

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 9 – October/December 2003

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

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NINE YEARS IN HIDING

Doctor Salah Eddine Sidhoum, human rights defender, who went into hiding in December 1994, decided to reappear in September 2003. Salah Eddine Sidhoum, accompanied by Kamel Daoud, a retired surgeon, by Nassera Dutour - spokesperson for the *Collectif des familles de disparu(e)s*, and by lawyers, presented himself at Algiers court in order to denounce the judgement pronounced against him on 10 March 1997; this had condemned him to 20 years prison and a fine of 500 000 thousand dinars. After having been heard by the assistant to the Public Prosecutor, this man - 50 years old - was transferred to Serkadji prison in Algiers, where he was imprisoned under deplorable sanitary conditions. During his detention, which lasted 18 days, he undertook a total hunger strike. On 14 October, after 15 days of imprisonment, his lawyers asked for a provisional release, which was rejected. Finally, Salah Eddine Sidhoum was acquitted two days later, on 16 October, and released. On that day, families of the 'disappeared' assembled for the whole day in front of Abane Ramdane court in Algiers to demonstrate their support. They did not leave until the end of the day when the verdict confirming the innocence of this campaigner was announced. In the past, Salah Eddine Sidhoum had been the object of measures of intimidation. In 1980 he called for the release of people arrested during the 'Berber spring' demonstrations, and in 1988 denounced the torture practised in police stations; these actions led to his being menaced by the political police. But it was only after the *coup d'état* of 11 January 1992 that the authorities dared to arrest him for the first time. An ardent human rights defender, Salah Eddine Sidhoum alerted the international community to the practise of torture, extra-judicial executions and the phenomenon of forced disappearances, mainly by receiving and publicising the witness of victims. In December 1994, when three armed men came to his house to assassinate him, Salah

Eddine Sidhoum decided to go into hiding. During the nine years that followed, his family was the object of harassment which was made public by the *Observatoire pour la protection des défenseurs des droits de l'homme*. Salah Eddine Sidhoum visited the office of *SOS Disparu(e)s* on 20 November to thank families for their support.

03 NOVEMBER 2003 - AGM OF COLLECTIF DES FAMILLES DE DISPARU(E)S

The annual and financial reports were adopted unanimously. A short presentation of activities was made.

LEGAL SUPPORT FOR FAMILIES IN ALGERIA

In 2002 the association had succeeded in mobilising three lawyers to accompany families in their approach to institutions. The members of the Board again explained the basic principles in the memorandum written by the eight regional committees who met several times and who handed it over to the President of the CNCPPDH, Farouk Ksentini. He agreed to transmit it to the President of the Republic. It seems that, following the demands made by the families of the 'disappeared', Farouk Ksentini proposed to set up a commission of enquiry, but he was not allowed to do so.

PLAN OF ACTION 2004

The question of workload and the difficulties of obtaining grants were particularly important. Nassera Dutour presented the work that had been carried out by two trainees and a volunteer from the *Ligue des droits de l'Homme* during the summer. These three people checked files, brought up to date lists of 'disappearances' and produced an internet site and statistics using certain parameters: age of the 'disappeared', town, place and date of abduction. The drafting of a document synthesising this is ongoing.

Driss El Yazami, member of the *Collectif*, raised the question of the inadequacy of the effects of actions taken on behalf of the 'disappeared', and thinks that this is due to the fact that all initiatives are taken outside the country. As a result, it appears necessary to have a strategy within Algerian society to make the problem of 'disappearances' become a real political argument during the 2004 presidential elections. Following from this, it was essentially a question of how the commission *ad hoc* established by the President of the Republic by decree dated 14 September could resolve the problem of forced or involuntary 'disappearances'. Discussion showed that this commission is insufficient and fails because it has no power of investigation. President Bouteflika has confirmed loudly and strongly that the commission '*cannot be conceived as a commission of investigation which would take the place of the competent judiciary and administrative authorities... and it is no more than a management centre and an interface between the public authorities and the families concerned*'.

Following from these allegations, it is a matter of determining the means by which the government can be constrained to put in place a truly national commission of enquiry which should be composed of lawyers, intellectuals, Algerian personalities and representants of the associations of families of the 'disappeared'. To this end a seminar should be held both in France and Algeria.

Nicole Pignon, Maghreb/Middle East program officer, proposed to delegate in part the legal support to the 50 groups of the *Action des Chrétiens pour l'Abolition de la Torture (ACAT - Christians for the abolition of torture)*, which wishes to support the action of the *Collectif*. Nicole Pignon and Myriam Blein of the executive committee of *ACAT* briefly presented the new campaign that *ACAT* intended to start in 2004 on forced disappearances; the organisation of conferences and debates

and a variety of projects / demonstrations is being studied.

