

UA 149/97 Fear of Torture ill-treatment / Prisoner of conscience 27 May 1997

TUNISIA Rachida BEN SALEM (f)

Rachida Ben Salem, mother of two, is being held in incommunicado detention in Tunis where she is feared to be at risk of torture or ill-treatment. She was arrested on 18 May 1997 with her two daughters (aged five and seven) in the Ben Guerdane region, in the south of Tunisia, near the Libyan border, as she was reportedly intending to cross into Libya. The two girls have since been released, but Rachida Ben Salem remains detained without access to her family or lawyer.

Rachida Ben Salem has been arrested on several previous occasions, and her home has often been raided by police. She was repeatedly interrogated about her contacts with her husband, a supporter of an Islamist group who obtained refugee status in Holland, and about his activities. After her husband fled the country she lost her job and was unable to obtain a passport in order to join him in Holland.

After her arrest on 18 May, her husband's parents and brother were also arrested and detained for 24 hours, during which time her brother-in-law was reportedly tortured. Her family were unable to obtain any information on the whereabouts of Rachida and her two daughters until 23 May, when her father-in-law was able to see them in the Ministry of the Interior in Tunis and was allowed to take the two girls back home.

Rachida Ben Salem's brother, Kamel Matmati, was arrested by Tunisian security forces in October 1991 and remains "disappeared"; he is believed to have died in detention, but no information about his fate has been provided by the authorities to date. Other relatives of Rachida Ben Salem, including her husband's brother, have also previously been imprisoned.

Amnesty International is concerned for the well-being of Rachida Ben Salem in view of the continuing practice of torture and ill-treatment during incommunicado detention. It is also concerned that the denial of her passport and her subsequent detention have been motivated by her family relationship to political opponents, and as such the organization considers her to be a prisoner of conscience.

BACKGROUND INFORMATION

The practice of arrest, detention, torture or ill-treatment, and systematic harassment of relatives, especially wives, of imprisoned and exiled political opponents has become increasingly widespread in Tunisia. Dozens of women, wives of exiled Islamist political opponents and their children are subjected to continuous police harassment; they are prevented from working, from moving within the country or from leaving the country, are threatened with prosecution if they are in contact with their exiled husbands and are put under pressure to divorce. They and anyone who gives them any financial assistance are liable to be imprisoned for "unauthorized collection of funds". Thus an increasing number of women and children are finding it difficult to survive, and women are left with the choice of either remaining in Tunisia under constant harassment and intimidation or trying to leave the country illegally.

In recent months, the Tunisian authorities have taken measures to solve the cases of some women whose plight had become known to the outside world. At

the end of 1996, a woman who had been subjected to continuous intimidation and who had been forced to ask for a divorce from her exiled husband against her will, was finally allowed to leave Tunisia with her four daughters to go to join her husband who is a refugee in Germany. Two former prisoners of conscience on whose behalf Amnesty International had campaigned were recently given passports for them and their children. They are planning to join their husbands, who are refugees in France. Amnesty International welcomes the measures taken to solve these cases, but remains gravely concerned at the continuing harassment and intimidation, including arrest, detention as prisoners of conscience and torture or ill-treatment, of other women.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French, Arabic, English or your own language:

- expressing concern that Rachida Ben Salem remains incommunicado without access to her family and legal counsel, and that she may be at risk of torture and ill-treatment;
- calling for her immediate and unconditional release as a prisoner of conscience.

APPEALS TO:

1) Minister of Justice

M. Abdallah Kallel
Ministre de la Justice
Ministère de la Justice
Boulevard Bab Benat
Tunis, Tunisia

Faxes: +216 1 568 106

Telexes: 13000 maet tn (via Ministère de l'Intérieur)

Telegrams: Ministre de la Justice, Tunis, Tunisie

Salutation: Monsieur le Ministre / Your Excellency

2) Minister of the Interior

M. Mohamed Ben Rejeb
Ministre de l'Intérieur
Ministère de l'Intérieur
Av. Habib Bourguiba
Tunis , Tunisia

Fax: +216 1 340888

Telegrams: Ministre de l'Interieur, Tunis, Tunisia

Telex: 13662 sdap tn

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

Tunisian Human Rights League
Me Taoufik Bouderbala, Président
Ligue Tunisienne des Droits de l'Homme, LTDH
7 Rue Pierre Curie
TUNIS, Tunisia

Faxes: + 216 1 336 338

and to diplomatic representatives of Tunisia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 July 1997.