

EXTERNAL (for general distribution)

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UA 03/93 Prolonged incommunicado detention/
Fear of torture

6 January 1993

ALGERIA: Djamaledine HAMADI

Amnesty International is concerned that Djamaledine Hamadi, a 30-year-old teacher, who was arrested on 19 December 1992 and has since been held incommunicado in *garde à vue* detention beyond the maximum 12-day-period allowed under a new Algerian anti-terrorist law, may be at risk of torture.

Djamaledine Hamadi was reportedly taken from his home by armed members of the security forces wearing hoods at 11.30 pm on 19 December 1992. They are said to have entered his house by force without showing any arrest warrant and to have taken him away after searching the house. His family have since made several inquiries with the authorities but have been given no information regarding his whereabouts or reasons for his continued detention. However, Amnesty International has received reports that he is being held at the Chateaneuf Police Station in Algiers and that he has been tortured.

BACKGROUND INFORMATION

Since the state of emergency was declared in Algeria in February 1992, several thousand suspected supporters of Islamic opposition groups have been detained without charge or trial in internment camps and hundreds more have been arrested in government sweeps against suspected members of armed groups who are said to be responsible for the killing of nearly 200 members of the security forces and over 10 civilians since February last year. Since the introduction of a new anti-terrorist law on 1 October 1992, at least 1,200 people have been arrested. This law increased the maximum period of *garde à vue* detention (when a defendant is held incommunicado without access to his family or a lawyer) from eight days to 12 days. Amnesty International has received reports of ill-treatment and torture of detainees during *garde à vue* detention, frequently extended beyond the 12-day maximum period, and is concerned that prolonged incommunicado detention without access to family, lawyers or independent doctors, creates conditions in which ill-treatment or torture may arise.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in French, English or in your own language:

- expressing concern that Djamaledine Hamadi, arrested on 19 December 1992, is reported to remain in *garde à vue* detention, although under the terms of the law he should have been brought before the *procureur de la république* (prosecutor's office) or released within 12 days;

- seeking information on the whereabouts and legal status of Djamaledine

Hamadi;

- urging the Algerian authorities to ensure that Djamaleddine Hamadi is allowed immediate access to his family and lawyer and to medical care if necessary;

- seeking assurances that he is not being tortured or ill-treated while he is being held incommunicado in *garde à vue* detention;

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- urging the Algerian authorities to ensure that all those arrested are allowed prompt access to their families and lawyers and to medical care if necessary, in compliance with Algerian laws and international human rights treaties to which Algeria is a state party.

APPEALS TO

1) Minister of the Interior

M. Mohammed HARDI

Ministre de l'Intérieur

Ministère de l'Intérieur et des collectivités locales

Alger

Algérie

Telegrams: Ministre de l'Intérieur Hardi, Alger, Algérie

Telexes: 66341

Faxes: 213 2 618802 / 213 2 645793

Salutation: Excellence / Your Excellency

2) President of the High Council of State

M. Ali KAFI

Président du Haut Comité d'Etat

Palais du Gouvernement

Alger

Algérie

Telegrams: M. Ali Kafi, Président du Haut Comité d'Etat, Alger, Algérie

Telexes: 66217 / 66221 / 66044 / 66088

Salutation: Excellence / Your Excellency

3) Minister of Justice

M. Mohamed TEGUIA

Ministre de la Justice

Ministère de la Justice

8 rue de Khartoum

El-Biar, Alger

Algérie

Telegrams: Ministre de la Justice, TEGUIA, Alger, Algérie

Telexes: 61498

Faxes: 213 2 796557

Salutation: Excellence / Your Excellency

PLEASE ALSO SEND COPIES OF YOUR APPEALS to the following Human Rights Organizations:

Observatoire national des droits de l'homme

Palais du Peuple
Avenue F. Roosevelt
Alger
Algérie

Faxes: 213 2 60 10 42

Ligue algérienne des droits de l'homme

40-42 rue Larbi ben M'Hidi
Alger
Algérie

Ligue algérienne pour la défense des droits de l'homme

19 rue Abane Ramdane
Alger
Algérie

and to diplomatic representatives of ALGERIA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 17 February 1993.