SEMINAR PROJECT

Following the AGM on 3 November, the Board of *CFDA* met on 24 November to consider further the proposal for a seminar. In a general way this project would be the basis for discussion and reflection concerning the establishment of a true national commission for truth and justice. Members approved the idea of a '*counter mechanism ad hoc*', made up primarily of lawyers and human rights experts. It was decided to redraw a document synthesising and briefly retracing the evolution of the treatment of forced and involuntary disappearance files by the Algerian authorities. This document should be transmitted to the International Center of Transitional Justice based in New York: a *Collectif* member had met Hanny Megally, the Director of the Maghreb/Middle East Program, who had shown interest in supporting the project. The members present agreed that the seminar should be 'closed', and open to about 40 persons. This restricted number was agreed so that certain Algerians, and particularly party leaders, could be attracted by assuring them of discretion in the debates. It seemed important to request the participation of, among others, Ali Yahia Abdennour, President of the *LADDH*; Areski Aït Ouazou, representative of the *FLN*, and Farouk Ksentini, President of the *CNCPDH*. The presence of the *FIDH*, *ACAT*, *AI* and of *France Liberté* was naturally expected, as well as the Algerian office of the European Commission and of the French Ministry of Foreign Affairs.

AMNESTY INTERNATIONAL AND THE 'YEAR OF ALGERIA' IN FRANCE

The year 2003 was marked in France by festivities for the 'year of Algeria'. Associations for the defence of human rights, and notably Amnesty International with *CFDA*, decided to organise a counter event, with demonstrations and debates on

the theme 'Year of Algeria and human rights?' AI groups throughout France responded favourably to this initiative and prepared numerous demonstrations in several towns: Marseille, Valence, Lyon, Rennes.... A petition was launched by the AI French section to demand genuine commissions of enquiry into the issue of forced disappearances. The Monts du Lyonnais Group 282 organised a week of meetings from 16 to 24 November. Nassera Dutour, Spokesperson for *CFDA*, explained about 'disappearances' and about the reality of daily life for Algerian people at the hands of the military power. In this action the group stressed the task of making schools in the region aware of human rights and respect for freedom of expression. To this end, Nassera Dutour and Lionel Rousselet, President of Group 282, addressed some thousand pupils from different schools to tell them about the politics, society, economy and history that led to the human rights crisis in Algeria. Among the various speakers, Mireille Boisson, member of AI's International Executive Committee, underlined the importance of making young people aware as part of AI's global action. The residents of the region were attracted to the action by way of cultural activities, which introduced them to an unknown Algeria of music, theatre, gastronomy..... The week closed with a concert and a film (*Rashida*) was shown about the years (1996-2002) of conflict and barbaric acts committed by armed groups; a debate, led by Lise Martinet, Algeria Coordinator in the AI French section, and Dabila Meziane, ex-lawyer at the bar of Algiers and holder of an international human rights prize. The 'year of Algeria and human rights?' event ended with substantial media coverage and a petition signed by 45 000 people.

RALLY IN FRONT OF THE ALGERIAN EMBASSY

For the closure of the 'Year of Algeria' in France, the AI French section and the *Collectif* decided to write to the Algerian embassy requesting a meeting. However,

there was no response, so AI and the *CFDA* organised a demonstration on 15 December in front of the embassy, and a delegation reiterated its request to be received. With the excuse that the workload (of the ambassador) did not allow him the time (to see them), the petition signatures were handed to an official at the front door who promised to pass them on. As a symbol of the impunity and silence of the Algerian authorities towards the 'disappeared' issue, the demonstrators wore masks and white capes (see photos on <www.disparus-dz.org>).

'MAKING A RACKET ON THE PUBLIC STREET'

Mothers of 'disappeared' were judged and condemned to pay a fine of 1000 dinars for making a racket on the street. On Wednesday 02 July, when mothers of the 'disappeared' from the wilaya of Oran were ending their weekly rally in front of the Court of Oran, two individuals in civilian clothes brutally seized one of them, Setti Bouteiba, and dragged her to their vehicle. At the same time other persons, who may or may not have belonged to official services, arrested six other mothers of 'disappeared', including Mama Mekalèche and Bakhta aged 75 and 82 years respectively. In total seven women were taken to the police station in Oran's 2nd *arrondissement*, where they were heard and taken to a cell. When the divisional *commissaire* arrived, accompanied by two officers, they were freed, having been handed summons to appear on 12 July at the central police station at 0900 hrs. On the day of the summons they went to the police station, from where they were taken to Benzerdjeb (Oran) court. The prosecutor asked them to stop their weekly rallies, assuring them that the question of their children was in the process of being resolved. The seven women were invited to come back in the afternoon to collect summons to appear on 04 October 2003.

20 COMPLAINTS ABOUT 'DISAPPEARANCES'

The *CFDA*, which is more and sought by families, got in touch with close relatives of 'disappeared' in the town of Koléa. They asked for legal support in order to prepare files complaining of the 'disappearance' of 20 persons from the village of Ain Lahdjer where 82 people were arrested in the 90s. A local guard called Gherdis and a *gendarme* called Zoubir, accompanied by soldiers or *gendarmes* were formally identified. These two men are known to have regularly sown terror among the inhabitants.

