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Algeria: New "disappearances" mechanism must lead to full investigations

The establishment at the weekend of an ad hoc mechanism to look into the issue of "disappearances" in Algeria is a welcome development, Amnesty International said today, but immediate action must be taken to ensure that it leads to full, independent and impartial investigations.

The mechanism was created by President Abdelaziz Bouteflika on 20 September 2003 reportedly to serve as an interface between the Algerian authorities and the thousands of families of those who have "disappeared" following arrests by Algerian security forces or state-armed militias since 1993.

The decree defining the new mechanism's mandate is yet to be published, but Amnesty International is concerned that the mechanism appears to have limited powers.

"The unresolved fate of thousands of persons "disappeared" is one of the most serious continuing human rights violations in Algeria. Having lived in daily anguish for up to a decade, the families of the 'disappeared' must not again go through the pain and suffering caused by the failure of the authorities to investigate the fate and whereabouts of the "disappeared".

"The new mechanism must be independent, empowered, effective and committed to bring those responsible for these crimes to justice," stressed Amnesty International. "Only then can there finally be hope for the families that the truth will be revealed and justice done."

In particular, the mechanism should have the powers and resources:

- to search unannounced and unaccompanied facilities and archives of the police, gendarmerie, Military Security and other military and intelligence services;
- to question state officials and members of all the security services and state-armed militias in the country, including those implicated in carrying out, ordering or acquiescing in "disappearances";
- to ensure that complainants, witnesses, lawyers and others involved with the mechanism's work are protected from intimidation and reprisals.

Families of the "disappeared", Amnesty International and other human rights groups have been calling on the authorities to investigate the thousands of "disappearances" committed in Algeria during the last decade. However, no effective action has so far been taken, despite government promises dating back to 1998.

Amnesty International is calling on the Algerian authorities to ensure that this initiative translates

the unfulfilled promise of action on the issue of "disappearances" into reality. One indication of the determination of the authorities to address the plight of the families of the "disappeared" would be to invite the UN Working Group on Enforced or Involuntary Disappearances to Algeria. The expert body of the United Nations Commission on human Rights asked to visit Algeria in 2000 and has not yet been granted access.

Background

Algeria's official human rights body, the National Advisory Commission for the Promotion and Protection of Human Rights, headed by Farouk Ksentini, proposed earlier this year that a commission of inquiry be established to investigate "disappearances". In its latest report, Algeria: Steps towards change or empty promises? (AI Index: MDE 28/005/2003), published on 16 September 2003, Amnesty International had welcomed this initiative and called on the authorities to ensure that any commission of inquiry be independent, empowered, effective and committed to the victims' interests.

Since 1993, particularly between the years 1993 and 1998, thousands of men and women have "disappeared" in Algeria after being arrested by members of the security forces or state-armed militias. Amnesty International has compiled information on around 4,000 cases of "disappearance", but acknowledges that the true figure may be significantly higher.

The authorities have so far taken no effective action to clarify the fate of the "disappeared" or to bring to justice any of those responsible. They have even failed to acknowledge the responsibility of the state for a pattern of "disappearances".

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