

PUBLIC

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UA 307/07 Incommunicado detention/ fear of torture or ill-treatment/ health concern

ALGERIA Kamal Akkache (m), aged 36, married and father of three children

Market worker Kamal Akkache is believed to be detained incommunicado. He has not been seen since 11 September, when he was arrested by agents from the Department for Information and Security (*Département du renseignement et de la sécurité*, DRS, also known as the Military Security). He is at risk of torture or other ill-treatment at the hands of the DRS. He suffers from epilepsy, and it is not known if he has regular access to the medication he needs.

On 11 September, about eight men in plain clothes arrested Kamal Akkache outside a mosque in the municipality of El-Mouradia, in the capital city of Algiers. As he reportedly resisted them, they pointed a gun to his head. Passers-by reportedly tried to intervene in the struggle, but the men identified themselves as agents from the DRS. They forced him into his own car and drove him to an unknown location.

On the morning of 16 September, six men in plain clothes who identified themselves as Military Security agents searched Kamal Akkache's home in the presence of his father Mourad. Apparently on the pretext of fetching personal belongings to take to Kamal Akkache, they took his computer, video camera, religious books and a DVD. They also took the medication he takes on daily basis for epilepsy. The men refused to reveal his whereabouts or the reason for his arrest.

Since the arrest of Kamal Akkache, his father has reported his abduction to the police, who have passed the case on to the general prosecutor. The case has also been reported to the National Council for the Promotion and Protection of Human Rights (*Commission nationale consultative de promotion et de protection des droits de l'Homme*, CNCPPDH), Algeria's official human rights body.

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. However, in practice, this last provision is generally not respected by the DRS.

In 1992, Kamal Akkache was sentenced to six years in prison, after he was convicted of belonging to a "subversive" group. This came just as an internal conflict was starting between the security forces and armed Islamist groups, sparked by the cancellation of the multi-party elections, which the Islamic Salvation Front (*Front islamique du salut*, FIS), an Islamist political party, was set to win. The decade-long internal conflict unleashed a human rights crisis of massive proportions. Kamal Akkache was released in 1998 on completion of his sentence.

BACKGROUND INFORMATION

The Algerian authorities have been engaged in counter-terrorism measures for well over a decade. This year, several bomb attacks have killed and injured people including civilians in Algeria. Amnesty International recognizes the right and duty of states to protect the lives of persons by taking steps to prevent terrorist acts, but underlines that governments must do so in accordance with their human rights obligations.

Algerian law is routinely violated in cases of people suspected of "terrorist" activities 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, and 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.

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

- expressing concern for the safety of Kamal Akkache, who is feared to have been held by the DRS for more than two months;
- calling on the authorities to guarantee that Kamal Akkache is not at risk of torture or other ill-treatment;
- expressing concern that he has not been given access to his family, in violation of Article 51 of the Algerian Code of Criminal Procedure;
- urging the authorities to immediately reveal his whereabouts and give him access to his relatives, lawyers and any medical attention he may require;
- calling on the authorities to ensure Kamal Akkache is given immediate and regular access to the medication he needs for his epilepsy;
- urging the authorities to either release him immediately, or charge him with a recognizably criminal offence.

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

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

M. Mustapha Farouk Ksentini
President

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 / 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 December 2007.