ABDELKADER MEZOUAR CASE: THE HARASSMENT OF THE FAMILY OF A 'DISAPPEARED'

Abdelkader Mezouar, born on 06 March 1959, a bachelor mechanic, resident of Aïn Taya in Boumerdes, was taken away on 02 July 2002 by four armed persons travelling in a blue Renault Clio. The abduction took place at 0700 hrs in the garage (of Abdelkader Mezouar) and in the presence of an 8-year old nephew; this was also the building where the 'disappeared' lived. According to the boy, Abdelkader Mezouar was hit with an iron bar before being handcuffed and taken away. Those responsible for the abduction took away various documents and invoices as well as a typewriter, the stamp of the firm and the 'disappeared's' vehicle. One week later, *gendarmes* took away professional material from the garage, closed it and forbade access to the family.... At the *gendarmerie* of Hraoua where the father went some days after this, a senior officer told him that his son was suspected of having given logistical support to armed groups. The captain had Abdelkader Mezouar's identity card in his possession, saying that it had been found several metres from the place of abduction.

On 29 July 2002 two persons in a Renault Clio, with an Algiers number plate, questioned the father in the street and told

him that his son was alive and held in a military security barracks - without specifying whether this was in Châteauneuf Bouzareah or in Hydra. They said that it was useless to search for him using his real name since Abdelkader Mezouar was imprisoned under a fictional name.

On 06 January 2003 the father received a written summons, without an official stamp, demanding that he present himself at the *gendarme headquarters* of Hraoua; here the officer asked him to take back his son's vehicle which the officer had used for six months. Naturally, the father refused to take it back.

On 09 January 2003, *gendarmes* from Hraoua went to the father's house and threatened to impound the vehicle if he did not take it away. The car was removed from the *gendarmerie* premises, and impounded, on 16 February 2003.

After an article appeared in the daily paper *El Youm* reporting the circumstances of the 'disappearance', the father of the victim was summoned before the court of Rouiba. He was questioned, together with a neighbour, Slimani Rachid, who had had a dispute with the 'disappeared' in front of witnesses. Slimani Rachid had threatened him with death since he refused to hand over his professional premises. The DRS (Information and Security Department) also appeared at the home of the father and took him to Ben Aknoun barracks where he was questioned the whole day. They demanded that he come back with witnesses, which he did the following day, accompanied by seven people who had been present at the dispute between Slimani Rachid and Abdelkader Mezouar. A week before his 'disappearance', the victim had told his family that if something happened to him, Slimani Rachid should be considered to be the person responsible. (Slimani Rachid was known to the police: 20 years before he had killed his daughter aged 22 and buried her in his garden).

Having exhausted all possible competent institutions, Ahmed Mezouar only had a reply from the CNCPPDH which certified that Abdelkader Mezouar 'had 'disappeared' under obscure conditions and that he had been abducted by 'unknown persons'.

COLLECTION OF GIFTS

"*SOS Disparu(e)s*" campaigned to collect gifts of food, clothing and toys for the families of 'disappeared' and their children. Members of "*SOS Disparu(e)s*" office met leaders of the Algerian Muslim scouts, President Nourredine Benbraham as well as Mohamed Boualegue and Abderrahmane Arar, and through them were put in touch with representatives of UNESCO. This campaign was fruitful and gave rise to gifts through the intermediary of the Muslim scouts. The demand being much greater than the offer, associations took responsibility from then on to do this again in order to help a bigger number of families in future.

IN BRIEF

18-19 OCTOBER 2003

Members of "*SOS Disparu(e)s*" replied to an invitation from the *Institut National Democratique pour les affaires internationales*, an NGO, and took part in a series of workshops on the theme: 'Effective campaign speaking'. This was the first workshop of a series of activities designed to lead to action which would raise consciousness about questions of national interest.

10 DECEMBER 2003

The First Secretary of the *Front des forces socialistes*, Hocine Aït Ahmed, invited members of "*SOS Disparu(e)s*" to a conference run by Ali Yahia Abdenour, President of the *LADDH*, at the Algiers International Press Centre on the theme: 'human rights: views and reality'.

15 DECEMBER 2003

On the occasion of the visit of USHI Eid, delegate federal minister for economic cooperation and development, ambassador Wolf Kischlat of Germany invited Fatima Yous, President of "*SOS Disparu(e)s*" and Nasseria Dutour to an informal meeting during which the issue of forced disappearances was the main subject.

16 DECEMBER 2003

Mohamed Himeur, journalist at the British BBC, was received at the office of "*SOS Disparu(e)s*" to obtain information about families subject to the project established by the government through its mechanism *ad hoc*.

27 DECEMBER 2003

Following an initiative of *LADDH* a conference took place at their offices. Members of "*SOS Disparu(e)s*" participated: this included a delegation of families in Rélizane in the presence of El Hadj Smaïn, President of *LADDH* in this wilaya.

31 DECEMBER 2003

On the evening of the New Year families organised a rally in front of the *CNCPPDH*. Some 200 people who took part in this event gave it a symbolic character by lighting candles, in silence, in front of the *CNCPPDH* office.