the struggle against impunity. However, “*SOS Disparus*” could not benefit from this as long as the authorities will not officially recognise it.

***SOS Disparus* has decided to lead an important campaign against the refusal of the authorities to recognise the organisation and of the Minister of the Interior to agree to a meeting to discuss the issue.**