



## A disputed presidential election

The Algerian presidential election was held on 12 December 2019. It was massively contested by *Hirak*. Indeed, since the end of the summer a massive crowd has been opposing, every Friday, the holding of the presidential election of December 12, denying the claims of General Gaïd Salah, who assures that the election is demanded by the "people". But for the *Hirak*, the poll aims to ensure the survival of a system in place since the country's independence in 1962, which they are now calling for to be completely dismantled in favor of transitional institutions.

However, this election did take place despite the strong opposition of the Algerian people. One of the first disputes concerned the personalities and political leanings of five candidates. Indeed, all the candidates in this presidential election were politically linked to the regime and were sometimes close collaborators of former President Abdelaziz Bouteflika.

This rejection of the presidential election was also reflected in the results. Indeed, this election had the highest abstention rate recorded in Algeria. The participation rate is 39.38% and one-eighth of

the votes are blank or invalid. Among the diaspora, the abstention rate is 91.3% according to figures provided by the Independent National Electoral Authority (ANIE).



Photo AFP, RYAD KRAMDI

At the end of this election, Abdelmadjid Tebboune was elected in the first round with 58.15% of the votes, according to the results announced by Mohamed Charfi, President of the Independent National Electoral Authority (ANIE).

## Conference at the headquarters of SOS Disparu(e)s

On 6 October 2019, SOS Disparu(e)s organized a conference on its premises, led by lawyers Maître Abdelghani BADI and Maître Nouredine AHMINE, to commemorate the 31st anniversary of the events of October 1988. The theme of this conference was: *"October 1988 - October 2019: what consequences?"* ».

Indeed, at that time many sporadic and uncontrolled demonstrations took place in several cities of the country which are not without reminding the current Hirak.



Speakers referred to power practices as "post-October 1988 practices" because the police resort to the restriction of liberties. According to the lawyer and human rights defender, Abdelghani Badi, the gains made in October 1988 were quickly wiped out by the regime, which has been reverting to these old practices over the past few months: arrests, imprisonment and the return of the political police.

Lawyers warn of the dangerousness of the current legislation against liberties. They state: *"There are laws dating back to the one-party era that the legislature has not revised in all this time, Parliament has not done its job and it is these laws that are being brandished today to subdue the hirak"*. Mr. BADI believes that these legal texts *"constitute a danger to freedoms and to the exercise of citizenship"*. The lawyers thus qualified the current legal texts as *"mines against citizenship, liberties and democratic practice"*.

The two speakers then returned to the contribution of the events of October 1988 and their influence

on the popular movement of February 22nd. *"The Algerian people have learnt the lessons of the previous events. They have understood that it is necessary to be peaceful and united in order to thwart the regime's plans"*.

## Press conference hosted by the collective of defence lawyers for prisoners of conscience and political detainees

The collective of defense lawyers for prisoners of conscience and political detainees held a press conference at the headquarters of SOS Disparu(e)s on 7 October 2019. Six Algerian lawyers, Nouredine AHMINE, Mustapha BOUCHACHI, Nouredine BENISSAD, Nabila SMAÏL, Aissa RAHMOUNE and Abdelghani BADI led this press conference.

These lawyers and human rights defenders have sounded the alarm about the situation of freedoms prevailing in the country. They have thus drawn the attention of public opinion to the seriousness of the current situation, which is characterized by numerous arrests and detentions of demonstrators and political and associative activists.

These lawyers are very present in the courts of the country where they constitute themselves, along with several of their colleagues, defenders of the victims of the ruling power. They have drawn up a series of violations of legal procedures and challenge judges. Thus, Mustapha BOUCHABI declares: *"I would like to remind our brothers the judges that they must assume their historical responsibility. They must only respect the law"*.



About the court in Sidi M'hamed, Nabila SMAÏL said: *"You would think that we are facing an exceptional court. We have never known such a situation where people are arrested before seeking charges. We do not have the right to remain silent"*.

*on this situation. Lawyers must boycott all sessions".*

Lawyers also returned to the judges' extensive use of committal orders. According to Abdelghani BADI, these warrants of committal "*are unjustified*". Noureddine AHMINE adds that there is an "abuse of the use of this sentence". He states: "*Algerians are demonstrating to demand the rule of law but seven months later, all the principles of law are violated*".

### **Training on monitoring the implementation of the recommendations of international mechanisms**

The CFDA and SOS Disparu(e)s organized a training course on monitoring the implementation of the recommendations of the international mechanisms on 23 and 24 November 2019. This training took place in the offices of SOS Disparu(e)s in Algiers and was led by Mr Abderrahmane Salah.

The first day of training was devoted to the basic provisions of the International Covenant on Civil and Political Rights.

For example, the trainer discussed the criteria and modalities for ratification of the various United Nations optional protocols. He said that Algeria had ratified all the United Nations protocols with the exception of the protocol on immigration and the International Convention for the Protection of All Persons from Enforced Disappearance.

During this day, the trainer, Mr. Abderrahmane Salah presented in detail the composition and functioning of the Human Rights Committee. He also presented the various experts who make up the Committee and the competences available to it.

The trainer then proceeded to read the articles of the International Covenant on Civil and Political Rights (ICCPR). He then tackled the issue of the periodic reports that States must submit to the various United Nations Committees, namely the Human Rights Committee. The latter then proceeds to the examination of the State party.

This gave rise to a debate between the participants and the trainer concerning certain articles of the ICCPR and the confirmation of the texts

implementing the Charter for Peace and National Reconciliation with the ICCPR and which would be contrary to the Algerian Constitution itself.

