

PUBLIC

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UA 216/07 Incommunicado detention/Fear of torture or ill-treatment

ALGERIA **Mohamed Fatmia (m), aged 35, bricklayer**
Mohamed Rahmouni (m), aged 27

Mohamed Fatmia and Mohamed Rahmouni are now known to have been arrested in June and July respectively. They have been held incommunicado since then, at an undisclosed location, putting them at serious risk of torture or other ill-treatment. They are believed to be held by a branch of military intelligence, the Department for Information and Security (*Département du renseignement et de la sécurité*, DRS).

Mohamed Fatmia was arrested in the morning of 6 June by plainclothes security forces officers while he was working on a building site in the Ain El Kerma area of the capital, Algiers. His manager, who had been arrested with him, was released that evening, but Fatmia Mohamed has not been seen since. His family enquired about him at several Algiers police stations, but were told at each of them that the police did not know about him. Three other men who were arrested around the same time in connection with the same case were presented before the judicial authorities after some 12 days in custody. They had been held by the DRS and had allegedly been tortured in their custody.

Mohamed Rahmouni was arrested in the morning of 18 July by three security forces officers in plain clothes, at a bus stop near his home in the Algiers district of Bourouba. On 24 July, security forces officers searched his home. On 29 July, they came back and asked his family to sign a declaration saying that the security forces had found the keys of a truck and a Mercedes car during their search. The family refused, saying that they owned no such vehicles. They filed a complaint with the judicial authorities on the grounds that he was being arbitrarily detained. Their attempts to find out where he is detained have so far been unsuccessful, although the authorities appear to acknowledge that he is held by the DRS. On 18 August, his mother was called to the office of the judicial police in Bourouba, where she was apparently asked why the family had filed a complaint and told that her son was being treated well by the DRS.

BACKGROUND INFORMATION

Also known as Military Security, the DRS specializes in interrogating people thought to possess information about terrorism or other matters affecting Algeria's security.

Under Algerian law, suspects may be held without charge for up to 12 days, as set out in Article 51 of the Code of Criminal Procedure. The arresting authorities must immediately give them the opportunity to communicate with their families and receive visits from them.

The DRS routinely ignores these requirements. Before they are either brought before the judicial authorities or released without charge, those arrested by the DRS 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 been told about several people held incommunicado by the DRS for months, in violation of Algerian and international law, during which time they were reportedly tortured. 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, English or your own language:

- expressing concern for the safety of Fatmia Mohamed and Mohamed Rahmouni, who were arrested on 6 June and 18 July respectively;
- expressing concern that they appear to be detained at an undisclosed location and that their families are not able to communicate with them, in violation of Article 51 of the Algerian Code of Criminal Procedure and international law;
- urging the authorities to ensure that they are treated humanely, and protected from torture and other ill-treatment;
- urging the authorities to immediately reveal their whereabouts and give them access to their relatives, lawyers and any medical treatment they may require;
- calling on the authorities to release them immediately, unless they are to be charged with recognisably criminal offences and brought promptly to trial.

APPEALS TO:

President

His Excellency Abdelaziz Bouteflika

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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

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E-mail: belaittayeb@mjustice.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

COPIES TO:

Official human rights body, reporting to president

Mustapha Farouk Ksentini (Président)

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

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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 3 October 2007.