

- right to medical examination on arrest and at the end of their detention;
- ♦ bring legislation into conformity with all the rights to which women are entitled under articles 3, 16, 23 and 26 of the Covenant;
  - ♦ provide in the next report more information on the procedure for designating, electing and dismissing judges and take appropriate measures to ensure the full independence of the judiciary;
  - ♦ review, on an urgent basis, the Arabic Language Decree so as to remove the negative consequences that it produces;
  - ♦ review current legislation so as to protect fully the right to freedom of thought and opinion and freedom of expression;
  - ♦ meet the conditions required by the Covenant with respect to restrictions on the right to freedom of association and amend current legislation so as to bring it into conformity with the requirements of the Covenant and the obligations entered into by Algeria upon its accession to it; and
  - ♦ take urgent steps to make known to the public, universities, the legal community and, particularly, to non-governmental human rights organizations, the rights protected under the Covenant and the fact that individuals whose rights have been violated may submit communications to the Committee under the Optional Protocol to which Algeria has acceded.

## THEMATIC REPORTS

### Mechanisms of the Commission on Human Rights

#### Arbitrary detention, Working Group on: (E/CN.4/1998/44, paras. 4, 5, 19, 21)

The report notes that two cases were transmitted by the Working Group to the government, one as an urgent appeal, and that the government provided replies to both. No details of the cases were provided.

#### Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 3, 13, 80–87)

The report notes that 49 newly reported cases of disappearance were transmitted to the government, seven of which reportedly occurred in 1997. One case was sent under the urgent action procedure and subsequently clarified when the source reported that the person concerned had been released. The Working Group (WG) stated that the majority of the 153 cases of disappearance in Algeria that were transmitted by the WG to the government occurred between 1993 and 1995. The security forces were allegedly responsible for all the arrests and subsequent disappearances which reportedly occurred throughout the country, although mainly in Algiers. A number of the disappeared persons are reported to

have been members or sympathizers of the Islamic Salvation Front (FIS). The victims were from a variety of professions and included medical doctors, journalists, university professors, students, civil servants and farmers.

Forty-eight of the newly reported cases occurred between 1994 and 1997 in various towns and villages throughout the country, although mainly in the capital and in Constantine. The security forces, as well as the police and gendarmerie, were alleged to be responsible. The persons concerned were mainly educated and from various professional backgrounds including civil servants, i.e., a director at the Ministry of Youth and Sports, nurses, secretaries, medical doctors, journalists, architects and students. One case concerned the mother of a person who had previously disappeared and who had reportedly publicly criticized human rights violations in Algeria.

Information received from non-governmental organizations concerning non-compliance by the government with provisions of the Declaration on the Protection of All Persons from Enforced Disappearance indicated that: disappearances continue to occur following arrest by members of the security forces; individuals are often abducted from their home, their place of work or from the street; when family members seek information on detained relatives from the police or the gendarmerie, all knowledge of the detained person is denied; as a consequence, families are unable to obtain any information about their relatives unless they are brought before the courts, which is said often to take weeks or months after the arrest; and, those responsible for disappearances reportedly act with impunity.

The government provided information on 27 individual cases, stating that 23 of them had never been summoned by the authorities for interrogation. In two cases the persons concerned were being sought by the authorities, and in one case, the government reported that the person was wanted by the security forces on charges of an alleged connection with an armed terrorist group, and that he had been found dead.

The Working Group expressed its deep concern at the increase of violence and reported cases of disappearances in Algeria and reminded the government that the Declaration does not admit any circumstances – including internal political instability or any other public emergency – as a justification for enforced disappearances. The report states that resorting to such practices often results in a further spiral of violence.

#### Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1998/68, paras. 14, 16, 21, 32, 50, 59, 62, 73; E/CN.4/1998/68/Add.1, paras. 5–14)

The report refers to ongoing discussions with the government relating to a visit by the Special Rapporteur (SR), possibly as a joint mission with the SR on the question of torture.