

AI INDEX: MDE 28/09/95

EMBARGOED UNTIL 10 AUGUST 1995

ALGERIA: INVESTIGATING VIOLATIONS IS A BETTER WAY TO PROTECT HUMAN RIGHTS THAN DENYING THAT VIOLATIONS OCCUR

The reaction of the Algerian official human rights body to Amnesty International's call for investigations into human rights violations by security forces simply detracts attention from serious violations which should be thoroughly and impartially investigated and does not address the fundamental question of the lack of such investigations.

"The energy put into trying to discredit Amnesty International and its work on Algeria should be put into investigating torture, ill-treatment, arbitrary detention, "disappearances", and extrajudicial executions," Amnesty International said.

In a communiqué issued on 7 August 1995 the *Observatoire National des Droits de l'Homme*, ONDH, criticizes the work of the organization on Algeria and other countries, without substantiating its allegation.

It is the duty of any human rights organization, whether national or international, to investigate and denounce human rights abuses which fall under its mandate and which are brought to its attention.

Amnesty International does not consider that cases of individuals who have been held in illegally prolonged incommunicado detention, in breach of both Algerian law and international human rights treaties, and reportedly tortured or ill-treated, may be considered "satisfactorily resolved", as stated by the ONDH, simply by establishing the whereabouts of these detainees weeks or months after their arrest by members of the security forces.

Amnesty International remains concerned that not a single one of these cases has been the object of a thorough, independent and public investigation. The same is true of numerous cases of reported extrajudicial executions and deaths in custody.

It is the responsibility of states, which are bound by the international human rights treaties they have ratified, to ensure that violations and abuses committed within their borders are thoroughly, impartially and publicly investigated.

The ONDH has itself on numerous occasions publicly expressed its concern at human rights violations committed by the Algerian security forces, including arbitrary detention, deaths in suspicious circumstances and "disappearances". Although the Algerian authorities have stated that members of the security forces have been disciplined for abuses they have committed, no details have been provided of the results of any investigations which may have been carried out into any of these cases, or of any cases of members of the security forces who may have been prosecuted as a result of these investigations.

Moreover, the ONDH is aware that Amnesty International and other human rights organizations have been denied access to places of detention, and to documents and data relevant to investigations into human rights violation by security forces. For example in a recent case in which about 100 detainees and five guards were killed in Serkadji prison in February 1995, Amnesty International was unable to obtain access to the prison to interview the surviving detainees or to relevant material, such as the photographs of the detainees' bodies, which according to the ONDH were taken before the detainees were buried.

Amnesty International opposes arbitrary killings and other abuses committed by armed political groups against civilians anywhere in the world. The ONDH has never questioned the veracity or accuracy of the information published by Amnesty International on killings, abductions and other abuses committed by armed groups who define themselves as "Islamic groups" in Algeria. Amnesty International's standards for researching and verifying information on human rights abuses by both security forces and armed groups are the same throughout the world.

In opposing killings and other abuses committed by armed groups against civilians Amnesty International also calls on the authorities to ensure that those responsible are brought to justice. The same must apply to security forces responsible for human rights violations. In Algeria thousands of individuals have been publicly accused, tried and convicted of such crimes, and the confessions of some of these accused were shown on Algerian television before they were even brought to trial. On the other hand, not a single case of human rights violations by security forces has been publicly and adequately investigated, and no members of the security forces have been brought to trial publicly.

Violations committed by members of the security forces must be investigated and those responsible be brought to justice in compliance with international human rights standards, as such violations cannot be justified by pointing to the crimes and abuses committed by armed groups, no matter how serious these may be.

Amnesty International has extensively documented the gross human rights violations and abuses which have been committed and continue to be committed against Rwandese, Bosnian, Chechen, Palestinian and other victims of human rights violations. Even though, as the ONDH has frequently pointed out, the situation in Algeria differs from that of armed conflicts in Rwanda, Bosnia, Chechnya and other countries, Amnesty International delegates were able to visit areas of conflict frequently and for extensive periods, and to carry out research work including visiting detention centres, prisons and morgues, and to observe autopsies and exhumations. Neither Amnesty International nor any other international human rights organizations have been allowed to carry out any of these tasks in Algeria.

It is by investigating human rights abuses, and not by outrightly denying that these occur that human rights can best be protected.

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