

PUBLIC

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Prolonged secret detention/fear of  
ill-treatment

26 April 2000

ALGERIA

El Hadj M'LIK, aged 73

El Hadj M'lik, a 73-year-old father of eight, was arrested at his home in central Algiers on 14 April. His whereabouts are now unknown, and the authorities have denied all knowledge of his arrest. There are fears for his safety, especially in view of his advanced age and poor health.

El Hadj M'lik was arrested at 8.30pm, by plain-clothes members of the security forces who promised the family that they would bring him back shortly. On the previous day, on the 13 April at about 1.30pm, agents belonging to the Gendarmerie came to the home looking for two of Mr M'lik's sons: one of whom has been living abroad for many years; and the other who left home in 1993 is believed to have joined an armed group and about whom the family say they have no information.

**BACKGROUND INFORMATION**

Under Algerian law detainees may be held incommunicado for a maximum of 12 days (Article 51 of the Code of Penal Procedure). During this time their families and lawyers should be told where they are detained and allowed to communicate with them. However, in practice the provisions of this law are routinely violated, as those arrested are systematically held in secret detention, often much beyond the 12-day limit, until they are either brought before the examining magistrates or released without charge. It is while they are in secret detention in police, gendarmerie and military security centres that detainees are most at risk of torture, ill-treatment and "disappearance". Some 4,000 people have "disappeared" after arrest since 1993 and to date they remain unaccounted for.

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

- expressing concern that El Hadj M'LIK, arrested on 13 April 2000, remains in secret detention;
- urging that he be granted immediate access to his family and lawyers and to any medical attention he requires;
- urging that he be immediately released unless he is charged with recognizable criminal charges, in which cases he should be brought immediately before the judicial authorities, in compliance with Algerian law and international human rights treaties ratified by Algeria.

**APPEALS TO:**

Interior Minister

M. Yazid ZERHOUNI

Ministre de l'Intérieur

Ministère de l'Intérieur et

des Collectivités Locales

18 rue Docteur Saâdane

Alger

Algérie

**Telegrams: Ministre l'Intérieur, Alger, Algérie**

**Faxes: + 213 2 73 61 06**

**Salutation: Monsieur le Ministre / Your excellency**

Minister of Justice

M. Ahmed OUYAHIA

Ministre de la Justice

Ministère de la Justice

8 Place Bir Hakem

El Biar

Alger

Algérie

**Telegrams: Ministre Justice, Alger, Algérie**  
**Faxes: + 213 2 92 21 95**  
**Salutation: Monsieur le Ministre / Your excellency**

**COPIES TO:**

State Human Rights Institution reporting to the President

M. Kamel REZZAG-BARA

President

Observatoire National des Droits de l'Homme (ONDH)

Palais du Peuple

1 Av. Franklin Roosevelt

Alger

Algérie

**Faxes: + 213 2 239005 / 239037**

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 7 June 2000.

**New Info:**

On 16 April the Gendarmerie, the same team who had come to Mr M'lik's home on 13 April, returned to the family home with a search warrant and searched the house. Before leaving they left the family a certificate stating that they had searched the house and found nothing.

Prior to his arrest Mr M'lik had been in hospital for 23 days; he had been released from hospital three days before his arrest. He was due to return to hospital for a hemoroid operation on 16 April.