

# جمعية الدفاع عن المغاربة ضحايا

الترحيل التعسفي من الجزائر

ADMEA



“Association pour la Défense des Marocains Expulsés d’Algerie”

www.dahaya.net

Bureau National

**Popular Democratic Republic of Algeria**  
**Fourth periodic report of Human Rights Committee**  
**123 session works during the period of 2-27 July 2018**  
**Palais Wilson, Geneva.**

❖ **Introduction:**

On the occasion of the 123 session of works of the Human Rights Committee held during the period from 2 July until 2018 27 in the Palais Wilson in Geneva, the Association for the defense of the Moroccans victims of arbitrary deportation of Algeria (ADMEA), this note parallel altravaih, containing Ject conditions Kat degrading by Algerian authorities during the process of collective deportation of Moroccans from Algeria year 1975, where he solicits our behind these parallel note, containing data and facts and documented information and installed about gross violations of human rights, That we would like to contribute and serve through which members of the Commission on human rights to establish the responsibility of the Algerian State.

❖ **Define the Association:**

Moroccan Association for the defence of victims of arbitrary deportation of Algeria (ADMEA), is a Moroccan independent human rights association, through its aims to consolidate and promote a culture of human rights principles, founded on 23 July 2005, concerned with administrative issues of Moroccans who were subjected to forced displacement mass by salt Algerian groups year 1975, working on their socially and legally, and aims to:

- Defend the interests and rights of Moroccans victims of arbitrary mass deportations from Algeria and their rights before judicial and ulemas institutions and non-governmental organizations, national and international. .
- Prompt return all confiscated property and rights of the victims of arbitrary deported Moroccan Algeria or equivalent material.
- Claim for material and moral damage.
- Request a formal apology by the Algerian State.
- Defence of various issues of victims of national integration.
- Organize activities through human rights, legal and cultural programmes and national social and systematic international jurist before.
- Definition and sensitization and put up a case file Moroccans victims of mass deportation of Algeria 1975 year nationally and internationally and preserving the collective memory.
- Monitoring of violations and abuses of human rights, and is working on a memoir and periodic and annual reports and data about the main activities and work of the Assembly and addressed to national and international public opinion.

❖ **Identify the cause of the Moroccans victims of collective deportation Algeria year 1975:**

Dated 8 December 1975, the Algerian State to announce a mass forced displacement without notice and justification, for five and forty thousand Moroccan family, she was staying in legitimacy and legality of the Algerian territory, after their integration into society for decades, where he formed along the Algerian, kernel ACE Aceh in the liberation of the

country, and actively participated in economic development after independence, but this sacrifices without them in front of the unjust deportation decision issued against them by the Algerian State.

This arbitrary deportation coincided with a celebration of the Islamic nation one of religious festivals, where I found the Moroccan families and families including women and the elderly, children and infants, itself subject to arrest, intimidation and hatred and bargain and detention of certain persons in secret detention without the Visit, which resulted from these gross violations, forfeiting the right to life and forced disappearance among some migrants Moroccans, as well as the adoption of the Algerian authorities to physical separation between the man and his children from his wife, as well as depriving the Moroccan Algerian husband wife And her after forcing her to give them away by force, their only this category of forcibly displaced persons of Moroccan Algeria, is expressed freely their ideas of tshbthm the Moroccan identity and inviolability.

The Algerian State has recruited for this tragedy every immoral security apparatus of military intelligence and security police and army and dark for two months in a row, didn't flinch in abuse and insults of insults and intimidation, indecent assault and violating the dignity, rights and forfeiture of real property and movable (Farmers ' lands, houses, shops, companies, in kind and in cash money costume and jewelry.) And the arbitrary confiscation of documents and the salaries and pensions of Moroccan migrant workers and their families and their families are dispersed and distracting while driving them to Algerian-Moroccan land border without pity or mercy in a cold and rainy, so patients are not immune from this inhumane offence within Algerian hospitals, Is confirmed by certificates of these victims and some international organizations dealing with relief as the Red Cross and Red Crescent, in flagrant violation of all international laws and norms, making this heinous act, stain on the forehead of the Algerian regime to the present day.

The Algerian State, which is trying hard to deny condoning this humanitarian issue, jurist is still continuing to this day with its set of laws to hide its crimes, where dedicated by issuing new requirements to draw financial law of 2010 chapter 42 and published in the Official Gazette 78 on 31 December 2009 and which reads as follows:

Appending estate comprised of names no longer exist on the ground in real estate of the Algerian State. Including Moroccan property arbitrarily expelled from Algeria year 1975. -Requesting conservative Algerian from real property names finishing of land which had been abandoned by their owners.

### ❖ **International legal principles for the protection of civil and political rights of Moroccans victims of arbitrary deportation of Algeria the year 1975.**

- Judging from the International Covenant on Civil and political rights, adopted by the States parties and opened for signature, ratification and accession by UN General Assembly resolution 2200 a (XXI) of 16 December 1966, entry into force: 23 March/March 1976, in accordance with article 49, so the Algerian State's acts and massive human rights violations against the Moroccans by Algerian authorities forcibly deported the year 1975 **manifested in:**
  1. **the right to life**, this right has been robbed, with a group of deaths among some Moroccans during the process of collective deportation Algeria, there were also forced abortions among

some pregnant Moroccan contrary conflicts with the provisions of article 6 (3) of the Covenant, Aldo Me on Civil and political rights.

