

The SR expressed grave concern about the situation in Algeria, which has resulted in the deaths of hundreds of innocent civilians. Concern was expressed at what seems to be the deliberate targeting of women and children by groups of killers in Algeria, as well as the fact that children continue to be killed in the context of armed conflict and internal strife.

The report states that the human rights situation in Algeria is characterized by numerous massacres of civilians, including women, children and old people, which have reached an unprecedented level since the legislative elections of 5 June 1997. The SR referred to information received indicating that the majority of these massacres are attributable to armed Islamic groups. Some of the massacres, however, were reportedly committed in the immediate vicinity of military barracks or security force positions with no action taken by the authorities. The report also refers to the fact that fears have been expressed as to the possibility that the state may bear some responsibility, based on information indicating that members of armed groups are acting with the full knowledge of the security forces, and even with the complicity of some of their members. The report notes that there are deficiencies in the system for early warning and prevention of massacres.

Stating that violent acts committed by terrorist groups do not fall within the SR's mandate, the report nevertheless acknowledges that violent acts committed by such groups have led to the killing of many civilians.

Violations of the right to life have occurred through: the security forces' use of bogus roadblocks; summary executions of prisoners, who are sometimes said to have been held in secret detention, and of suspects at the time of their arrest; the legalization of self defence groups through a Decree of 4 January 1997 which has encouraged the proliferation of militias and complicated the issue of identifying those responsible for the massacres and their accomplices. An individual case transmitted to the government involved a death in custody in which the death certificate referred to violent death resulting from bullet wounds. The government replied, stating that the individual had been arrested during the dismantling of a terrorist network and was shot three times during his arrest. Death occurred following a sudden deterioration in the man's condition. The government stated that the man's family had been informed of the arrest and had been issued a burial permit. Despite the fact that no party had requested an autopsy, the Algiers Procurator's Office requested the examining magistrate to "look into the causes of death". The case remained under investigation.

The SR sought clarification from the government on another case, involving the discovery of 15 bodies in Dhalaâ forest, commune of Ain Taghrout, in July 1994. The government was specifically requested to clarify why the families of the victims had been prevented from helping to identify the bodies on the basis of photographs taken by the Gendarmerie in Tixane when the bodies were discovered. The SR also asked whether the judicial inquiry opened by the local procurator had yielded

results and whether it had been possible to identify and prosecute those responsible for the massacre. The government informed the SR that an inquiry was under way.

The SR expressed regret over the lack of precise information concerning the allegations of violations of the right to life despite the fact that they continue to occur on an alarming scale and stated that such violations, which vary in nature and extent, are allegedly being committed both by the security forces and by armed Islamic groups and self defence groups. The report noted that a state has an overriding duty to ensure the protection of civilians and put an end to massacres by all appropriate means, while maintaining the rule of law. The distressing number of victims running into tens of thousands — who include women, children and defenceless infants and old people — points to a crucial need for effective mechanisms for preventing such massacres and systematically investigating their circumstances. The SR further stated that the system for compensating the survivors and the victims' families needs to be reinforced.

Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1998/40, paras. 61–66)

The report refers to two cases sent to the government: one concerned a journalist with the Arabic language daily *Al-Alam Al-Siyassi*; the other was the director of the French language daily *El Watan*. In the case of the journalist, the information received indicated that: he had disappeared in April 1997, after he had been abducted by three individuals who allegedly identified themselves as members of the security forces; he had been held in a detention centre in Algiers and had been tortured during the first month of his detention; and that there was a possible link between his disappearance and his coverage of the activities of Islamist groups in Algeria. The government, basing its reply on information which resulted from an investigation by the Ministry of Justice, denied that the journalist had been questioned or arrested by the security forces. In the case of the director of *El Watan*, information indicated that he had been sentenced in November 1997 to one year in prison for a November 1995 interview that he gave to the French television station Canal+. In the interview, he had speculated on the possible responsibility of the government in the assassinations of journalists since May 1993. Additional information indicated that the director had been summoned to the central police station of Algiers shortly after the verdict. There he was questioned for four hours in connection with an article which appeared in October 1997 in his newspaper, written by a journalist who had criticized President Liamine Zeroual and other government officials. The Special Rapporteur (SR) noted that the government has not replied to this case.

The SR expressed concern at the overall situation in the country, at the continuing violence and at the massacres of civilians. He stated that, in the present situation in Algeria, accurate information about the crimes being committed, as well as transparency and the free flow of information, become all the more important. The SR encouraged the government to take all necessary mea-