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# TUNISIA

## Women victims of harassment, torture and imprisonment

### INTRODUCTION

Over the last two years hundreds of women have been arbitrarily arrested in Tunisia. Scores have alleged that they were tortured and ill-treated, including sexual abuse and threats of rape, during incommunicado detention in the Ministry of the Interior and in police stations around the country. Most of those arrested were subsequently released without charge. Others were sentenced in unfair trials to terms of imprisonment of up to 18 months on charges including belonging to an unauthorized organization, holding illegal meetings, distributing leaflets and unauthorized collection of funds. Dozens have been imprisoned as prisoners of conscience and possible prisoners of conscience.

Initially, women were targeted by the Tunisian security forces primarily because they were related to members or supporters of the illegal Islamic movement *al-Nahda* (Renaissance), though some were also accused of being themselves active in the movement. However, since the middle of 1992, women activists and wives of activists in the *Parti communiste des ouvriers tunisiens* (PCOT), Tunisian Workers'

Communist Party, have also been subjected to the same pattern of human rights violations.

This report examines a pattern of human right violations against women which has become increasingly widespread over the past two years and which is part of a wider circle of repression of political opponents which began at the end of 1990. Some of the violations which have been perpetrated against women are the same as those perpetrated against men accused of illegal political activities and which were detailed in two Amnesty International reports of March 1992 (*Tunisia, Prolonged Incommunicado Detention and Torture*, AI Index: MDE 30/04/92), and October 1992 (*Tunisia, Heavy Sentences After Unfair Trials*, AI Index: MDE 30/23/92).

However, the main difference concerning the situation of the women detained in the past two years in Tunisia is that the vast majority of them were clearly detained because of their relation to men accused of illegal political activities, rather than because they were themselves politically active. This is clearly indicated by the fact that the majority were only questioned about their husband's whereabouts and activities and never themselves charged or brought to trial.

Other women who have been brought to trial were also wives and relatives of political activists but seem to have been targeted because of their contacts and relations with families of other political opponents. Many of them were charged with illegal collection of funds for providing financial help to families of other political

detainees. A third group includes women, many of them students, who have been convicted of illegal political activities.

In compiling this report Amnesty International has interviewed scores of women, their relatives and lawyers. The organization has studied medical certificates and spoken to doctors who have examined victims. The identities of the women whose cases are mentioned in this report are not revealed, mostly at their request, in order to avoid further retaliation against them by the authorities, as has happened in the past. Furthermore, revealing their identity may increase social pressure on them and their families, especially in the cases of those who have been subjected to sexual abuses.

## **BACKGROUND**

Since September 1990, thousands of members, supporters and suspected sympathizers of the unauthorized Islamic movement *al-Nahda* have been arrested. Detainees were frequently held in *garde à vue* detention prolonged beyond the 10-day maximum period permitted under Tunisian law. The majority of those held were systematically tortured. At least eight suspected supporters of *al-Nahda* died in 1991 and 1992 after having been tortured; investigations which the authorities said were carried out into these deaths have never been made public.

During 1991, when the repression of Islamists was heaviest (at least 8,000 people are believed to have been arrested during the year) scores of women, mostly students believed to have participated in demonstrations, were also arrested. Amnesty International received testimonies of ill-treatment and torture of women held in police stations and National Guard centres where torture of men had become routine. Most of the women students were released after short periods of detention; others were sentenced after unfair trials on charges including attending illegal meetings.

As the security forces' crackdown on men who were active or suspected of being involved in the Islamic movement intensified, many activists went into hiding, and later fled the country. As a result, the security forces focused on their wives and female relatives in order to extract information on their whereabouts and to put pressure on the men to give themselves up. Wives of detainees, especially prior to their trial, were also harassed to extract information about their husbands' political activities. Their homes were regularly visited, especially at night, by members of the security forces, who searched the houses and allegedly confiscated possessions without showing any search warrant or giving any receipt. Wives and family members have reported that they were frequently threatened and sometimes ill-treated by being pushed or hit. On some occasions, when families refused entry to the security forces, they forcibly broke into their houses.

As a follow-up to such harassment women relatives were subsequently repeatedly summoned and taken in for questioning at police stations. Some of them had small children who were left at home alone during the time of their mothers' detention, as no time was given to the women to make arrangements for their care. Many of those detained have reported that, apart from verbal abuse, they were not physically ill-treated; however, scores of women have testified that during their time in detention they were tortured, beaten, undressed, sexually abused, and threatened with rape. In the majority of cases these repeated short-term detentions lasted a few hours or a whole day, in some cases a few days, and the women were then released without charge. The fact that the majority of them were never charged or brought to trial strongly suggests that they were arbitrarily arrested to put pressure on them to give information or as a form of punishment for their relatives' activities.

The torture and ill-treatment of women whose husbands had fled the country appears to have been practised both to extract information on their husbands' whereabouts and activities, and as a means of putting pressure on the husbands to return to Tunisia and surrender to the authorities. Some of the men whose wives have been detained and tortured or ill-treated have been tried *in absentia* in unfair trials and sentenced to up to life imprisonment on charges of plotting to overthrow the government.

