

PUBLIC

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20 July 2006

UA 200/06 Secret detention/fear of torture

ALGERIA Abdelmajid Touati (m)

According to information received by Amnesty International, Abdelmajid Touati has not been seen or heard of since he was last seen in the capital, Algiers, in mid-March. His family has not had any news of him for over three months. Amnesty International fears that he is being held in barracks of a military intelligence agency, the Department for Information and Security (*Département du renseignement et de la sécurité*, DRS). He does not appear so far to have been brought before the judicial authorities. Amnesty International believes that he is being held illegally and arbitrarily and that he is at risk of torture and other ill-treatment.

Abdelmajid Touati is a bricklayer from the town of Tiaret, some 300km southwest of Algiers. He was working on a building site in the Bachdjarah district of Algiers before he "disappeared". Several weeks after his "disappearance", there was reportedly a wave of arrests in Tiaret. A number of those arrested appear to have been charged with terrorism-related offences and accused of planning to travel to Iraq and support armed factions there. It is thought that their names may have been given to the authorities by Abdelmajid Touati while held secretly by the DRS.

BACKGROUND INFORMATION

In Algeria, suspects may be held without charge for a maximum of 12 days, under Article 51 of the Code of Criminal Procedure. The arresting authorities must immediately give them the opportunity to communicate with their families and to receive visits from them. The provisions of this law are routinely violated in cases of terrorist suspects who are arrested or detained by the DRS. Before they are either brought before the judicial authorities or released without charge, those arrested are systematically held incommunicado for up to 12 days, or sometimes longer. It is while they are in secret detention in barracks operated by the DRS that detainees are most at risk of torture and other ill-treatment. Amnesty International has received information on several cases where detainees were held by the DRS for months without contact with the outside world in violation of Algerian and international law, during which time they were reportedly subjected to torture and other ill-treatment. Algeria's civilian authorities do not exercise effective control over the activities of the DRS. Judicial authorities routinely overlook allegations of abuse by the DRS, so that its officers enjoy effective impunity.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, French, English or your own language:

- expressing concern for the safety of Abdelmajid Touati, who is feared to have been detained in military barracks for over three months;
- expressing concern that he is feared to be detained by the DRS at an undisclosed location, and that his family has been unable to communicate with him, in violation of Article 51 of the Algerian Penal Procedures Code;
- urging the authorities to either release him immediately or charge him with a recognizably criminal offence, and to grant him access to legal counsel without delay;
- calling on the authorities to ensure that he is granted an independent medical examination and any medical attention he may require.

APPEALS TO:

Interior Minister

His Excellency Nouredine Yazid Zerhouni

Ministre de l'Intérieur

Ministère de l'Intérieur et des Collectivités Locales
Palais du Gouvernement, 18 rue Docteur Saâdane, Alger, Algeria
Fax: + 213 21 605210 / 736106
Salutation: Your Excellency/Excellence

Justice Minister
His Excellency Tayeb Belaiz
Ministre de la Justice
Ministère de la Justice
8 Place Bir Hakem, 16030 El Bihar, Alger, Algeria
Fax: + 213 21 922956 / 921701 / 925557
Salutation: Your Excellency/Excellence

COPIES TO:

Official human rights body, reporting to president
Commission nationale consultative de promotion et de protection des droits de l'Homme
M. Mustapha Farouk Ksentinin (Président)
Palais du Peuple, Avenue Franklin Roosevelt, Alger, Algeria
Fax: + 213 21 239037 / 239005

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 31 August 2006.