

PUBLIC

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UA 146/06 Incommunicado detention/Torture or ill-treatment

ALGERIA Algerian asylum-seeker (m), known as "X"

An Algerian asylum-seeker, known only as "X" for legal reasons, was deported to Algeria from the United Kingdom (UK) on 6 June. Since then he has been held incommunicado, and Amnesty International fears that he is in the custody of the Department for Information and Security (*Département du renseignement et de la sécurité*, DRS), where he is at risk of torture and other ill-treatment.

A lawyer and two representatives from the UK Embassy in Algeria were waiting for him when he landed at the airport in the capital, Algiers. He was reportedly able to pick up his luggage, but has not been seen or heard from since.

It is assumed that he was arrested by the DRS, a branch of Algerian military intelligence which specializes in interrogating people thought to possess information about terrorist activities. "X" is likely to be detained in a military barracks in Algiers, part of which is used as a secret detention centre, where DRS detainees are usually held incommunicado. Amnesty International has received persistent reports of torture and other ill-treatment of people held incommunicado by the DRS.

"X" arrived in the UK in 1994 and later applied for asylum. In 2002 he was granted indefinite leave to remain. In January 2003, he was arrested on terrorism-related charges. However, his trial later collapsed and he was eventually acquitted of all charges. In September 2005, "X" was rearrested under immigration powers and detained pending deportation to Algeria on "national security" grounds on the basis of secret information, including intelligence material, never disclosed to him or his lawyers of choice. In January 2006, in desperation at the conditions of his protracted detention in a high-security prison in the UK, "X" decided to withdraw his appeal against his deportation to Algeria.

"X" reportedly suffers from depression, and was receiving medical attention while in the UK. It is not known whether he now has any access to medical assistance.

BACKGROUND INFORMATION

Anyone suspected of involvement in terrorist activities, or who is believed to possess information about terrorist activities in Algeria or abroad, faces a real risk of secret detention and torture in Algeria. Amnesty International has received dozens of reports of detainees treated in this way, among them people who had returned to Algeria from overseas, either voluntarily or at the hands of foreign governments.

Under Article 51 of the Algerian Criminal Procedures Code, detainees suspected of "terrorist or subversive acts" may be held without charge for a maximum of 12 days. The arresting authorities must immediately give them the opportunity to communicate with their families and to receive visits from them. In addition, any detention beyond four days has to be authorized in writing by the public prosecutor.

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

- expressing concern that "X" was arrested on 6 June and may be held incommunicado;

- calling on the authorities to disclose the exact location of the detention centre where "X" is being held and to permit him to communicate with his family and to receive visits, as required by Article 51 of the Algerian Criminal Procedure Code;
- urging the authorities to ensure that "X" is treated humanely and is protected from torture and other ill-treatment;
- urging the authorities to provide "X" with any medical assistance he may require and to grant him prompt access to legal counsel, according to Algeria's obligations under international human rights law;
- calling on the authorities to release "X" unless he is to be promptly charged with a recognisably 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

+213 21 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

+213 21 921701

+213 21 925557

E-mail: belaiztayeb@mjustice.dz

Salutation: Your Excellency/Excellence

Foreign Minister

His Excellency Mohamed Bedjaoui

Ministre des Affaires Etrangères, Ministère des Affaires Etrangères

Place Mohamed Seddik Benyahia, 16070 El Mouradia, Alger, Algeria

Fax: +213 21 504141

+213 21 504242

Salutation: Your Excellency/Excellence

COPIES TO:

UK Foreign Minister

The Rt Hon Margaret Beckett MP

Secretary of State for Foreign and Commonwealth Affairs

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

M. Mustapha Farouk Ksentini (Président)

Commission nationale consultative de promotion et de protection des droits de l'Homme

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 24 July 2007.