

HUMAN RIGHTS WATCH

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2 October 2003

M. Tayeb Belaiz
Ministre de la Justice
Ministère de la Justice
8 Place Bir Hakem
16030 El Biar, Alger, Algeria

VIA FACSIMILE: 213 21 921 243 / 921 701

Dear Mr. Belaiz,

Human Rights Watch is writing to urge the release from prison of human rights defender Slaheddine Sidhoum.

Sidhoum, a medical doctor, was placed in custody on September 29, immediately after he ended nine years of living in hiding by appearing before a prosecutor to seek a retrial on charges for which he had been convicted *in absentia* in 1997. That year, a court had sentenced him to twenty years in prison on charges related to “terrorism or subversion,” at a time when Algeria’s courts routinely and massively violated the right of defendants to a fair trial, especially those charged with security offenses. Under Algerian law, defendants convicted *in absentia* have a right to a new trial.

Since the late 1980s Dr. Sidhoum has been documenting human rights violations, disseminating reports filled with details of incidents of torture, summary executions, and “disappearances” attributed to the security forces and their allies. This work, which continued even as he was living clandestinely, helped to alert the international community to human rights conditions in Algeria.

Dr. Sidhoum went into hiding in December 1994, not long after he gave an interview to a BBC documentary filmmaker in which he denounced torture and summary executions attributed to the security forces. On December 18 — the day after the documentary, *Algeria’s Hidden War*, aired on French television — three armed men in plainclothes came to his home in Algiers and demanded to see him. Upon being told that he was not home, they threatened his eighty-year-old aunt if she did not reveal his whereabouts, and then left.

Dr. Sidhoum’s fears for his personal safety had already been aroused by an article in the September 22, 1994 edition of the Algerian daily newspaper *el-Watan* which alleged that he belonged to a network of doctors providing medical care to wounded militants. Some of the physicians mentioned in the article had already been placed in detention.

That article appeared only two weeks after Dr. Sidhoum had sent an open letter to Algerian President Lamine Zeroual, providing details on fifty-three cases of alleged torture or summary executions.



Dr. Sidhoum's family faced intermittent pressures during his nine years in hiding. During 2002, after he published on the website of the organization "Algeria Watch" a voluminous report on "disappearances" and summary executions, the family reportedly received anonymous threatening phone calls at night. On December 15, two men wearing plainclothes and equipped with walkie-talkies came to the family's residence in Algiers with a warrant for Dr. Sidhoum. Upon learning that he was not home, they instructed his elderly aunt to inform his wife that she must present herself to the police the following day. She was ordered to report not to the local police station but rather to the command center of the Judiciary Police's Mobile Brigades in al-Madania, an unusual request that the family interpreted as an effort to intimidate them.

Upon arriving in Serkadji prison in Algiers on September 29, Dr. Sidhoum, who is fifty-four, was placed in a cold and damp isolation cell that lacked a bed or mattress. He immediately launched a hunger strike to demand the status of a political prisoner and his right to a fair trial. Dr. Sidhoum announced on September 30 that he would intensify his hunger strike by refusing even water and sugar, to protest the conditions of his detention.

On October 4 Dr. Sidhoum's lawyers will petition the Algiers Chamber of Accusation for his pre-trial release (*liberté provisoire*).

Human Rights Watch is concerned that the prosecution of Dr. Sidhoum may be related to his outspoken human rights work. We urge that, if he is to be retried, that he be charged with internationally recognizable criminal charges, that the trial be conducted without undue delay, that it conform to international standards for a fair trial, and that the proceedings be open to both domestic and international observers.

Furthermore, we urge that Dr. Sidhoum promptly be granted a pre-trial release, in keeping with the principle of the presumption of innocence, the provisions of Algeria's code of criminal procedure that make pre-trial detention an "exceptional" measure, and the fact that the defendant turned himself in voluntarily.

We also urge that as long as Dr. Sidhoum is in custody, his conditions conform to the United Nations' Standard Minimum Rules for the Treatment of Prisoners, and that no retaliatory measures be taken against him for staging a hunger strike or other acts of peaceful protest or expression.

Finally, we urge your government to insure that Dr. Sidhoum and all other persons are free to exercise their right to collect and disseminate information about human rights without fear of reprisal or prosecution.

We thank you for your consideration and welcome your comments.

Sincerely yours,



Joe Stork
Acting Director
Middle East and North Africa Division