

## Newsletter no. 47 April – May – June 2013

### **“Human Rights Put Algerian Regime to the Test – The illusion of change”. CFDA report published.**

The CFDA team has published its report “Human Rights Put Algerian Regime to the Test – The illusion of change” with the results of their investigations with the support of activists and associations of the Human Rights defenders in Algeria.

The report addresses the Human Rights situation in Algeria from 2011 to 2013. Outside of their usual work on enforced disappearances, CFDA has gathered numerous witness statements from associations, autonomous syndicates and activists in order to draw up a general overview of the Human Rights situation in Algeria. By analysing the legal system, the situation of the freedom of expression, demonstration, information, religion, women’s rights, enforced disappearances and economic and social rights, CFDA’s report shows that all of the reforms adopted since 2011, which were presented as a sign of the country opening up to democracy, are in fact just a smokescreen used by the Algerian regime to maintain an illusion of change.

Following the publication of the report, a press conference was held on the premises of the French Amnesty International in Paris on 27 June in which around fifty journalists from France and other countries as well as students and community activists took part. Mouloud Boumghar, Nassera Dutour and Idriss Mekkidèche, activist for SNAPAP, presented the contents of the CFDA report and shared their personal experience as community activists in Algeria. Idriss Mekkidèche gave an especially moving account of the condition of the unemployed and young people in pre-employment contracts as well as the repression suffered by the activists during their assemblies. Many journalists attended the conference and led interviews with the key speakers at the end of the press conference. The reception organised by CFDA then enabled those present to pursue their discussions in an informal manner.

This conference was subject to **large coverage in French, Algerian and international media**. French magazine *L’Express* especially dedicated a long article on the works of CFDA in its online daily edition.

The publication of English and Arabic versions of the report will provide the opportunity to continue bringing awareness of the Human Rights situation in Algeria to both journalists and the public.

### **Training on the mechanism of protecting Human Rights**

This training programme which took place over 3 days, from 20 to 22 June 2013, was very intense: as well as an assessment of the previous training sessions, participants looked back over the statements on the enforced disappearance of Mourad Bendjael and talked with a Tunisian lawyer who is also an activist for the Tunisian Human Rights League (LTDH).

This training was also interactive and encouraged participants to take the floor and become actively involved. By way of an overall summary of the previous training, the participants were invited to complete a quiz on the main points covered during the previous cycle.

Not long after the training in Geneva, this new training was also an opportunity for the participants to assess the progress on the links made between the different special rapporteurs they have met and to return to the lessons they have retained.

To open a debate on the role of lawyer and activist for Human Rights in an authoritarian State, the CFDA invited Mr Ayachi Hammami, a Tunisian lawyer. This activist for the Tunisian Human Rights League under the regime of Ben Ali spoke about his experiences. The passionate discussion which followed initiated much thought on the work of Human Rights lawyers and the problems and risks that this entails in a country like Tunisia and Algeria.

## **The 53rd session of the African Commission on Human and Peoples' Rights from 9 till 14 April at Banjul, Gambia.**

Nassera Dutour and Cherifa Kheddar presented **a series of observations on the Human Rights situation in Algeria** to commissioners of the African Commission on Human and Peoples' Rights (ACHPR), representatives of African States and representatives of local, regional and international NGOs. The CFDA delegation stepped in to denounce how freedom of expression, information, assembly and **association** in Algeria is hindered and to expose the threats **to the Human Rights defenders in Algeria**, the harassment, intimidations, legal proceedings, etc. The delegation has equally brought **recent cases of torture** to the ACHPR commissioners and has denounced the absence of legal provisions to prevent these practices.

The interventions by CFDA have elicited reaction from the representatives of the Algerian State who exerted their right to reply to each of the questions posed by CFDA.

The CFDA delegation took part in events organised on the fringe of the session, such as the workshop organised by Conscience International and Civicus entitled "*Strategies for players in civil society*". Nassera Dutour was also invited to take part at the round table organised by the Observatory for the Protection of Human Rights Defenders together with the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT) entitled "*Violations of NGO rights to financing: from harassment to criminalisation*". The objective was to present a state of affairs of the violations of NGO rights regarding financing, with focus on the situation of the African NGOs, contained in the Observatory's 2013 annual report. Nassera Dutour presented the limitations imposed by the new law on associations (law 12-06). The spokesperson for CFDA stressed the impossibility of Algerian associations receiving financing from foreign NGOs without prior permission from the Ministry of Foreign Affairs. She also denounced the practice of defamation of which she has been subjected as spokesperson.

Finally, members of the delegation were able to meet with the legal officer of the African Commission in charge of the Benidir file. The legal officer confirmed that the ACPHR had rejected the request to revise the admissibility decision presented by Algeria. CFDA expressed their concerns regarding how slowly the affair (presented in 2007) was being treated. The legal officer confirmed that the communication should be examined between now and the end of the year. The CFDA then reminded the legal officer of the political and legal context in Algeria with regards to the question of the enforced disappearances which should be taken into account when examining the merits of the communication.

