

EXTERNAL

AI Index: EUR 18/01/97

30 January 1997

Further information on EXTRA 199/96 (EUR 18/03/96, 31 December 1996) and correction, 3 January 1997 - Fear of imminent refoulement

DENMARK Rabah Hamana, Nassima Hamana and child, Algerian asylum-seekers

Rabah Hamana and his family have been summoned to appear at the police station on 31 January 1997, signalling the beginning of the procedure for their deportation.

In Denmark, asylum-seekers whose applications have been rejected are summoned to appear at the police station to sign a form whereby they formally agree to their deportation. They are then booked on a flight to their country.

The asylum claim of Rabah Hamana, Nassima Hamana and their child was rejected by the Danish immigration service on 7 June 1996. The *Flygtninge Naevnet* (Board of Refugees) is considering reopening the case in the light of information supplied by Amnesty International and other bodies. However, even if the case is reopened, the family have been informed that they must leave the country while their case is being reconsidered. (It is common practice in Denmark that the applicants must leave the country while their case is being reconsidered.)

In the case of the Hamana family, even a temporary return to Algeria would put them at risk of human rights abuses as the Algerian authorities are not at present able or willing to ensure the protection of their citizens.

BACKGROUND INFORMATION

Since the outbreak of the current political violence in 1992, tens of thousands Algerians have been arbitrarily detained, ill-treated, "disappeared" and extrajudicially executed by the security forces and armed opposition groups. As violations and abuses by both government forces and armed opposition groups have continued to spread, an increasing number of civilians have found themselves caught in the spiral of violence, targeted by one side or the other, or by both. Many people who are threatened with death by armed opposition groups are unable to obtain any protection. Many fear that if they give in to these threats this could be interpreted by the authorities as an expression of support for such groups, thereby putting them at risk from the security forces.

There has been an escalation of violence both during the run-up to the constitutional referendum which took place in November 1995 and during Ramadan, at a time when the Algerian authorities were claiming that law and order and security were being reestablished and that "terrorism and violence were only residual". The victims, including women and children, were massacred in their homes, or were killed during the explosion of public buildings and cafés, or following the hijacking of trains and buses. Some had their throats slit or were beheaded, others hacked and mutilated after being shot. Scores of villagers were reported to have escaped *en masse* to urban areas after attacks by armed groups in rural areas. Survivors of the massacres complained that the security forces made no efforts to protect them and did not come to their rescue, leaving them vulnerable to attacks. In January 1997, it is estimated that more than 250 people have been killed in the political violence.

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

- continuing to urge the Danish authorities not to forcibly return Rabah Hamana, Nassima Hamana and their child to Algeria where they are at risk of arbitrary detention, torture, "disappearance" or extrajudicial execution;
- continuing to remind the authorities of Denmark's obligation under the 1951 Convention relating to the Status of Refugees, in particular Article 33, not to forcibly return anyone to a country where he or she would be at risk of serious human rights violations;
- continuing to remind the authorities of their duty under Article 3 of the UN Convention against Torture as well as Article 3 of the European Convention on Human Rights and Fundamental Freedoms, not to send people to countries where they may be at risk of torture;
- further urging the authorities to reconsider their assessment of the human rights situation in Algeria, in light of the recent information supplied by Amnesty International and other organizations, and of the mass killings and bombings which have taken place in Algeria in the last few months.

APPEALS TO:

Mr Poul Nyrup Rasmussen
 Prime Minister
 Christiansborg
 Prins Jørgens Gaard 11,
 1218 Copenhagen K, Denmark
Faxes: +45 33 11 16 65
Telegrams: Prime Minister, Copenhagen, Denmark
Telexes: 27027
Salutation: Dear Prime Minister

Ms Birte Weiss
 Minister of Interior
 Christiansborg
 Slotsplads 1
 1218 Copenhagen K, Denmark
Faxes: +45 33 11 12 39
Telegrams: Interior Minister, Copenhagen, Denmark
Salutation: Dear Minister

Mr Frank Jensen
 Minister of Justice
 Slotsholmsgade 10
 1216 Copenhagen K, Denmark
Faxes: +45 33 93 35 10
Telexes: 15530
Telegrams: Justice Minister, Copenhagen, Denmark
Salutation: Dear Minister

Mr Niels Helveg Petersen
 Minister of Foreign Affairs
 Asiatisk Plads 2
 1448 Copenhagen K, Denmark
Faxes: +45 31 54 05 33
Telexes: 31292
Telegrams: Foreign Minister, Copenhagen, Denmark
Salutation: Dear Minister

and to diplomatic representatives of Denmark accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 February 1997.