

PUBLIC

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Further information on 279/02 (MDE 30/019/02, 6 September 2002) - Fear of torture

TUNISIA Zouhayer Makhoulf (m), aged 37
Chadli Turki (m), medical doctor, aged 55

Zouhayer Makhoulf and Chadli Turki were released on 8 September. Their arrest and detention seem to be new evidence of the pattern of arbitrary measures taken against human rights defenders as well as real and alleged political opponents in Tunisia.

Both men had been arrested on 4 September by the State Security Department (*Direction de la Sécurité d'Etat*) and detained at the Ministry of Interior in Tunis. The reasons behind their arrest remain unclear. The detention and questioning by the State Security Department seem to have been unlawful means of harassment and intimidation. According to the information received, no charges have been brought against either of the two men.

Zouhayer Makhoulf, a member of Amnesty International, was reportedly questioned about his activities and asked to give up his membership of the Tunisia section of Amnesty International.

Chadli Turki's detention seems to have been a renewed attempt to harass and intimidate him by disrupting his professional activity as a physician, because the authorities believe him to have had links with political opponents. Already before his imprisonment at the beginning of the 90s on charges of belonging to an unauthorized organization, the authorities used to harass him. Since his release in 1993, he was unable to resume his professional life because of various measures taken against him. His arrest on 4 September 2002 occurred only a few days after he had finally managed to reopen practise. Chadli Turki was reportedly questioned about the funding of his new medical practise.

According to information received, the authorities failed to respect the provisions of the Tunisian Penal Procedure Code (*Code de procédure pénale*). Both men were reportedly arrested without warrant, and their families were not notified of their detention. In addition, the period of incommunicado detention (*garde à vue*) exceeded the lawful period of three days and was apparently extended by an arbitrary decision of the State Security Department without the authorization of the State Prosecutor (*Procureur de la République*), despite this being required by law.

Thanks to all of you who sent appeals. If possible, send one final round of appeals, in Arabic, French or in your own language:

- - urging the Tunisian authorities to ensure that all measures of harassment and intimidation against Zouhayer Makhoulf and Chadli Turki stop immediately.

APPEALS TO:

Interior Minister

M. Hédi Mhenni

Ministère de l'Intérieur

Avenue Habib Bourguiba

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TUNISIA

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E-mail: mint@ministeres.tn

Salutation: Monsieur le Ministre / Your Excellency

COPIES TO:

Justice and Human Rights Minister

M. Bechir Takkari

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31 Boulevard Bab Benat

1006 Tunis

TUNISIA

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Salutation: Monsieur le Ministre / Your Excellency

and to diplomatic representatives of Tunisia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.