

Newsletter n°88

July, August, September 2023

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Collectif des
Familles de
Disparus en
Algérie



August 31, 2023, Conference on the importance of memorial practices for the fight against impunity
From left to right: Jens Boël, Olivier de Frouville, Malika Rahal, Madjid Benchikh

WHAT JUSTICE FOR VICTIMS OF ENFORCED DISAPPEARANCE?

KHALED NEZZAR WILL BE PROSECUTED IN SWITZERLAND FOR WAR CRIMES AND CRIMES AGAINST HUMANITY



SWITZERLAND – Khaled Nezzar will soon be tried in Switzerland based on the principle of universal jurisdiction. The former Algerian Minister of Defence is charged with crimes against humanity and war crimes perpetrated between 1992 and 1994, which include acts of torture, inhumane treatment, arbitrary arrests and detentions, as well as extrajudicial executions.

This trial is the culmination of years of investigations and struggle by the plaintiffs supported by TRIAL International, which filed a complaint against Khaled Nezzar in 2011.

This trial is enabled by the universal jurisdiction framework, which allows any national jurisdiction to investigate and prosecute any individual suspected of having committed

international crimes, no matter where these crimes have been committed and regardless of the nationality of the suspected perpetrators and victims.

While this trial is highly disputed by some political figures such as the Minister of Foreign Affairs Ahmed Attaf, the victims highlight its legitimacy. As TRIAL International recalls in a writing statement: « the ongoing procedure does not target Algerian policies in any way, only the possibility that international law crimes may have been committed by an individual.”. Algeria, which has ratified international treaties such as the Geneva Conventions and the International Covenant on Civil and Political Rights, must respect its obligations and take the necessary steps to ensure access to justice and reparations for the victims and, cooperate with the relevant organs to hold accountable the perpetrators of the most serious human rights violations.

This legal victory is historic both for the victims of 1990s in Algeria and their relatives, as well as for international law more broadly, as general Nezzar will be the highest military official to be ever tried for war crimes and crimes against humanity based on the principle of universal jurisdiction.

30th OF AUGUST: INTERNATIONAL DAY FOR THE VICTIMS OF ENFORCED DISAPPEARANCES



ALGIERS – On August 30, 2023, SOS Disparu.e.s called on the families of the disappeared to gather peacefully at 10 AM in front of the *National Council of Human Rights* (Conseil National des Droits de l'Homme) in Algiers, with

their lawyer Dalel Aïdoun, in order to honour the memory of the people who were forcibly disappeared during the civil war, and ask for justice and reparation. Indeed, the United Nations (UN) have designated the 30th of August, every year, as the international day for the victims of enforced disappearances in recognition of this global phenomenon. This serves as a reminder that the fight for justice is, and must be, a daily one. It is an opportunity for the CFDA to reiterate this struggle so the crimes of the past to not go unpunished and to never be repeated.

Unfortunately for the families of the disappeared, some of whom have travelled for long journeys, the police arrived in vans to disperse the demonstrators as soon as they appeared before the CNDH. While this serious breach to the freedom of assembly and association testifies once again of the shrink of the civil space in Algeria. The CFDA pays tribute to the courage of those who continue to mobilise despite the increasingly frequent and violent threats.

PARIS – The CFDA joined the initiative launched by the Euro-Mediterranean Federation against Enforced Disappearances (FEMED), which organised a campaign on the topic of enforced disappearance, entitled “What if I had disappeared?”. This awareness-raising week included two gatherings, one at the Place de la Bastille and one in République, where relatives of victims of enforced disappearance and activists from concerned NGOs spoke publicly. In addition, the FEMED organised a round table discussion at the CICP, where experts in law, History, and archives intervened on the relationship between memory and justice. This discussion was followed, on the next day, by a conference at Les Amarres, where victims of enforced disappearance shared their stories and testimonies.

