

**EXTERNAL (for general distribution)**

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**Torture in garde a vue incommunicado  
detention**

**28 January 1991**

**TUNISIA;**

**Monji Jouini**

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Amnesty International is concerned at reports that Monji Jouini has been subjected to torture and ill-treatment during incommunicado detention following his arrest on 19 December 1990. Monji Jouini has now been held in garde à vue incommunicado detention in police custody for over 40 days; Tunisian law permits up to ten days garde à vue incommunicado detention. He is reportedly held at Bouchoucha police station and, according to fellow detainees who have since been released, is said to have suffered broken toes and other physical injuries as a result of torture and ill-treatment.

#### **BACKGROUND INFORMATION**

Monji Jouini is a 35-year-old government employee in the department of social security (Département de la Sécurité Sociale) and was an independent Islamist candidate in the legislative election of April 1989.

He was sentenced in absentia to two years and three months' imprisonment on 25 September 1990 by the court of first instance in Tunis, for allegedly organizing and participating in an unauthorized demonstration on 8 September 1990. The above-mentioned demonstration was staged in protest at the killing of a Tunisian student Tayyeb Hammasi, shot by a policeman on 7 September 1990. At the time of the sentence Monji Jouini was apparently in the country but in hiding. During the month of October 1990 members of his family were reportedly harassed on several occasions by the police force who sought information about Monji Jouini's whereabouts.

According to Tunisian law anyone sentenced in absentia has the right to a retrial.

Amnesty International is gravely concerned by the numerous reports of torture and ill-treatment of detainees during garde à vue incommunicado detention in the custody of police force. The organization has previously raised with the Tunisian Government its concern at these allegations of torture and ill-treatment, but to date it has not received any reply. Amnesty International has also urged the Tunisian Government on a number of occasions to carry out thorough and impartial investigations into these numerous allegations and to bring to justice those found responsible; however, to date the organization has received no reply or evidence that such investigations have been undertaken.

**RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in French or Arabic if possible:**

-expressing concern that Monji Jouini has been held for over 40 days in garde à vue incommunicado detention, and that he is at risk of torture or ill-treatment;

-expressing concern about reports of torture and ill-treatment during garde à vue incommunicado detention and urging that these are fully and impartially investigated and that those found responsible be brought to justice;

-urging the government to comply with Tunisian law, which allows for those arrested to be kept in incommunicado detention for a maximum period of 10 days, and which provides for those sentenced in absentia with the right to be retried;

- urging the government to allow Monji Jouini prompt access to legal counsel and to medical care if necessary.

**PLEASE SEND YOUR APPEALS TO:**

Son Excellence  
Président M. Zine El Abidine Ben Ali  
Président de la République  
Palais Présidentiel  
Tunis/Carthage, Tunisie

**Telegrams: President Ben Ali, Tunis, Tunisie**

**Telexes: 14900 prpsa tn 12163 ppsd tn**

**Faxes: + 216 1 744721**

M. Abdelhamid Escheikh  
Ministre de l'Interieur  
Ministère de l'Interieur  
Place du Gouvernement  
Tunis, Tunisie

**Telegrams: Ministre Interieur, Tunis, Tunisie**

**Telexes: 13662 sdap tn**

M. Chedli Neffati  
Ministre de la Justice  
Ministère de la Justice  
Boulevard Bab Benat  
Tunis, Tunisie

**Telegrams: Ministre Justice, Tunis, Tunisie**

**COPIES TO:** Tunisian diplomatic representatives in your country

**PLEASE SEND ALSO COPIES OF SOME OF YOUR APPEALS, FOR INFORMATION, TO:**

Ligue Tunisienne pour la Défense des Droits de l'Homme  
1, rue Canada  
Tunis, Tunisie

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat or your section Office if sending appeals after 4 March 1991.