By 1992, with the majority of *al-Nahda* activists apparently silenced or in prison, repression increased against activists of the illegal

leftist party PCOT, which had supporters in many parts of Tunisia and was now the most outspoken opposition party in its criticisms of Tunisian Government policy and repression. Members of PCOT, including women activists, were arrested, tortured and ill-treated in police stations; two women accused of illegal political activities on behalf of PCOT, who were pregnant, were released under a Presidential pardon in January 1993 after national and international protests, but others remain detained.

#### ARBITRARY ARRESTS, DETENTION AND HARASSMENT

Women political activists or relatives of political activists have been the frequent victims of harassment, sometimes amounting to cruel, inhuman or degrading treatment in a new pattern of repression over the past two years. In addition, women who met Amnesty International delegates in Tunisia in 1991 and 1992, or contacted the organization to give information about their relatives' arrests, prolonged incommunicado detention or torture were themselves subsequently arrested. They were questioned about the information they had given to Amnesty International's delegates, ill-treated and threatened with detention and further ill-treatment if they continued to give information to Amnesty International or other organizations. Men who helped Amnesty International delegates in Tunisia in 1991 to contact the families of detainees who had died in custody or been tortured were also subsequently arrested.



A woman lawyer who has defended many cases of Islamists accused of political offences was questioned and threatened by police on several occasions. On one such occasion in mid-1991 her office was stormed by police and a group of women who had gone to see her about the cases of their detained husbands were arrested and held for several hours in a police station for questioning. At the end of 1992 she was again taken in for questioning and warned to stop sending information about legal cases to Amnesty International and other organizations.

Female relatives of political activists who are sought by the authorities have also been detained as hostages to put pressure on their relatives to give themselves up. A girl from Tajerouine was arrested on 22 March 1993 from her home in lieu of her sister who had been sentenced *in absentia* to eight months' imprisonment for belonging to the unauthorized organization *al-Nahda* and holding unauthorized meetings. The family was told that when the girl they were looking for gave herself up, her sister would be released. The girl who was sought by the police was not in hiding, but was studying at the university in Tunis. She returned the following day and went to the police, where she was detained. Her sister was held incommunicado for a further four days during which she was questioned about her sister's activities and was then released without charge.

Scores of individuals, both men and women, have been sentenced *in absentia*, without ever having received summons to court for their

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trial. Some of those sentenced *in absentia* were studying or working away from their home town, and were not in hiding, while others were living at their normal address and had not received a summon.

Harassment of relatives of activists of PCOT has also occurred. One woman lawyer married to a well-known PCOT activist (sentenced *in absentia* to four years' imprisonment and in hiding since November 1992) has had her house searched by police officers without a warrant on several occasions during 1992 and 1993, often during the night. On one occasion, when she refused to open the door in the middle of the night on the ground of the illegality of the search without a warrant, the police broke down the door. On another occasion, her 11-year-old daughter was questioned by the police in her mother's absence, and her brother was questioned and told to report to the police station regularly. Her landlord was also visited by police at night and questioned about her activities.

The wife of a suspected PCOT activist, who is currently serving a prison sentence in El Kef, was detained in the police station and questioned for a whole day after she met an Amnesty International delegate in April 1993.

Such retaliation against wives and relatives of detainees and anyone else who gives information about human rights violations is in stark contrast with the assurances given by the Tunisian authorities to Amnesty International and to other human rights organizations about

Tunisia's respect for fundamental human rights, including freedom of expression and association. Moreover, the practice of arbitrary arrests contravenes Article 9(1) of the International Covenant on Civil and Political Rights, to which Tunisia is a State Party, which states that:

"Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention...".

Pressure by the authorities on landlords and employers of suspected political opponents and their relatives has reportedly resulted in many of them being evicted from their homes and dismissed from their jobs. Over the past year pressure has been put on women working in the public sector to stop wearing the *hijab* (Islamic veil) both at work and outside on threats of losing their job if they refuse. Women wearing the *hijab* are also systematically stopped at the prison gate and prevented from visiting their relatives or leaving food for them. Wives of Islamist detainees are systematically not informed of their husbands' transfers to different prisons, and some of them have been prevented from visiting their husbands on the pretext that their identity cards bear their maiden name and not their married name. Marriage certificates which used to be accepted as valid documents for visits are no longer accepted. This is inconsistent with Principle 19 of the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment which states that "A detained or

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imprisoned person shall have the right to be visited by and to correspond with, in particular, members of his family...".

#### PROLONGED GARDE A VUE DETENTION

Reports of detainees, including women, being held in *garde à vue* detention illegally prolonged beyond the maximum 10-day period continue to be received by Amnesty International. It is during this time, when detainees are held incommunicado without access to their families and lawyers, that they are most at risk of torture and ill-treatment.

