

PUBLIC

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UA 08/07 Secret detention/fear of torture/medical concern

ALGERIA Abderhamane Mehalli (m), aged 29

Abderhamane Mehalli was arrested at his home in the Bachdjarah district of Algiers on 26 December 2006 by a group of plain-clothes security force officers, believed to include members of a military intelligence agency known as the *Département du renseignement et de la sécurité*, DRS, the Department for Information and Security. Amnesty International fears that he is being arbitrarily and illegally detained by the DRS in a military barracks in Algiers, part of which is used as a secret detention centre, and that he is at risk of torture and other ill-treatment. The organization is particularly concerned for his safety given reports from his family that he is in poor health, suffering from diabetes, among other medical conditions.

Abderhamane Mehalli's family have made enquiries with the authorities about his whereabouts, but have been given no information. At first, police officers in Bachdjarah confirmed that he had been arrested and said he had been handed over to the central police authority of Algiers, who then told the family they had no record of his name. Abderhamane Mehalli's relatives say they are too scared to approach the DRS directly, particularly as several members of the family have been tortured in state custody.

Abderhamane Mehalli has been arrested on numerous occasions since 1993, when one of his brothers, Bedrane, joined an armed group during Algeria's recent decade-long internal conflict. The conflict broke out in 1992 following the Algerian authorities' cancellation of the country's first multi-party elections, which the Islamic Salvation Front (*Front islamique du salut*, FIS) looked set to win, and sparked a human rights crisis of massive proportions. In 1996 Abderhamane was sentenced to five years' imprisonment after being convicted of belonging to a terrorist group and refusing to cooperate with the authorities. Abderhamane said that he was tortured during questioning before his trial. After his release in 2001, Abderhamane Mehalli was arrested, briefly detained and questioned on two further occasions, in 2001 and 2005, during which he says he refused proposals that he collaborate with the authorities as an informer. In June 1998, Abderhamane Mehalli's father, mother and two of his sisters were arrested by plain-clothes officers believed to belong to the DRS and taken into detention in a military barracks in Algiers, where they say they were tortured. The mother and sisters were released around a week later, but the father, Mohammed Mehalli, has still not been seen, and is believed to have died in custody as a result of torture.

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 or members of their family as they 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 that Abderhamane Mehalli, arrested on 26 December by men believed to be DRS officers, is now in secret custody, putting him at high risk of torture;
- pointing out that his family has been unable to communicate with him, in violation of Article 51 of the Algerian Penal Procedures Code;
- urging the authorities to either release him immediately or charge him with a recognizably criminal offence, and grant him access to legal counsel of his own choosing without delay;
- calling on the authorities to 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
+ 213 21 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
+ 213 21 921701
+ 213 21 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
+ 213 21 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 16 February 2007.