NGOs also submit alternative reports to the State party report. These reports must reflect human rights violations in relation to the provisions of the ICCPR and must be concise. The number of pages is limited.



Participants therefore followed an exercise in alternative report writing techniques. They were able to learn how to respect the form of the reports submitted by NGOs to the Human Rights Committee or for the Universal Periodic Review and how to ensure that the essential information they should contain is not overlooked.

In order to conclude this first day, the participants were invited, in accordance with the drafting methodology presented earlier, to reflect on the priority violations of the provisions of the Covenant that they would like to see appear in an alternative report.

The second day was devoted to the follow-up of the findings and recommendations of the Human Rights Committee issued after the examination of Algeria's report and their implementation. The trainer began by reading the findings article by article and commenting on them.

The Committee has targeted 3 recommendations which are the right to truth for missing persons, freedom of assembly, the right of migrants.

The trainer explained that in a plea for the implementation of the Committee's findings, NGOs must identify mechanisms with which to

cooperate, invest and prioritize recommendations. They must choose the recommendations that seem most relevant to them and/or that are close to the association's mandate, such as women's rights, children's rights, enforced disappearances, etc., and defend them. The recommendations of the Human Rights Committee may require the use of other mechanisms in the process of monitoring their implementation. For example, a recommendation on discrimination and violence against women may trigger advocacy actions towards the Women's Rights Committee, but also towards the Committee against Torture.



A Webinar (videoconference) moderated by Mr. André Kangni, coordinator at the Geneva Centre for Civil and Political Rights (CCPR) was held before concluding this second and last day of training. Mr. Kangni recalled the steps to be taken to follow up on the recommendations of the Human Rights Committee. He addressed the issue of this new follow-up procedure and its importance in order to ensure that the recommendations of the mechanisms are implemented. The Committee sent questions on the 4 recommendations it targeted to the Algerian State, which has two years to respond in accordance with paragraph 5 of rule 71 of the Committee's rules of procedure. The State party is invited to submit, by 27 July 2020, information on the follow-up it has given to the recommendations. Algeria therefore has two years to submit a report on the implementation of the Committee's recommendations. NGOs may also submit an alternative report at that time on the basis of the Algerian Government's responses to the Committee.

Mr. Kangni presented the rating system of the measures taken by the State following the recommendations issued by the Committee.

### **14th Anniversary of the Charter for Peace and National Reconciliation**

29 September 2019 was the 14th anniversary of the promulgation of the Charter for Peace and National Reconciliation.

On this occasion, mothers and relatives of victims of enforced disappearance held a rally near the National Council for Human Rights (CNDH) in Algiers to demand the truth.

Brandishing the portraits of missing persons, the mothers call out for the truth. *"We want to know the fate of all the missing persons. Let those who kidnapped them tell us where they were buried,"* they said.

Hacene Ferhati, a member of the association SOS Disparus affirms that: *"14 years after the promulgation of the Charter of Reconciliation, the authorities have done nothing to allow the families of the victims to know the truth. One cannot claim reconciliation without knowing the fate of all the victims"*.

Every week the families of the disappeared hold gatherings similar to this one. Each week they raise their voices to hope one day to access Truth and Justice.

### **Briefs**

#### **CFDA wins the ICIP Peacebuilders Award**

The Catalan International Institute for Peace (ICIP) organizes every year since 2011 the ICIP Peacebuilders Award. This prize aims to publicly reward individuals, entities or institutions that have worked and contributed in an exceptional and extensive way to the promotion and construction of peace.

The 2019 edition paid tribute to the Collectif des Familles de Disparu(e)s en Algérie (CFDA) for its determination and courage in denouncing enforced disappearances in Algeria, its fight against impunity and its contribution to the

establishment of a peaceful transition in the country.

The award will be officially presented at an institutional award ceremony that takes place every year at the Parliament of Catalonia. Nassera Dutour, President of the CFDA, will travel to Barcelona at the beginning of 2020 to represent the Collectif des Familles de Disparu(e)s en Algérie and receive the award.

### Civil Society Forum in Brussels

The Collectif des Familles de Disparu(e)s, represented by its President, Madame Nassera Dutour, took part in the Civil Society Forum in Brussels on 2 and 3 December 2019.

The European Union has engaged in a structured dialogue with civil society in the Southern Neighborhood countries with the aim of strengthening cooperation in the political decision-making process. This Forum is the closing event of the annual activity cycle which brought together around 180 CSOs and EU representatives.

Participants had the opportunity to discuss the results of previous activities focusing on the implementation of the recommendations made during the year's activities and discuss their

feasibility within the framework of European external policies and mechanisms.

The CFDA was thus able to participate in a workshop on "good governance and the rule of law" which included discussions on the fight against corruption and the reduction of spaces for civil society.

### Meeting with Algerian partners in Copenhagen

On 12 and 13 November 2019, EuroMed Law organized a meeting between the Algerian partners in Copenhagen. The representatives of many Algerian organizations were thus able to discuss the evolution of the situation in Algeria in the run-up to the presidential elections of 12 December 2019. For Ms. Dutour, the absolute urgency is to come to the aid of prisoners of conscience currently in prisons for simply expressing their opinions or waving the Amazigh flag.

The Algerian partners were also able to meet members of the Danish Ministry of Foreign Affairs. They were thus able to present, in turn, their organization and their expectations of this meeting. The representatives of the Ministry affirmed their willingness to strengthen dialogue in the Arab region. The current Danish government is very interested in all human rights issues and is willing to work further to strengthen them.

## Press Reviews

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### October

<http://bit.ly/33rav50>

### November

<http://bit.ly/33OZZEb>

### December

<http://bit.ly/2sTJ4nf>

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