## **Gathering for the International Day of the Child and African's Children Day**

More than a hundred minors aged between 14 and 18 disappeared during the years of conflict causing irreparable damage among families.

To honour these missing people who were only teenagers, even children, at the time of their arrest by forces of the law during the 1990s, **CFDA has organised a gathering on the Place du 1 Mai in Algiers on 1 June, the International Day of the Child.**

The disappearance of minors adds to the systematic violation of the right to truth and justice for the missing persons' loved ones by the Algerian government, the lack of respect of the International Convention on the Rights of the Child. This treaty states that the authorities must respect the children's right to life, ensure that they are not separated from their parents and inform the latter in the event of a separation linked to measures taken by the State.

In Oran, children and their families have been invited to celebrate African Children's Day in the offices of the association. Around thirty children took part in an art workshop, a clown show and film showing planned for this occasion. These activities enabled the association to meet with these families

again who, for different reasons, stopped coming to the SOS Disappeared offices in Oran, and to inform them about the association's latest activities.

CFDA's press release alluding to the issue of missing minors was re-released in the Algerian press and has therefore contributed to opening the public debate on this subject.

### **Establishing a computerised database**

CFDA has contacted the NGO Huridocs, specialised in information technologies and methods of documentation for Human Rights organisations. Huridocs has already developed many databases containing Human Rights violations. CFDA and Huridocs have formed a partnership to create a database of enforced disappearances. On 7 May, a work meeting took place at the CFDA offices with an expert from Huridocs, enabling the establishment of a framework for the database.

All paper files will be archived and computerised in this secured database, tailored to the needs of CFDA. It will contain the entirety of the information in the files, the civil register and all information pertaining to the missing person and their family, the circumstances surrounding their disappearance, the players in the disappearance, characteristics of the missing person, their contact details, etc. In all, it will be possible to quickly extract specific information from the entirety of the files in statistical or graphic form.

### **News in brief**

#### **Algeria is once again condemned by the United Nations Human Rights Committee regarding a case of enforced disappearance**

Following individual communication introduced by Swiss NGO Trial, the UN Human Rights Committee has made statements on the disappearance of Djafaar Sahbi. The Committee considers that Algeria has violated multiple fundamental rights of the International Covenant on Civil and Political Rights such as the right to life and the right to not be subjected to torture. They have also ordered Algeria to investigate the disappearance of Djafaar Sahbi, to provide the family with the results of this inquest, to free Djafaar Sahbi if he is still being detained in secret or return his remains to his family if he is deceased, to prosecute, take to trial and punish those responsible and compensate the family in an appropriate manner.

#### **Meeting with Mr Barrier, Assistant Director for Human Rights and Humanitarian Issues of the Ministry of Foreign Affairs.**

On Wednesday 24 April, CFDA met with Mr Gilles Barrier, Assistant Director for Human Rights and Humanitarian Issues of the French Ministry of Foreign Affairs, notably to talk over the issue of enforced disappearances.

CFDA presents its mission and activities and requested the support of the Ministry in obtaining an advisory status with the United Nations Economic and Social Council. Mr Barrier has promised to rally France into backing the CFDA's candidacy.

Mr Barrier has informed CFDA of the advocacy campaign implemented by France and Argentina with regards to a large number of States becoming members of the International Convention for the Protection of All Persons Against Enforced Disappearances.

### **Continuing the monthly gatherings in Oran**

Starting now, the Oran office is organising monthly gatherings and is succeeding in rallying more and more families together. The demonstrations held on 3 April and 5 May reunited fifteen or so families

before the Oran court and around twenty on 5 June. The regularity of the demonstrations and the consolidation of groups of families hold witness to the dynamism of the team in the Oran office and the determination of the families to continue their fight and to make their voices heard.

## **Reports**

Publication of CFDA's report on the Human Rights situation in Algeria 2011-2013 "*Human Rights Put Algerian Regime to the Test – The illusion of change*"

<http://www.algerie-disparus.org/images/c-illusion.pdf>

More than a hundred missing people were minors at the time of their arrest

[http://www.algerie-disparus.org/images/cp\\_droits\\_enfants.pdf](http://www.algerie-disparus.org/images/cp_droits_enfants.pdf)

Algeria once again condemned by the Human Rights Committee

<http://www.algerie-disparus.org/images/c13.08.2013.pdf>

## **Press releases**

Press release for the month of April

[http://www.algerie-disparus.org/images/stories/Revue\\_de\\_presse/Revue\\_de\\_presse\\_avril.pdf](http://www.algerie-disparus.org/images/stories/Revue_de_presse/Revue_de_presse_avril.pdf)

Press release for the month of May

[http://www.algerie-disparus.org/images/stories/Revue\\_de\\_presse/Revue\\_de\\_presse\\_mai.pdf](http://www.algerie-disparus.org/images/stories/Revue_de_presse/Revue_de_presse_mai.pdf)

Press release for the month of June

[http://www.algerie-disparus.org/images/stories/Revue\\_de\\_presse/RP\\_Juin\\_2013.pdf](http://www.algerie-disparus.org/images/stories/Revue_de_presse/RP_Juin_2013.pdf)