

EXTERNAL (for general distribution)

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~~Further information on UA 352/91 (MDE 30/25/91, 21 October 1991) - Death in Custody~~

TUNISIA:Faisal BARAKAT

Amnesty International has received testimony from eyewitnesses who have stated that they saw Faisal Barakat, an activist in the illegal Islamist movement *Hizb al-Nahda* (Renaissance party), in Nabeul Police Station before his death. When he was brought in, on 8 October 1991, he had clearly already been tortured; he was reportedly bare-chested and bound, his face looked bruised and his eyes were bleeding. He was taken into the office of the station head. Some of those in the passage outside, who included a group of about 30 fellow detainees, have stated that for four or five hours without a break they heard the noise of beating and screaming.

After that time his body, which appeared lifeless, was taken out and dumped in the passage; according to one witness it was contorted in the "Poulet rôti" position (the position whereby the detainee is suspended from a stick like a chicken on a spit and then, usually, beaten). Some water was thrown over him; at first fellow-detainees were not allowed to help him but later they were allowed to carry him to a chair. He appeared lifeless. After half an hour doctors were called in. A few days later fellow detainees heard he was dead.

The medical certificate from Nabeul Hospital, dated 11 October 1991, states that the result of the examination of the body of an unknown person showed concussion and bruises on various parts on the body including the knees and the soles of the feet. According to forensic opinion sought by Amnesty International the injuries recorded in the medical certificate were not typical with those expected in an automobile accident especially the marks on the soles of the feet.

Jamal Barakat, the brother of Faisal Barakat, who was arrested earlier, apparently to put pressure on Faisal Barakat to give himself up, remains detained.

The Tunisian Government responded to Amnesty International's demands for an investigation into the death in custody of Faisal Barakat by denying that he had ever been arrested. Government authorities have consistently stated that he died in a road accident. A recent document issued by the Tunisian External Communication Agency asks rhetorically: "should members of the so-called Ennahda movement wear phosphorescent armbands so that cars pay particular attention to them and drivers may not be accused of premeditated murder?".

At least eight other deaths in circumstances suggesting that torture was the cause of death have been reported in 1991, none of which have been publicly investigated. They include Rachid Chammakhi who died two weeks after Faisal Barakat following his detention at Nabeul police station.

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

- expressing concern that no public inquiry has yet been set up into the circumstances of the death in custody of Faisal Baraket;

- urging that those responsible for his death be brought to justice and the family be compensated;

- urging that public and impartial investigations into the nine recent deaths in custody be immediately held and that those found responsible be brought to justice.

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**APPEALS TO:**

1. President:

Son Excellence

**Excellence / Your Excellency**

Président Zine El Abidine Ben Ali

Président de la République

Palais Présidentiel, Tunis/Carthage, Tunisie

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

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

**Faxes: 216 1 74 4721**

2. Minister of the Interior:

M. Abdallah Kallel

**Excellence / Your Excellency**

Ministre de l'Interieur

Ministère de l'Interieur

Avenue Habib Bourguiba, Tunis, Tunisie

**Telegrams: Ministre Interieur, Tunis, Tunisia**

**Telexes: 13662 sdap tn**

3. President of the Higher Council for Human Rights and Fundamental Liberties:

Ambassador Rachid Driss

**Your Excellence / Dear President**

Président du Comité Supérieur des Droits

de l'homme et des Libertés Fondamentales

24 Rue Docteur Kalmet

Mutuelleville, Tunis, Tunisie

**Telegrams: Ambassador Rachid Driss, 24 rue Docteur Kalmet, Mutuelleville, Tunis, Tunisie**

**Faxes: + 216 1 270646 or + 216 1 796593**

4. First Presidential Counsellor for Human Rights:

M. Sadoq Chaâbane

**Excellence / Your Excellency**

Conseiller Présidentiel chargé des Droits de l'Homme

Palais Présidentiel

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5. Minister of Justice:

M. Abderrahim Zouari

**Excellence / Your Excellency**

Ministre de la Justice

Ministère de la Justice

Boulevard Bab Benat, Tunis, Tunisie

**Telegrams: Ministre Justice, Tunis, Tunisia**

**Faxes: 216 1 568 106**

6. Minister of Foreign Affairs:

M. Habib Ben Yahia

**Excellence / Your Excellency**

Ministre des Affaires Etrangères

Ministère des Affaires Etrangères

Place du Gouvernement

La Kasbah, Tunis, Tunisie

**Telegrams: Ministre Affaires Etrangères, Tunis, Tunisia**

**Telexes: 14470/1/2 mafta tn**

**COPIES TO:**

Human Rights Organization:

Ligue Tunisienne pour la Défense des Droits de l'Homme

23 rue du Yemen

Tunis, Tunisia

**Faxes: 216 1 795 466**

and to diplomatic representatives of Tunisia in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat or your section Office if sending appeals after 21 February 1992.