

PUBLIC

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14 September 2006

Further Information on UA 200/06 (MDE 28/016/2006, 20 July 2006) Secret detention/fear of torture

ALGERIA

Abdelmajid Touati (m)

New names:

Mohamed Amine Rabah Ajine (m)

Zeineddine Belacel (m)

Mohamed El Habib Boukhatemi (m)

Abdelmajid Touati was brought before a judge on 11 September and charged with “belonging to a terrorist group operating in Algeria and abroad”, among other offences. He had been held at an undisclosed location, without any contact with the outside world, for nearly five months. He has now been sent to prison and is believed no longer to be at risk of torture. However, Amnesty International is concerned that he has so far not had access to a lawyer, or seen his family. Three other men are being held incommunicado in relation to the same case, and are at risk of torture and other ill-treatment.

Abdelmajid Touati was recognized by a lawyer engaged by his family as he left the court room of a central Algiers court in the morning of 11 September. Having confirmed his identity with court officials, the lawyer went to Serkadji prison, Algiers, and asked to see him but was turned away. When the lawyer returned to the prison the following morning he was informed that his client had been transferred to a prison in the town of Chlef, some 200km west of Algiers. His family has so far not been given permission to visit him in prison. Amnesty International fears that Abdelmajid Touati may have been moved to a different prison and denied access to his family and lawyer to prevent him from speaking about his treatment in detention.

Abdelmajid Touati’s arrest had been followed by a wave of arrests in his home town, Tiaret, of people suspected of being part of a network recruiting young men to support armed factions in Iraq. Amnesty International has received information that three others who were arrested in connection with this case continue to be held incommunicado at an undisclosed location.

Mohamed Amine Rabah Ajine, who is in his early 30s and also originally from Tiaret, has not been heard of since he telephoned his family on 19 June to inform them that he was travelling to Turkey the following day. He had reportedly just returned from a two-week trip to Syria. Mohamed Amine Rabah Ajine is reportedly a taxi driver and a merchant who bought goods, such as clothes, in Syria and Turkey for sale in Algeria. Zeineddine Belacel and Mohamed El Habib Boukhatemi, both from Tiaret and around 30 years old, reportedly went into hiding in June after they had found out that security forces were looking for them. They seem to have been last heard of in mid-July when they telephoned their families from Boumerdes, a province east of Algiers, and reportedly told them that they were planning to give themselves up to the authorities. Amnesty International has reason to believe that all three men are currently being held at a barracks of the Department for Information and Security (*Département du renseignement et de la sécurité*, DRS), an intelligence agency specialized in counter-terrorist operations.

BACKGROUND INFORMATION

In Algeria, suspects may be held without charge for a maximum of 12 days, under Article 51 of the Code of Criminal Procedure. The arresting authorities must immediately give them the opportunity to communicate with their families and to receive visits from them. The provisions of this law are routinely violated in cases of terrorist suspects who are arrested or detained by the DRS. Before they are either brought before the judicial authorities or released without charge, those arrested are systematically held incommunicado for up to 12 days, or sometimes longer. It is while they are in secret detention in barracks operated by the DRS that

detainees are most at risk of torture and other ill-treatment. Amnesty International has received information on several cases where detainees were held by the DRS for months without contact with the outside world in violation of Algerian and international law, during which time they were reportedly subjected to torture and other ill-treatment. Algeria's civilian authorities do not exercise effective control over the activities of the DRS. Judicial authorities routinely overlook allegations of abuse by the DRS, so that its officers enjoy effective impunity.

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

- expressing concern for the safety of Mohamed Amine Rabah Ajine, Zeineddine Belacel and Mohamed El Habib Boukhatemi, who are feared to be held illegally and arbitrarily in military barracks;
- expressing concern that they are detained at an undisclosed location, and that their family have been unable to communicate with them, in violation of Article 51 of the Algerian Penal Procedures Code;
- urging the authorities to either release them immediately or charge them with a recognizably criminal offence, and to grant them, without delay, access to legal counsel and any medical attention they may require;
- expressing concern that Abdelmajid Touati was apparently not granted legal counsel when he was brought before the judicial authorities, despite the severity of the charges brought against him;
- calling on the authorities to grant his family and lawyer immediate access to him and ensure that he is granted an independent medical examination and any medical attention he may require.

APPEALS TO:

Interior Minister

His Excellency Nouredine Yazid Zerhouni
Ministre de l'Intérieur
Ministère de l'Intérieur et des Collectivités Locales
Palais du Gouvernement, 18 rue Docteur Saâdane, Alger, Algeria
Fax: + 213 21 605210 / 736106
Salutation: Your Excellency/Excellence

Justice Minister

His Excellency Tayeb Belaiz
Ministre de la Justice
Ministère de la Justice
8 Place Bir Hakem, 16030 El Biar, Alger, Algeria
Fax: + 213 21 922956 / 921701 / 925557
Salutation: Your Excellency/Excellence

COPIES TO:

Official 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 26 October 2006.