29th OF SEPTEMBER: PAINFUL ANNIVERSARY OF THE CHARTER "FOR PEACE AND NATIONAL RECONCILIATION"



ALGERIA – On September 29, 2005, the Algerian State adopted through referendum the Charter for Peace and National Reconciliation, an amnesty law which represents the logical achievement of the process of impunity started in 1999 after the events of the Algerian Civil War. Eighteen years later, this charter, which goes against the principles of the Algerian Constitution and the international treaties Algeria has ratified, hampers the families to have access to truth, justice, and adequate and full reparations. Moreover, this law ensures jurisdictional immunity to perpetrators of serious human rights violations, while directly violating the fundamental rights of the Algerian civil society, such as the freedoms of expression and peaceful assembly.

ALGIERS, PARIS – Since the fight against impunity is one of the core issues in the CFDA - SOS Disparu.e.s struggle, the Collectif has launched a campaign entitled "Neither among the living, nor among the dead: where are they?" to raise awareness among Algerian and international public opinion of the violations imposed by this law, and to propose an alternative Charter for truth, justice and peace. This campaign includes five videos of victims of enforced disappearance as well as representatives of civil society organisations.

The campaign includes an official joint statement, co-signed by several NGOs and relevant members of the civil society, and a presentational gathering before the CNDH in Algiers.

These last three months demonstrate that despite the restrictive laws and the bad faith of the Algerian government to investigate on the fate of the disappeared, the fight continues to mobilise human rights and truth defenders worldwide, and that their investment is not vain, as evidenced by the forthcoming trial of Khaled Nezzar.

FIGHTING AGAINST THE SHRINKING OF CIVIL SPACE IN ALGERIA

16-26 SEPTEMBER: VISIT OF THE SPECIAL RAPPORTEUR CLÉMENT VOULE IN ALGERIA



ALGERIA – The UN Special Rapporteur on the rights to peaceful reunion and the freedom of association, Mr. Clément Voule, visited Algeria for ten days to examine the current state of human rights regarding the freedoms of expression, assembly, and association.

While this official visit was supervised by the Algerian government, the CFDA along with other organisations and activists of the International Federation for Human Rights (FIDH), had prepared for the RS's visit in advance to ensure he meets as many members of the Algerian civil society as possible, who regularly and increasingly are subject to human rights violations.

In this context, the CFDA took part in the drafting of an alternative report on human rights in Algeria, which has been submitted to Mr. Voule. Furthermore, the organisation signed the public statement of the FIDH, which describes the actual situation of freedom of association and demonstration in Algeria.

Following his visit, Mr. Voule spoke at the UN headquarters in Algiers, where he stated that “the government must ease the strict restrictions imposed upon gatherings and assembly in order to align the laws and the practices with the national Constitution and the international human rights law”, recalling that “in the perspective of the peaceful protests of the Hirak, the message shared by all the actors of the civil society he met was to be recognized and considered by the public authorities as truthful partners in the development of the their country”. The report of the RS on Algeria will be submitted to the Human Rights Council of the UN, on the 24th of June 2024.

28th OF SEPTEMBER: INTERNATIONAL DAY OF THE RIGHT TO HAVE ACCESS TO INFORMATION



ALGERIA – While the 28th of September has been designated as the international day of the right to have access to information, it is of the utmost importance to recall the extremely alarming situation regarding freedom of expression and the conditions in which journalists exercise their profession in Algeria. Indeed, more than 300 prisoners of conscience remain detained, while many journalists, influencers, whistleblowers, and other informants are constantly harassed by the Algerian judicial system.

With the aim of freeing all prisoners of conscience in Algeria, Amnesty International launched a campaign to follow on the social media of Amnesty MENA and Amnesty Algérie, as well as an online petition which can be found on this [link](#).

The CFDA will soon release a legal analysis that compares the 2012 bill on information and the new 2023 Bill.

