

PUBLIC

AI Index: MDE 28/006/2007

8 February 2007

Further Information on UA 19/07 (MDE 28/004/2007, 26 January 2007) and follow-up (MDE 28/005/2007, 2 February 2007) - Incommunicado detention/fear of torture or ill-treatment

ALGERIA

Three Algerian men, known as "Q", "K" and "H"

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"K", an Algerian man who was arrested on 24 January 2007 after being deported from the UK, has been released without charge from the custody of the Department for Information and Security (*Département du renseignement et de la sécurité*, DRS). According to the information available to Amnesty International, "K" was released on 4 February after the maximum legal period of 12 days' detention without charge or access to legal counsel had elapsed. He has since rejoined his family. He has not reported being subjected to ill-treatment in custody. However, Amnesty International notes that, in its experience, the fact that someone has just been released from DRS custody will weigh heavily on their mind when they make decisions as to whether to publicly report to having been ill-treated or threatened in detention, in case they expose themselves to possible retribution.

"Q", who was arrested on 25 January 2007, five days after his deportation from the UK (note correction to date), was reportedly transferred from DRS custody to prison on 5 February, following the expiry of the 12-day maximum period of detention without charge or access to legal counsel. Amnesty International has no further information on any charges faced by "Q", whether he was brought before a judge, and if so, whether he was represented by lawyer of his choosing during the hearing. His family has reportedly been unable to visit him in prison.

"H", who was taken into custody on 30 January 2007, is reportedly still being detained in military barracks belonging to the DRS in central Algiers. Amnesty International has received reports that he has been allowed to make one phone call to a member of his family. Amnesty International considers it likely that he is being held on suspicion of involvement in "terrorist" acts. If this is the case, he may be detained without charge or legal counsel for a maximum of 12 days, according to Algerian law; that is, until 11 February. Amnesty International remains concerned that he is at risk of torture or other ill-treatment.

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

- urging the authorities, if "Q" has been charged with a recognizably criminal offence, to ensure that his rights as a detainee awaiting trial are respected in full accordance with international fair trial standards, in particular that he is allowed to receive visits from his family, to be assisted by a lawyer of his choosing and to challenge the lawfulness of his detention;
- welcoming reports that "H" has been allowed to make one phone call to a member of his family;
- calling on the authorities to disclose the exact location of the detention centre where "H" is being held and to allow him to communicate with his family and to receive visits in custody, as required by Article 51 of the Algerian Criminal Procedure Code;
- urging the authorities to ensure that "H" is treated humanely in custody, is protected from torture and other ill-treatment and is given any medical attention he may require;
- calling on the authorities to release "H" unless he is promptly charged with a recognizably criminal offence and tried within a reasonable time.

**APPEALS TO:**

President

His Excellency Abdelaziz Bouteflika  
Président de la République, Présidence de la République, El Mouradia, Alger, Algeria  
**Fax:** +213 21 609618/ 691595  
**E-mail:** president@el-mouradia.dz  
**Salutation:** Your Excellency/Excellence

Justice Minister

His Excellency Tayeb Belaiz  
Ministre de la Justice, Ministère de la Justice  
8 Place Bir Hakem, 16030 El Bihar, Alger, Algeria  
**Fax:** +213 21 922956/ 921701/ 925557  
**E-mail:** belaiztayeb@mjustice.dz  
**Salutation:** Your Excellency/Excellence

**COPIES TO:**

UK Foreign Minister

The Rt Hon Margaret Beckett MP  
Secretary of State  
Foreign and Commonwealth Office  
King Charles Street,  
London, SW1A 2AH, United Kingdom  
**Fax:** + 44 20 7008 2144

Official Algerian human rights body, reporting to president

Commission nationale consultative de promotion et de protection des droits de l'Homme  
M. Mustapha Farouk Ksentini (Président)  
Palais du Peuple, Avenue Franklin Roosevelt, Alger, Algeria  
**Fax:** + 213 21 239037/ 239005

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 March 2007.