

URGENT ACTION

PRISONER'S BROTHER HELD INCOMMUNICADO

Walid Romdhani is detained incommunicado and believed to be held by the Department of State Security (DSS) in the Tunisian capital, Tunis, where he is at risk of torture and other ill-treatment. His arrest is likely to be linked with his work on behalf of his brother, who has been detained, tortured and ill-treated by the Tunisian security forces.

Walid Romdhani was arrested at 11pm on 18 January at his home in the city of El Mourouj, close to Tunis, by eight DSS officers. His family, who were present, reported that no arrest warrant was shown. Six of the DSS officers then searched all the rooms of the house, confiscating documents, CDs and a computer.

Walid Romdhani has since been detained incommunicado, and his relatives have not been informed of his whereabouts. It is likely that he is held at the headquarters of the DSS in the Ministry of Interior in Tunis. Amnesty International has documented many cases of torture and ill-treatment of prisoners in the custody of the DSS (see Additional Information).

Walid Romdhani's arrest is believed to be linked to his work to expose the torture and other ill-treatment of his imprisoned brother, Ramzi Romdhani (see UA 130/09, MDE 30/004/2009, and follow-up). On the day he was arrested, Walid Romdhani had met with his brother's lawyer to discuss filing a legal complaint about the torture his brother allegedly suffered on 24 and 25 December 2009. Since his brother told him of his torture and ill-treatment in April 2009, Walid Romdhani has been in contact with human rights lawyers, and local and international human rights organizations, including Amnesty International. Walid Romdhani has reported that DSS officers previously threatened him with the loss of his job, and arrest and prosecution on false charges, in an attempt to dissuade him from reporting the torture and ill-treatment of his brother to human rights organizations and filing complaints.

PLEASE WRITE IMMEDIATELY in Arabic, French, English or your own language:

- Expressing concern that Walid Romdhani is being held incommunicado;
- Urging the Tunisian authorities to immediately disclose his whereabouts and ensure that he has access to his family, a lawyer of his own choosing and any medical care he might require;
- Calling on them to ensure that he is not tortured or otherwise ill-treated;
- Urging them to release Walid Romdhani, unless he is promptly charged with a recognizably criminal offence and brought to trial in proceedings that meet international standards for fair trial;
- Calling on the Tunisian authorities to return confiscated items belonging to Walid Romdhani.

PLEASE SEND APPEALS BEFORE 2 MARCH 2010 TO:

Minister of Interior
Rafik Belhaj Kacem
Ministry of Interior
Avenue Habib Bourguiba
1000 Tunis
Tunisia
Fax: + 216 71 340 888
Salutation: Your Excellency

Minister of Justice and Human Rights
Lazhar Bououni
Ministry of Justice and Human Rights
31 Boulevard Bab Benat
1006 Tunis - La Kasbah
Tunisia
Fax: + 216 71 568 106
Salutation: Your Excellency

And copies to:
Ridha Khemakhem
General Coordinator for Human Rights
Ministry of Justice and Human Rights
31 Boulevard Bab Benat
1006 Tunis - La Kasbah
Tunisia

Also send copies to diplomatic representatives of Tunisia accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

In April 2009, Ramzi Romdhani told his brother that he was tortured and otherwise ill-treated by officers at Mornaguia Prison, where he is serving a sentence of 29 years' imprisonment imposed under the 2003 anti-terrorism law. When Walid Romdhani visited him on 23 April, Ramzi Romdhani complained that prison officers had beaten him with sticks, kicked him while wearing military boots, inflicted cigarette burns on his body and plunged his head repeatedly into a bucket of water causing him to fear drowning and eventually to lose consciousness. After this, he said he was taken to the prison infirmary for treatment, where he needed to be put on a respirator for two days. His brother observed that he had bruises on his body and that he appeared to have had some of his teeth knocked out. In August 2009, he was beaten by prison guards and then taken to the DSS headquarters, where he is reported to have been tortured, including with electric shocks and a mock hanging. In December 2009, Ramzi Romdhani is reported to have been tortured by DDS officers at the Ministry of Interior in Tunis; he was beaten, had his nails and fingers burned and his head plunged repeatedly into hot water over the course of about 30 minutes. He was beaten on his eyes and sustained serious eye injuries.

Amnesty International has documented many cases of uncharged detainees held by the DSS in the Ministry of Interior in prolonged incommunicado detention, lasting weeks or months, during which the detention is not acknowledged or the fate or whereabouts of the detainee is concealed, leaving the detainee outside the protection of the law, a situation that amounts to enforced disappearance.

Amnesty International has received numerous reports of torture and other ill-treatment by the Tunisian security forces, in particular by the DSS. In virtually all cases, allegations of torture are not investigated and the perpetrators are not brought to justice. Individuals are most at risk of torture when held incommunicado. The most commonly reported methods of torture are beatings on the body, especially the soles of the feet; suspension by the ankles or in contorted positions; electric shocks; and burning with cigarettes. There are also reports of mock executions, sexual abuse, including rape with bottles and sticks, and threats of sexual abuse of female relatives.

As a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Tunisia is under an obligation to prevent torture and to "ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction".

Tunisian anti-terrorism law has been repeatedly criticized by UN human rights bodies and local and international human rights organizations as overly general and broad, and could be used as a repressive measure to curtail legitimate dissent. Similar concerns were reiterated by the UN Human Right Committee in March 2008 in its concluding observations regarding Tunisia.

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