

Newsletter no. 58

January, February and March 2016



Lest we forget



CFDA invited Ahmed Hanifi, author of *"La Folle d'Alger"* [*The Crazyness of Algiers*], to lead two writing workshops in Algeria, one in the Centre for Preserving Memory and the Study of Human Rights in Oran from 19 until 21 March 2016, and the other in Algiers on 26 March 2016.

Bringing together mothers, wives, sisters and brothers of the missing, the purpose of these writing workshops was to allow the loved ones of the missing to express themselves and pore their emotions onto sheets of paper.

The first half consisted of simple exercises such as describing an image, collectively writing a short and quick account of the disappearance as well as an exercise of ten sentences beginning with *"Lest we forget..."*.

Thanks to these first steps, the author was able to slowly but surely gain the confidence of his participants.

In fact, the purpose of the first exercises was to gain the families' trust and to slowly immerse them back into the circumstances of the disappearance through group work. In between each exercise, extracts of texts referencing the

suffering and pain of the disappearance of a loved one were handed out.

The second half was more difficult because the next exercises required bringing more emotions to the surface. The families were able to express how they felt with the use of their pens. All of the exercises allowed them to feel a lot of emotions.

The final exercise was to write a dialogue with the missing person. In this way, they were able to fully embrace the therapeutic aspects of writing.

Despite the authorities' threats, CFDA organises its seminar in Algiers to denounce crimes against humanity

On 5 March 2016, CFDA organised a seminar in Algiers on the topic of *"Enforced disappearances in Algeria: a crime against humanity"*. Around fifty people attended this meeting which heard several talks on the enforced disappearances in Algeria and the elements characterising the crime against humanity.



This seminar was initially meant to be held in a big hotel in the capital whose management had received threats from the authorities. What's more, unidentified persons entered the property and searched through the association's archives during the night. For these reasons, CFDA and

SOS Disappeared decided it would be more prudent to hold the seminar elsewhere. As such, the seminar was hastily moved to a different and less accessible location.

"Letting our guard down before getting any truth and any justice is out of the question," Nassera Dutour, CFDA spokesperson, stated after welcoming the participants.

This seminar opened with Professor Madjid Benchikh, former faculty dean in Algiers and former President of Amnesty International Algeria. He presented his arguments proving that enforced disappearances in Algeria are a crime against humanity according to the terms in the Rome Statute because these disappearances target the civilian population and were committed in a generalised and systematic way.

He was followed by Mr Bouchachi, lawyer and former president of the LADDH, who spoke of enforced disappearances in Algeria as a crime against humanity with regards to Algerian legislation. He stressed that the nature of Algerian laws was not to protect their citizens. Based on his own experience, he stated that inquiries into the missing are systematically rejected for different reasons.

The seminar also saw the participation of two foreign experts who are part of the Spanish experience, reminding us that the solutions adopted in Spain during the transition period never met the victims' needs. More than 70 years later, their families are still demanding to know the truth. As such, Algeria can most certainly not use this model as an example to follow.



The families were given the opportunity to take the floor. Mothers, wives, sisters of the missing took turns taking the stand for the large part of the afternoon. They denounced the obstacles created by the authorities to prevent the truth from coming out. They stressed that there has not been a single serious inquest opened and that the authorities have not spoken of anything other than “turning the page” by trying to buy the families’ silence with sums of money. They have all restated their determination to go all the way in uncovering the Truth.

CFDA’s new report sheds light on the characteristics of the crime against humanity that is enforced disappearances in Algeria

Published in March 2016, the new report by CFDA *“Enforced disappearances in Algeria: a crime against humanity”* shows that the circumstances in which the enforced disappearances were perpetrated in the 1990s contain criteria leading to the qualification of a crime against humanity.

[Click here to download the report in French](#)

International human rights law and international criminal law state that the practice of enforced disappearance is qualified as a crime against humanity when they have occurred as part of a

widespread or systematic attack directed against a civilian population with the political goal of launching such an attack.

The classification of crime against humanity leads to different consequences, such as imprescriptibility, the prohibition of amnesties and the recognition of the right of victims to full and complete compensation.



As a result, the perpetrators of enforced disappearance should not benefit from any kind of amnesty, or mercy if they prevent the justice from determining the culpability or innocence of the alleged authors. The State is also obligated to fully and adequately compensate the damages suffered by victims of enforced disappearances and their loved ones. However, compensation in Algeria is conditional on the provision of a death certificate of the missing person, which is contrary to international human rights law.

