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## AMNESTY INTERNATIONAL

### TUNISIA

### POLITICAL DETAINEES' RIGHTS VIOLATED

### LAWYERS' ACTION

MARCH 1991

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Amnesty International is concerned that two Tunisian political detainees, Ali Laaridh and Ziad Doulatli, have not been allowed to exercise their full legal rights.

Ali Laaridh, the spokesperson of the unauthorized Islamic movement al-Nahda, and Ziad Doulatli, another prominent Nahda member, were arrested on 23 December 1990 and held in garde à vue (incommunicado) detention 14 days beyond the 10-day maximum period allowed by Tunisian law. Their appearance before the examining magistrate was postponed three times and when they were eventually brought before the examining magistrate on 15 January 1991 their lawyers were not allowed access to their files and were not informed of the charges brought against their clients.

Their lawyers report that they continue to be denied access to their clients' files. They also confirmed that their clients continue to be detained in isolation and are denied access to newspapers, radios, pens and papers and other facilities normally available to detainees in pre-trial detention in Tunisia.

#### Background

Ali Laaridh and Ziad Doulatli were tried in August/September 1987 with another 88 people for belonging to the unauthorized Islamic movement Mouvement de la Tendence Islamique, Islamic Tendency Movement, MTI, and for committing crimes intended to change "the nature" of the state. The trial was marked by serious deficiencies and the various charges, some of which related to events since 1976, were brought collectively against all 90 accused. Ali Laaridh, Ziad Doulatli and 11 others were tried and sentenced in absentia. Ali Laaridh was sentenced to death, as were six

other defendants (two of whom were executed), and Ziad Doulatli was sentenced to 20 years' forced labour. They were both arrested in October/November 1987 and were retried in November 1987; their sentences were upheld. Ali Laaridh's death sentence was commuted to hard labour for life by presidential pardon on 16 December 1987. Both prisoners were released in two separate amnesties in 1988 and 1989.

In the past few months in Tunisia members, sympathizers and suspected sympathizers of the Nahda movement have been a target for mass arrests and detention for the purpose of interpellations (interrogation). Of the several hundreds arrested since September 1990, many were held in garde à vue incommunicado detention in the custody of the police beyond the maximum 10-day period permitted by Tunisian law. Most of those arrested have been released without charge but some have been charged with offenses including belonging to an unauthorized organization, encouraging and participating in unauthorized demonstrations and disturbing public order. Sentences have varied from three months to over two years.

In the course of the last year Ali Laaridh has been detained for interrogation on several occasions; he was last arrested on 26 October 1990, reportedly tortured and ill-treated while under interrogation in incommunicado detention, and subsequently released on bail on 29 October 1990 without having been formally charged.

**PLEASE SEND YOUR APPEALS TO:**

Son Excellence  
 Président M. Zine El Abidine Ben Ali  
 Président de la République  
 Palais Présidentiel  
 Tunis/Carthage Tunisie  
 télèx: 14900 prpsa tn 12163 ppsd tn  
 Fax: 216 - 1 - 744721  
 Télégrams: Président Ben Ali, Tunis, Tunisia

M. Abdallah Kallal  
 Ministre de l'Intérieur  
 Ministère de l'Intérieur  
 Place du Gouvernement  
 Tunis  
 Tunisie

télèx: 13662 sdap tn  
 Télégrams: Ministre Intérieur, Tunis, Tunisia

M. Abderrahim Zouari  
 Ministre de la Justice  
 Ministère de la Justice  
 Boulevard Bab Benat Tunis

Télégrams: Ministre Justice, Tunis, Tunisia

**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  
 Tunisia

INTERNATIONAL SECRETARIAT, 1 EASTON STREET,  
LONDON WC1X 8DJ, UNITED KINGDOM

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COUNTRY: TUNISIA  
SUBJECT TITLE: POLITICAL DETAINEES' RIGHTS VIOLATED

RECOMMENDED ACTIONS

Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference. In addition please undertake as many of the following recommended actions as possible.

Techniques of this Action may include letter-writing to the Tunisian authorities, to appropriate pressure groups and organizations, and approaches to professional associations and home governments.

If possible, letters should be written in Arabic or French, or English as a second choice; they may cover one or as many topics as the letter-writers feel appropriate or within their competence to address.

1. Call on the Tunisian Government authorities to ensure that all detainees are informed immediately of the reasons for their arrest, and urge that if they are not charged with a recognizable criminal offence and given a fair and prompt trial in accordance with **Article 14** of the **International Covenant on Civil and Political Rights** (ICCPR), which Tunisia has ratified, and other international standards governing a fair trial, they should be released immediately.
2. Call on the government authorities to allow regular and private access to detainees by their legal representatives, access to the detainees' files by their legal representatives, professional medical inspection and treatment and regular and private visits by relatives.
3. Call on the government to guarantee the basic legal rights of those who undergo trial procedures, of which a fundamental component is the right to present a full legal defence in conformity with **Article 14** of the **ICCPR**, the **UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment** (UN Body of Principles) and other international standards guaranteeing a fair trial.
4. Express concern about the procedures surrounding arrests and the use of garde à vue (incommunicado) detention, both of which contravene the **ICCPR** and the **UN Body of Principles** and other internationally agreed standards.

5. Express concern that in AI's experience, any system of incommunicado detention without charge or trial can facilitate grave violations of human rights such as torture and cruel, inhuman and degrading treatment.
6. Remind the Tunisian Government of its obligations under the **United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**, which it ratified on 23 September 1988 and urge that when allegations of torture have been made they should be thoroughly and impartially investigated.
7. Urge that those found responsible for the torture or ill-treatment of detainees be brought to justice.