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France must not deport terror suspect to Algeria

France must not deport a man convicted of terrorist acts to Algeria where he may be at risk of incommunicado detention and torture or other ill-treatment, Amnesty International said today.

According to a European Court of Human Rights' judgement on 3 December Kamel Daoudi's expulsion to Algeria would expose him to inhuman or degrading treatment and would be in violation of the European Convention on Human Rights.

"Sending Kamel Daoudi to Algeria would put him at risk of being tortured. As a signatory to the European Convention on Human Rights, France must not carry out the expulsion," said David Diaz-Jogeix, Europe and Central Asia Deputy Programme Director.

The European Court's judgement is significant as it spells out unequivocally that the prohibition on torture or other ill-treatment in the European Convention on Human Rights must be followed without exception.

"The Court has spoken. This is a clear signal to other European states that may be considering deporting people they regard as threats to national security to countries where they may be at risk of torture or other ill-treatment. States enforcing such expulsions would be in violation of their obligations under international law," David Diaz-Jogeix said

Amnesty International and other organisations have documented the ill-treatment of terror suspects in Algeria, where they have been held in unrecognized places of detention without contact with the outside world, at times for prolonged periods, putting them at risk of torture.

Originally an Algerian national, Kamel Daoudi acquired French citizenship but in 2002 he was stripped of it following allegations about his involvement with terrorist groups, even though the criminal case against him was still pending at the time.

In 2005, he was convicted of "criminal association in relation to a terrorist enterprise" and falsification of official documents and sentenced to nine years' imprisonment (subsequently reduced to six years), and permanent exclusion from French territory.

On 21 April 2008, Kamel Daoudi was released from La Santé prison after serving his sentence and immediately taken into custody pending expulsion to Algeria.

Following a request by Kamel Daoudi's lawyer, the European Court of Human Rights ordered the French authorities to suspend the deportation procedure while it considered whether Kamel Daoudi would be at risk ill-treatment if he returned to Algeria.