

EXTERNAL

AI Index: MDE 28/09/96

12 August 1996

**Further information on UA 193/96 (MDE 28/08/96, 2 August 1996) - "Disappearance"
/ Fear for safety and new Legal concerns**

ALGERIA Rachid Mesli, human rights lawyer

Amnesty International has received confirmation that Rachid Mesli, the human rights lawyer who was abducted on 31 July 1996, was in fact taken by the security forces.

Rachid Mesli was taken before the examining magistrate on 10 August, accused of links with armed groups, and imprisoned in the prison of El-Harrache, on the outskirts of Algiers. His family and lawyers have not yet been able to visit him, despite repeated requests. There are reports that when he was seen in the office of the examining magistrate he bore bruises on his right eye and on his hand, and looked in poor physical condition.

The circumstances of his arrest - an abduction by armed individuals who did not present an arrest warrant and did not identify themselves as members of the security forces - raise a number of concerns. The Algerian authorities did not reply to inquiries from Amnesty International and other organizations, his family, his lawyers, and the Bar Association, seeking information on his whereabouts during the whole of the first week of his detention (in violation of Article 51 of the Algeria Code of Penal Procedure, which states that the detainee must be allowed to communicate immediately with his family). Furthermore, on the evening of 7 August the security forces searched the office and house of Rachid Mesli, without him being present as required by Algerian law (Article 45 of the Code of Penal Procedure).

Algerian law also stipulates that the Head of the Bar Association must be informed if a lawyer is to be arrested and that he be present if there is to be a search in the office of a lawyer (or that he mandates a lawyer to be present if he is unable to be present himself). However, neither of these procedures appear to have been complied with, given that as late as 7 August the Head of the Bar Association had still not been able to obtain any information as to the whereabouts of Rachid Mesli or even to obtain confirmation that he was indeed being detained by the security forces.

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

- expressing concern at the circumstances of arrest and of Rachid Mesli, and at the fact that he was held in unacknowledged secret detention for 10 days;
- urging the authorities to ensure that he is granted immediate access to his family and lawyers and to a medical examination;
- urging that an independent and impartial investigation be carried out into the circumstances of his arrest and secret detention.

APPEALS TO:

Minister of Interior
M Mustafa BENMANSOUR
Ministre de l'Intérieur
Ministère de l'Intérieur
18 rue Docteur Saâdane
Alger, Algérie

Faxes: +213 2 736106

Telegrams: Ministre de l'Intérieur, Alger, Algérie

Salutation: Monsieur le Ministre / Your Excellency

Minister of Justice

M Mohamed ADAMI

Ministre de la Justice

Ministère de la Justice

8 Place Bir Hakem

El-Biar, Alger, Algérie

Faxes: +213 2 922560 / 925557 / 796557

Telegrams: Ministre de la Justice, Alger, Algérie

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

M Kamel REZZAG-BARA

President, Observatoire National des Droits de l'Homme (ONDH)

Palais du Peuple

1 Av. Franklin Roosevelt

Alger, Algerie

Fax: +213 2 601042

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 22 September 1996.