

PUBLIC

AI Index: MDE 28/008/2002

UA 102/02

Possible "disappearance"/  
Incommunicado Detention/  
Fear of torture or ill-treatment

4 April 2002

ALGERIA Abdelkrim Khider (m) aged 34  
Fateh Ladada (m) aged 30

---

Fateh Ladada and his neighbour and friend Abdelkrim Khider, were arrested at their homes in the town of Dellys, north-eastern Algeria, on the afternoon of 23 March. They are being held in incommunicado detention at an unconfirmed location and are at risk of torture or ill-treatment.

The police apparently questioned Fateh Ladada on a number of occasions prior to his arrest. The men's families have as of yet not appointed a lawyer on their behalf. The period for which they can be detained without charge, as permitted under Algerian law, ran out on 3 April.

According to their families, both men were arrested within an hour of each other by plain clothed men, accompanied by policemen from the local police station in Dellys. Their houses were searched after the arrest. Although police have told their families that the men were transferred to a military security base in Ben Aknoun, there has been no official confirmation of their place of detention or the reasons for their arrest.

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

#### **BACKGROUND INFORMATION**

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

Some 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 gone down 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 Abdelkrim Khider and Fateh Ladada, arrested on 23 March and allegedly held at the military security base in Ben Aknoun, are still in incommunicado detention;

- urging the authorities to ensure that they are humanely treated in detention and protected from torture and ill-treatment;
- calling on the authorities to confirm where they are being held and that they be granted immediate access to their families and to any medical attention they require;
- urging that they be immediately released unless they are charged with a recognizably criminal offence, in which cases they 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  
 18 rue Docteur Saâdane  
 Alger  
 Algeria

**Telegrams: Ministre Interieur, 18 Rue Docteur Saadane, Alger, Algeria**

**Faxes: + 213 21 736106**

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

Minister of Justice

M. Ahmed OUYAHIA  
 Ministre de la Justice  
 Ministère de la Justice  
 8 Place Bir Hakem  
 El Biar, Alger  
 Algeria

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

**Faxes: + 213 21 922195**

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

Head of Military Security

Général-Major Mohamed Mediène  
 Département du renseignement et sécurité  
 Ministère de la Défense Nationale  
 BP 184  
 Alger-Gare, Alger  
 Algeria

**Telegrams: General Mohamed Mediène, BP 184, Alger, Algeria**

**Salutation: Dear General Mediène**

**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

**Faxes: + 213 21 239005 / 239037 / 230311**

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 16 May 2002.