« CAFÉS LITTÉRAIRES » AT THE CPMDH

Centre de Recherche pour la
Préservation de la Mémoire et
l'Etude des Droits de l'Homme CPM
DH

INVITATION
CAFÉ LITTÉRAIRE

Samedi 16
septembre à 17 h

Venez nombreux.ses !

Café animé par **Amar Mohand-Amer**,
docteur en histoire (Paris VII), chercheur à la Division
"Socio-anthropologie de l'histoire de la mémoire"
(HistMém) et directeur-adjoint du Comité de rédaction de
la revue *Insaniyat*, au Centre national de recherche en
anthropologie sociale et culturelle (CRASC, Oran).

48 rue Larbi Ben M'hidi, 2ème étage à gauche,
Centre-ville d'Oran

ORAN – *Le Centre de recherche pour la Préservation de la Mémoire et l'Etude des Droits de l'Homme* (CPMDH) in Oran now organises a « café littéraire » every Saturday at 5 pm.

These cafés littéraires are the opportunity to gather intellectuals, activists, students, members of the civil society and lovers of literature for a special time for sharing and debate with the writers of the presented books. These weekly events contribute to countering the shrinking of civil space, the issue of human rights being at the core of the literary discussions.

We are more than grateful to see the number of attendees increasing at each new event. So far, the cafés have welcomed Mohamed Choukri, Rafik Djelloul, Fatma Boufnik, Ahmed Saifi Benziane, Omar Benbekhti, Amar Mohand-Amer,

Bouziane Ben Achour, Nafila Kerrouche, Lahouari Maamar, Souad Belmokhtar, Yacine Benziane, Nacer Bouchakour, Khadidja Sassi, and Aziz Mouats. There is more to come!

TRAINING ON INTERNATIONAL LAW



ORAN – The CFDA teams in Paris and Oran organised a training for students in law in Oran on the international mechanisms protecting human rights. An Algerian lawyer intervened with about ten students and activists. These kinds of events supported by the CFDA aim at raising awareness to new generations on the issue of enforced disappearance and the legal topics of Truth, Justice, and Memory.

BRIEFS

PARTICIPATION TO THE SUMMER SCHOOL OF RIPOSTE INTERNATIONALE



PARIS – Nassera Dutour was invited by the organisation Riposte Internationale to participate to its summer school, which took place the week of the 21st of August. The president of the CFDA gave a class on how to build a project in the associative sector.

ALTERNATV SHOW « Algeria and Morocco, decades of human rights violations and denial »



PARIS – Nassera Dutour has been a guest on ALTERNATV, which produced a special programme following the international day against enforced disappearances. Alongside Bachir Ben Barka, Abderrahim Ouezzane, Lila Ben Mamar, Hacène Ferhati and Ilham El Hazmi, Ms Dutour shared her experience and her knowledge on the state of human rights in Algeria and countries of the Maghreb more broadly, especially on the question of enforced disappearance during the 1990s.

TRAINING BY THE FEMED ON ADVOCACY STRATEGIES



TUNIS – The CFDA was in Tunisia from the 26th to the 29th of September to follow a training which included workshops organised by the FEMED. These four days were the opportunity to meet and share experiences on advocacy strategies and how to influence the diverse politics of public authorities with other representatives of Libyan, Algerian, Moroccan and Turkish organisations.

**NEW SUBMISSIONS OF FILES OF DISAPPEARED
PEOPLES TO THE UN WORKING GROUP ON ENFORCED
DISAPPEARANCES (WGEID)**



The CFDA continues to document and update the files of the disappeared in Algeria thanks to its three offices (Paris, Algiers, Oran). The organisation maintains close ties with the families of the victims and the WGEID, to build a database in the perspective of a potential Truth Commission, and answer to the duty of remembrance, in particular, through the Memorial of the Disappeared (online).

Press reviews (only in French):

July

[Revue de presse – Juillet 2023](#)

August

[Revue de presse – Août 2023](#)

September

[Revue de presse – Septembre 2023](#)

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