2. Undermining human dignity, torture and inhuman, cruel, these actions by Algerian authorities during an illegal arrest and detention in police stations and secret stronghold and land border stations, while also posting five 45 thousand Moroccan family of Algeria the year 1975, these acts and serious violations still left deep psychological wounds suffered by Moroccan victims, were monitored and recorded by some organizations such as the International Red Cross and Red Crescent, and that contrary to conflict with the provisions of article VII (part 3) The Covenant.
3. Right to liberty and security of person: Algerian authorities violated these rights, threatening personal security for Moroccans who were legally and bkimon legitimacy over the Algerian soil, as has been narrowing in on their freedoms without giving them the legal rights that are not in toto with paragraphs 1-2-3-4 of article 9 (3) of the Covenant.
4. The right to residence and movement: the Algerian authorities to deport a large number of Moroccan families who used to live in a way that legitimacy and legality of the residence cards are available on the real estate property by legal documents marked by the country's authorities, and that these authorities Ignoring the provisions of article 12 (3) of the Covenant.
5. 5. arbitrary deportation: already done by the Algerian State year 1975, in arbitrary dimensions and mass deportation Moroccans without warning and without any subjection to the customary laws and the observance of human rights inherent in human Algeria has turned its back on the provisions of article 13 (part III), of the Covenant.
6. the right to freedom of opinion and expression: the Algerian authorities punished Moroccans residing legally and legitimate territory year 1975, after giving their opinion and frank expression of tshbthm of the Moroccan identity and not compromising their firms, and this punitive measure taken by Algeria is incompatible with the provisions of Article 19 (3) of the Covenant.
7. the right to family life and protection of the family unit: the Algerian authorities what she did against the Moroccans deportees arbitrary collectively Algeria year 1975, disperse and separation of families and the Moroccan families and relatives of Algerians, with the Algerian authorities to physical separation between Moroccan man and his sons about his wife and her husband also deprived the Algerian and Moroccan wife grab young sons after forcing her to give them away by force with displacement, as a form of punishment and revenge is still to this day conducted weaved consequences, and this is contrary to the provisions of article 23 (part III), of the Covenant.

### ❖ **Legal status quo of Algeria aliens and disharmony that country's domestic legal legislation with the provisions of the International Covenant on Civil and political rights.**

In the framework of the report by the Algerian State and on the application of the International Convention relating to the International Covenant on Civil and political rights, which was submitted to the competent Committee of the United Nations in Geneva on 14 March 2018, as the powers entrusted to experts, And for monitoring the implementation of the Convention, the possibility to express their concerns and recommendations of the Committee (what is called "caveats"), and through the fifth item of the provisional agenda for the consideration of reports submitted by States parties under article 40 of the International Covenant on Civil and political rights And political rights, although the Algerian State had signed the International Covenant on Civil and political rights, together with its Optional Protocol on 10 December 1968 and ratified on 12 September 1989. Also, in 1985, the United Nations General Assembly adopted resolution 40/144 which provides for

the establishment of the "Declaration on the human rights of individuals who are not nationals of the country in which they live." According to article 5 of the Declaration, the foreigners under domestic law and subject to the relevant international obligations of the State in which they are the rights contained in the Covenant, this ignored the Algerian State against this group of Moroccans migrants after being deprived of these rights, And ignore it today as well as Africans immigrants from South of the Sahara, where they are today because of mass expulsion in great numbers, and strip them of their civil and political rights, and that's what you're referring to Amnesty International reports and data, as well as the Algerian media platforms including And international. These facts and acts and gross violations of human rights committed by the Algerian authorities forcibly displaced the Moroccans Algeria year 1975, committing today toward Africans, contrary to the requirements and provisions of the undertakings contained in paragraphs 1-2-3 of the second article (part II ) Of the International Covenant.

#### ❖ Questions:

Solicits Moroccan Association seeks victims of arbitrary deportation of Algeria (ADMEA) of experts and rapporteurs and members of the Commission on human rights on the occasion of the works of 123 session of the Commission on human rights, the Algerian State accountability:

1. how harmony works of Algerian legislation with the provisions and principles of the Universal Declaration of human rights concerning the International Covenant on Civil and political rights?
2. What are the appropriate measures and actions taken to resolve and settle the case file on grave human rights violations committed against 45 thousand Moroccan family posted a collective forced Algeria year 1975?

#### ❖ Conclusions and recommendations:

As an independent human rights association, seek to entrench human rights principles and values the holistic concept of universal, which is indivisible, we demand from the experts and rapporteurs and members of the Commission on human rights, by informing them of this note altravaih parallel containing acts and facts and violations. Enormous human rights abuses committed by the Algerian State against 45 thousand families migrated from arbitrary Moroccan Algeria 1975 year, to take into account when examining the Algerian fourth report our observations and the observations and recommendations which urges the Algerian State:

1. activation and respect the obligations and requirements of the International Covenant on Civil and political rights, and act upon it.
2. the moral and material reparations for victims forcibly deported Moroccans from Algeria 1975 year as provided in laws and treaties and international human rights covenants.
3. taking into account the humanitarian situation and work on concrete measures and actions taken to resolve and final settlement of the case file Moroccans victims of mass deportation of Algeria the year 1975.

Done in Rabat at: 30/05/ 2018