"Radio des Sans Voix" sees the day



Next June, CFDA will launch its own online radio "*Radio des Sans Voix*" [*Radio of the Voiceless*]. *Radio des Sans Voix* is a radio station created and supported by CFDA in collaboration with human rights activists and defenders. As part of its program, they discuss topics such as enforced disappearances and other violations of human rights, like violations of freedom of expression, of assembly and demonstration, as well as judicial harassment of human rights activists. They also include the stories and reports dedicated to the families of the missing in Algeria and everywhere in the world, current issues and portraits of those working at the heart of human rights.

This radio opens a door to all human rights associations and activists working for peace, truth and justice, inviting them to express their points of view and share their experiences during the "*Les valeurs humaines*" [*Human values*] program.

This project is making great strides. Whilst awaiting their official launch in June, you can access exclusives on the CFDA [Facebook](#) page.

News in brief

CFDA meets with representatives of the European Union (EU) and its Member States

Prior to the EU-Algeria subcommittee for the dialogue on politics, security and human rights, the CFDA was invited to participate in an advocacy mission in Brussels on 25 and 26 January 2016, at the initiative of the Euro-Mediterranean Human Rights Network (EMHRN).

This mission came about at a time where the Algerian society was debating the individual and fundamental freedoms with hindsight, following the publication of the draft legislation of the revision of the Constitution on 5 January 2016.

During the mission, the CFDA spokesperson met with representatives of the European Union (EU) and its Member States to denounce the serious harassment being subjected to human rights defenders in Algeria and the large restrictions on the freedom of peaceful assembly, as well as the socio-economic claims being stifled and the right of truth and justice on the issue of enforced disappearances in the 1990s being denied. In fact, despite the 29 condemnations made against the Algerian State being the subject of the Committee of Human Rights, not a single recommendation has been implemented and not a single investigation to shed light onto the fate of the missing has been conducted.

Preparing for the Algerian Universal Periodic Review (UPR) in 2017

The Euro-Mediterranean Human Rights Network (EMHRN) has put into place training sessions for

its Algerian members and partners with the aim of supporting them in writing an alternative report for the next Algerian Universal Periodic Review (UPR) before the UN Human Rights Committee in 2017.

As part of this initiative, members of the CFDA and SOS Disappeared have been invited to a training session taking place on 29 and 30 January in Tunisia. At the beginning of April, a second training session was organised at the SOS Disappeared offices in Algeria, with a writing workshop bringing together many organisations for the Algerian civil society, including SOS Disappeared, RAJ, LADDH, RADDH and SNAPAP.

Taking part in a training session for identifying missing persons in Rabat



On 6 February 2016, Nassera Dutour oversaw a training session in Rabat on *"The collection of information for researching and identifying missing persons"*, organised by the Euro-Mediterranean Federation against Enforced Disappearances (FEMED) and led by the Argentine Forensic Anthropology Team (EAAF)

at the headquarters of the Moroccan Human Rights Organization (OMDH).

Divided into two parts, the aim of the training was to learn and master the procedures for researching and identifying missing persons. The first part was focused on planning the process of identifying the missing persons and the step of exhuming the body.

In the second half, the training dealt with the role of DNA in the identification process and the importance of the preliminary investigation.

In Bujumbura, Nassera Dutour talks about the role of women in transitional justice

On 8 March 2016, International Women's Day, the CFDA spokesperson, Nassera Dutour, was invited to talk about the fight led by mothers of the missing for truth and justice in Algeria at a conference on women and Transitional Justice, organised by the French Embassy in Burundi in collaboration with the Truth and Reconciliation Commission in Burundi (CVR).

New case recorded by the WGEID

On 16 March, the United Nations' Working Group on Enforced or Involuntary Disappearances recorded nine new cases of enforced disappearance and has transmitted them to the Algerian government so that inquests can be opened to shed light on the fate of the missing persons and to protect their rights.

Press releases

19 January 2016 – FIDH, LDH, CFDA

Relizane affair: Civilian parties' indignation at the dismissal announced by the French justice!

FIDH press release with collaboration with CFDA

<http://bit.ly/1Ry8KtX>

23 February 2016

Complainants' indignation at the decisions announced by the Algerian justice!

<http://bit.ly/1PRRs4g>

6 March 2016

Seminar – Enforced disappearances in Algeria: a crime against humanity

<http://bit.ly/1qsfo9Z>

8 March 2016

International Women's Day

<http://bit.ly/1N6MrFr>

Press releases

January 2016

<http://bit.ly/1V71g2h>

February 2016

<http://bit.ly/1V71k22>

March 2016

<http://bit.ly/1N6LKvN>

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Our Facebook page



Our Virtual Memorial