

PUBLIC

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UA 219/02

Possible "disappearance"/

17 July 2002

Secret de

ALGERIA Mohammed Yahï (m), aged 28

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Mohammed Yahï was arrested by agents of the military security on 25 June at his home in Lassouaf, a district in the town of Dellys, north-eastern Algeria. He is being held in secret detention at an unknown location and is at risk of torture.

Mohammed Yahï is an employee in the butcher's shop of Fateh Ladada and his family in Dellys. Fateh Ladada was arrested on 23 March 2002 and tortured in secret detention at the military base of Ben Aknoun near the capital Algiers (see UA 102/02, MDE 28/008/2002, 4 April 2002 and follow-up, MDE 28/012/2002, 24 April 2002). Fateh Ladada's brother Azzedine, aged 28, who also worked in the family business, was arrested one week after Mohammed Yahï on 2 July and held in secret detention for 11 days. On 13 July he appeared before a court and is now detained in El-Harrache prison in Algiers.

Mohammed Yahï was arrested by plain-clothed armed men who were recognized by his family as members of the local military security base. No reason or explanation was given for his arrest, and it is not known where he was taken to, although rumours emerged that he might be held at the military security base in Blida.

The military security, or *Sécurité militaire* (SM), is a security service more formally known as the *Département du renseignement et de sécurité*, Department of Information and Security. The military security has repeatedly been accused of committing gross human rights violations, such as torture, extrajudicial executions and "disappearances", over the past ten years. However, the authorities have failed to investigate these allegations.

#### **BACKGROUND INFORMATION**

Under Article 51 of the Code of Penal Procedure in Algerian law, detainees may be held without charge for a maximum of 12 days. During this time their families 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".

Around 4,000 people have "disappeared" after arrest by the security forces since 1993 and to date they remain unaccounted for. Their families have been searching to find out what has happened to them ever since. Despite repeated government promises to carry out investigations into "disappearances", not one individual case has been fully and independently investigated. "Disappearances" are still being reported, although the number has decreased considerably since 1998.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French or Arabic or your own language:**

- expressing concern that Mohammed Yahï, arrested on 25 June, is still in secret detention, allegedly at the military security base in Blida, in violation of Article 51 of the Algerian Code of Penal Procedure;

- urging the authorities to ensure that he is humanely treated in detention and protected from torture and ill-treatment;
- calling on the authorities to confirm where he is being held and that he be granted immediate access to his family and to any medical attention he may require;
- calling for him to be released immediately unless he is charged with a recognizably criminal offence, in which case 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  
Palais du gouvernement  
16001 Alger Centre  
Algeria

**Telegrams:Ministre Interieur, Palais du gouvernement, 16001 Alger Centre,  
Algeria**

**Faxes: + 213 21 736106**

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

Minister of Justice

M. Mohammed CHARFI  
Ministre de la Justice  
Ministère de la Justice  
8 Place Bir Hakem  
16030 El Biar, Alger  
Algeria

**Telegrams:Ministre Justice, 8 Place Bir Hakem, 16030 El Biar, Alger, Algeria**

**Faxes: + 213 21 922195 / 921243 (it may be difficult to get through, but please  
keep trying)**

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

Head of Military Security

Général-Major Mohamed MEDIENE  
Département du renseignement et de sécurité  
Ministère de la Défense Nationale  
Les Tagarins  
16030 El Biar, Alger  
Algeria

**Telegrams: General Mohamed Mediene, Les Tagarins, 16030 El Biar, Alger, Algeria**

**Faxes: + 213 21 650997 (it may be difficult to get through, but please keep  
trying)**

**Salutation:Dear General Mediene**

**COPIES TO:**

State Human Rights Institution reporting to the President

Maître Mustapha Farouk Kasentini  
Commission nationale consultative de promotion et de protection des droits  
de l'Homme  
Palais du Peuple

Avenue Franklin Roosevelt  
Alger, Algeria  
**Fax: + 213 21 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 28 August 2002.