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## **ALGERIA: RELEASE OF THOUSANDS OF PRISONERS A POSITIVE STEP**

Amnesty International welcomes the positive step announced by President Abdelaziz Bouteflika that thousands of prisoners accused of supporting armed groups, but who had not participated in killings or rape, would be pardoned and released on the 37<sup>th</sup> anniversary of Algeria's independence.

“These prisoners had not had access to fair legal proceedings and hence we called for them to be re-tried in compliance with international standards for fair trial. The authorities' decision to release them is a positive step”, said Amnesty international today.

In recent months there have been a number of other positive developments in the human rights situation, notably reports of killings of civilians have diminished, although the number of victims remains high. Over the past six months there has been a significant drop in the number of arbitrary arrests and, consequently, the number of complaints of torture or ill-treatment, prolonged secret detention and “disappearances” has also significantly diminished

The organization also welcomed the recent decision by the authorities to allow the International Committee of the Red Cross (ICRC) to resume prison visits, suspended since 1992. The ICRC should resume visits next autumn.

Even though trials continue to fall far short of international fair trial standards, trial conditions have improved since the end of last year. Several people who had been convicted and sentenced in unfair trial in previous years and whose convictions had been subsequently overturned by the supreme court, have been re-tried and acquitted or sentenced to lesser periods of imprisonment.

“These are welcome developments and we very much hope that further positive measures will be taken without delay to address outstanding concerns, notably the cases of the thousands of “disappeared” and the issue of impunity”, Amnesty International said.

A mechanism should be set up to investigate “disappearances” with a view to promptly clarifying the fate and whereabouts of some 3,000 people who “disappeared” after being arrested by security forces and paramilitary militias. The organization reiterates the recommendation it made in its most recent report (March 1999), in which it called on the Algerian authorities to immediately release all persons held in secret and unacknowledged detention and who are “disappeared”, unless they are to be charged with recognizably criminal offences, in which case they should be detained in a recognized place of detention and promptly brought to justice.

The issue of impunity for members of the security forces and paramilitary militias armed by the state, known as “Legitimate Defence Groups” or “Patriots”, also remains a major concern. So far a very small number of security force personnel, mostly low-ranking, have been brought to trial for killings and other abuses, and these remain isolated cases.

Complaints by victims of torture and relatives of victims of extrajudicial executions have on the whole not been addressed, whether those responsible are members of the security forces or paramilitary militias.

“Concrete measures should be taken to put an end to impunity and bring about accountability for all law-enforcement officers”, Amnesty International said.

The organization reiterates its call for all armed groups to immediately stop the killing of civilians, abductions, torture, including rape, and other grave abuses.

“Amnesty International also calls on the authorities to ensure that all members of armed groups who have been responsible for such crimes be brought to justice and not be granted impunity”.

### **Background**

Thousands more prisoners detained or convicted on charges of “terrorist activities” are expected to be released under a new law on Civil Harmony (*Concorde civile*), which was approved by the government last week and which is currently being debated by parliament. According to this law people linked to armed groups who have not themselves been responsible for killings or rapes and who give themselves up to the authorities will no longer face prosecution, while those who have committed such crimes will benefit from reduced sentences. In its present form this new law appears to be a widened version of the “clemency law” of February 1995. These steps follow a public exchange of correspondence between President Abdelaziz Bouteflika and the leader of the *Armée islamique du salut* (AIS), Islamic Salvation Army.

While welcoming measures which may reduce the loss of civilian lives, Amnesty International takes no position on the negotiations or agreements between armed groups which calls themselves “Islamic groups”, such as the AIS, and the military and governmental authorities. It should be further noted that the terms of the agreement between the authorities and the AIS, which resulted in the latter’s declaration of a unilateral truce since 1<sup>st</sup> October 1997, have not been made public to date.

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**For more information please call Amnesty International's press office in London, UK, on 44 171 413 5566.**