



EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK  
RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME  
الشبكة الأوروبية - المتوسطية لحقوق الإنسان



a joint programme  
**OMCT** **fidh**  
SOS-Torture Network  
The Observatory  
for the Protection  
of Human Rights Defenders

Collectif

des

familles

de

disparu(e)s

المفقودون DISPARUS  
ون DISPARU  
المفقودون DISPARU  
المفقودون DISPARUES  
المفقودون DISPARUS  
المفقودون DISPARUS  
المفقودون DISPARUS



## ALGERIA: Abdelkader Kherba discharged... While human rights defenders still harassed in Algeria !

**Algiers, Copenhagen, Paris, 12th September 2012** - The Euro-Mediterranean Human Rights Network (EMHRN), the Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), the Coalition of Families of the Disappeared (CFDA), the Algerian League for Human Rights Defense (LADDH) and the National Independent Union of Public Servants (SNAPAP) welcome discharge of **Abdelkader Kherba**, under arrest since August 21 and accused of «*insulting an official*» by the Court of Ksar El Bokhari (150 km south of Algiers). Our organisations however call the Algerian authorities to bring the harassment of human rights defenders to an end.

**Mr. Kherba**, member of the National Committee for the Defence of the Rights of the Unemployed (*Comité national pour la défense des droits des chômeurs* - CNDDC) and the LADDH, was released yesterday after three weeks in detention at the prison of Ksar El Bokhari where he started a hunger strike to protest against his arbitrary detention. The Prosecutor requested to impose a sentence of 1 year in jail and 20 000 dinars fine (almost 200 Euros) despite the fact that major contradictions appeared and had been raised by the coalition of defense attorneys, composed by members of the LADDH and the Network of Lawyers for the Defense of Human Rights (RADDH).

Although this trial leads to a discharge, Mr. Kherba is still waiting for the Court's decision concerning another case for which he has been sentenced by the Court of Sidi M'hamed 1 year suspended sentence and 20.000 dinars (200 euros) fine for "*direct incitement to a gathering*" (art. 100 of the Criminal Code) after he participated in and filmed a sit-in organised within the framework of a social protest movement of clerks regarding working conditions in the judiciary. His appeal hearing is scheduled for September 16.

Besides, the first hearing of the trial against **Yacine Zaid**, trade unionist and president of the Laghouat section of the LADDH, **Abdou Bendjoudi**, one of the leaders of the Independent Youth Movement for Change (MJIC), **Athman Aouameur**, a member of the Defense of Freedom and Dignity Network (RDLD) and **Lakhdar Bouziani**, member of the National Autonomous Union of Public Administration Staff (SNAPAP), will take place on September 25 before the Court of Bab El Oued (Algiers). The facts for which they are charged occurred on April 26, 2012, when they had held a peaceful sit-in in front the Court of Sidi M'hamed to denounce the judicial harassment suffered by Abdelkader Kherba. They are charged for "*inciting unarmed gathering*" and face up to a year in prison and 5 000 DZD fine (almost 50 Euros).

Our organisations several times expressed their deep concern over the intensification of arbitrary judicial proceedings against human rights defenders in Algeria as being a violation of fundamental rights. Furthermore, this harassment has the effect of interfering with the work of activists who have to devote time to the preparation of their defense.

Our organisations call on the Algerian authorities to act urgently to :

- Ensure in all circumstances the physical and psychological integrity of Yacine Zaid, Abdelkader Kherba, Abdou Bendjoudi, Athmane Aouameur and Lakhdar Bouzini as well as all Algerian activists and human rights defenders;
- End all forms of harassment, including judicial harassment, against Yacine Zaid, Abdelkader Kherba, Abdou Bendjoudi, Athmane Aouameur and Lakhdar Bouzini as well as all Algerian activists and human rights defenders, so they can conduct their peaceful activities without any obstacle;
- Ensure freedom of expression and demonstration for all human rights defenders in Algeria who claim their rights peacefully, as enshrined in articles 33 and 41 of the Algerian Constitution and in the International Covenant on Civil and Political Rights, ratified by Algeria.

Finally, our organisations recall the Algerian authorities' obligation to comply, in all circumstances, with the international and regional instruments for the protection of human rights as well as with the provisions of the UN Declaration on human rights defenders, which states that "*everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels*" (art. 1) and that "*the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration*" (art. 12.2).

**For more information, please contact :**

- **REMDH : Hayet Zeghiche : +32 2 503 06 86**
- **FIDH : Arthur Manet : +33 1 43 55 25 18**
- **OMCT : Isabelle Scherer : +41 22 809 49 39**
- **CFDA : +33 143 44 87 82**
- **LADDH : +213 21 23 80 86**
- **SNAPAP : +213 21 52 03 72**