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OPEN LETTER TO GOVERNMENTS FROM THE SECRETARY GENERAL OF AMNESTY INTERNATIONAL

Dear Governments,

At the 52nd regular session of the UN General Assembly in New York, Member States of the UN are preparing to debate human rights situations in a number of countries. For several years, Amnesty International has brought the serious situation of human rights in Algeria to the attention of the UN Commission on Human Rights (Commission), to the Commission's thematic mechanisms, and to the bodies monitoring Algeria's compliance with international human rights treaties.

On 15 October 1997, Amnesty International joined with three other international human rights organizations¹ to issue an appeal for the convening of a Special Session of the Commission and to establish an international investigation into the recent massacres and other abuses, including extrajudicial executions, deliberate and arbitrary killings, torture, "disappearances", abductions and death threats.²

Amnesty International renews its call to all Member States to take immediate and effective action to tackle the serious situation of human rights in Algeria. The silence of Member States becomes increasingly untenable in the face of the serious human rights abuses that have become a fact of everyday life for too many people in Algeria.

Almost six years into the conflict, the human rights crisis continues to deepen in Algeria, where up to 80,000 people have been killed since the cancellation of the elections at the beginning of 1992. In the past year violence has reached unprecedented levels, with the massacres of thousands of civilians. Men, women, children and elderly people have been slaughtered in the most brutal way in areas around the capital, Algiers. These recent massacres have taken place against a background of increasing violence of widespread human rights abuses. Extrajudicial executions, deliberate and arbitrary killings, torture, "disappearances", abductions and death threats by both security forces and armed groups, calling

¹The International Federation of Human Rights, Human Rights Watch and Reporters sans frontières

²See AI News Service 172/97

themselves “Islamic groups”, have become routine. To date not a single case of human rights abuse, among the many which have been brought to the attention of the authorities, has been adequately investigated by the Algerian Government.

The majority of the massacres took place in areas around the capital, the most militarized region of the country, often in close proximity to army barracks and security forces posts. The army and security forces have neither intervened to stop the massacres nor to arrest the perpetrators, who left undisturbed on each occasion. This has raised many questions which to date remain unanswered.

At the international level, the gravity of the situation has been recognized, including in the recent statements by the UN Secretary-General, the UN High Commissioner for Human Rights, the UN High Commissioner for Refugees and the UN Children’s Fund (UNICEF). However, the community of states has - year after year - avoided any scrutiny of the situation of human rights in Algeria, which has remained off the agenda of any UN organ or political body, including the Commission.

Amnesty International believes that the repeated failure of the international community to take any concrete action to address the human rights situation in Algeria has contributed to the worsening of the situation. The organization has brought its concerns about Algeria to the attention of the Commission, calling on the Algerian Government to carry out thorough, independent and impartial investigations into abuses.

Member States which have commented on the situation in Algeria in their statements to the Commission have often omitted any mention of state responsibility for the human rights violations, just as they have failed to call for independent and impartial investigations. The fact that those who bear responsibility for at least some of the very grave human rights abuses committed since the beginning of the conflict have not been held accountable has only encouraged further violations.

At the regional level, the response of governments has also been weak. Member States of the European Union have repeatedly stated that they are powerless to act so long as the Algerian Government does not want its assistance. Their position does not reflect the concern and solidarity which the Algerian people, increasingly caught in a spiral of violence, deserve. Nor does it do justice to the tens of thousands of people who have already lost their lives in this conflict. Meanwhile, the Organization of African Unity has remained silent about this tragedy. The argument often raised that the human rights situation in Algeria is an "internal matter" cannot be accepted and must not be used as a pretext to avoid international scrutiny. It runs contrary to the reaffirmation by UN Member States that "the promotion and protection of all human rights is the legitimate concern of the international community".³

Amnesty International does not believe that the international community is powerless to act. The first step in the process of restoring human rights in Algeria would be carrying out an international investigation to establish the facts, to examine allegations of responsibility and to make recommendations, including bringing perpetrators of human rights abuses to justice.

³Vienna Declaration and Programme of Action, June 1993

The Algerian Government should welcome, not oppose, an international investigation aimed at shedding light on the human rights situation.

The international investigation should have the authority and freedom to obtain all information necessary to its inquiry, including the power to ensure the attendance, co-operation and safety of witnesses, to obtain material evidence, and to receive evidence from witnesses and organizations located outside the country. It should have adequate investigative and administrative staff composed of individuals who have the requisite expertise, including forensic expertise and expertise in the area of violence against women and children. It should be able to operate independently from the Algerian Government.

Such an investigation must make clear recommendations that would form the basis of a longer-term human rights plan of action, including the bringing to justice of perpetrators. Any such plan resulting from the investigation should be developed by the High Commissioner for Human Rights and integrate activities of UN agencies and departments.

Non-governmental organizations, including Amnesty International, continue to seek access to Algeria in order to undertake fact-finding visits. However, the gravity of the situation requires an international investigation which has the political backing, human rights framework and funding of the international community.

Amnesty International:

- ◆ urges all Member States to call for an international investigation to be carried out, in particular through their statements to the Third Committee of the UN General Assembly;
- ◆ urges all Member States to encourage the Algerian Government to welcome initiatives of the international community to end human rights abuses, including through an international investigation;
- ◆ requests the Algerian Government to co-operate with an international investigation;
- ◆ calls on all Member States to accord Algeria the highest priority by seeking urgent and effective solutions to this human rights tragedy.

Yours sincerely,

Pierre Sané
Secretary General