Tunisian law limits *garde à vue* detention to an initial four-day period, which may be renewed once by written order of the *procureur de la république* (public prosecutor) and, in exceptional cases, further extended by two days, bringing the total maximum period to 10 days.

Article 13 bis of the Tunisian *Code de Procédure Pénale* (CPP), Code of Criminal Procedure, gives the right to detainees, their spouses or any close relatives to demand a medical examination even during the period of *garde à vue* detention.

Principle 16.1 of the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment states that:

"Promptly after arrest and after each transfer from one place of detention or imprisonment to another, a detained or imprisoned person shall be entitled to notify or to require the competent authority to notify members of his family or other appropriate persons of his choice of his arrest, detention or imprisonment or of the transfer and of the place where he is kept in custody."

However, families are never informed of the detainees' whereabouts after arrest, and are systematically denied all information when they inquire with the authorities. Police at the centres where the detainees are held in *garde à vue* usually deny holding them. Moreover, in the vast majority of cases where the initial four-day period of *garde à vue* detention is extended no evidence is made available to defence lawyers of written authorization by the public prosecutor for such extension.

These practices, which have been routinely used against male political detainees since the end of 1990, have been increasingly used against women detainees over the past two years.

Two 23-year-old female students from Tajerouine who were arrested on 23 March 1993 were held incommunicado in the police station until their court appearance on 6 and 7 April 1993; that is five days longer than the legal maximum period. Despite inquiries with the local police station, their families were unable to obtain any information concerning their whereabouts.

A woman who was arrested on 4 January 1993, was held in *garde à vue* detention in El Kef police station and her family were unable to obtain any information on her whereabouts for 27 days. They were able to see her for the first time 30 days after her arrest.

A mother of three children who was released in September 1992 after serving an eight-month prison sentence for membership of an unauthorized organization and holding unauthorized meetings, was rearrested in Tunis on 5 April 1993. On 12 May 1993 her family had still not succeeded in obtaining any information on her whereabouts despite repeated inquiries with the authorities.

#### TORTURE AND ILL-TREATMENT

Torture and ill-treatment of political detainees in *garde à vue* detention, often illegally prolonged, has been a recurrent practice in Tunisia over the past two and a half years. As the circle of repression against political activists and their relatives has widened, more and more women detainees have been subjected to torture and ill-treatment in incommunicado detention. Such practices by the Tunisian authorities violate international standards related to the protection of detainees against torture and ill-treatment ratified by Tunisia, as well as Tunisian law.

The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) obliges Tunisia to "ensure that all acts of torture are offences under its criminal law" (Article 4(1)) and to "make these offences punishable by appropriate penalties which take into account their grave nature" (Article 4(2)). Article 2 requires Tunisia to "take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction" and states that:

"No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."

The Convention also requires Tunisia to "ensure that any individual who alleges that he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities" (Article 13).

Article 7 of the International Covenant on Civil and Political Rights states that:

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment..."

Article 101 of the Tunisian Penal Code provides for five years' imprisonment for law enforcement officers who use violence or cause it to be used against any person without legitimate motive, and Article 103 provides for five years' imprisonment for the use of violence or ill-treatment against an accused, a witness or an expert in order to obtain confessions or declarations, and six months' imprisonment for the threat of violence.

However, torture and ill-treatment of detainees in Tunisia has continued to be carried out in total disregard of both Tunisian laws and international standards. The government has failed to take the necessary steps to put an end to the practice of torture and ill-treatment of detainees, and to bring the behaviour of law-enforcement officers into line with the dictates of international standards and Tunisian law.

Amnesty International has received scores of testimonies from women, their families and lawyers, and has received reports of scores of other cases of women who have been ill-treated in police custody in Tunisia. The actual number of victims is difficult to evaluate, but may be greater as many of the women who have suffered these violations are unwilling to talk about their experiences because they feel deeply ashamed and humiliated and because they fear further retaliation by the authorities against themselves and their families.



A 35-year-old woman, mother of three children and wife of a prominent figure in the *al-Nahda* movement, was subjected to torture, ill-treatment and constant harassment during 1991 and 1992, until she eventually managed to leave the country. Medical experts in the treatment of torture victims in the *Association pour les victimes de la répression en exil (AVRE)*, Association for the Victims of Repression in Exile, in Paris have confirmed that she is still today suffering from partial paralysis of her right arm, apparently due to having been suspended by the hands for prolonged periods, and that her physical condition is consistent with her allegation of torture. She states:

From March 1991, after my husband left Tunisia, I had to report three times a week to the Ministry of the Interior, where I would be held for several hours at a time, often for the whole day. They asked me about my husband's whereabouts, but did not believe me when I said I did not know where he was, and threatened me. On several occasions they made me remove the *hijab*, ordered me to divorce my husband, undressed me and threatened me with sexual abuse, and beat me. Once in August 1992, they kept me for the whole day; they undressed me in front of several male policemen, two policewomen and my brother who had accompanied me. Another male *al-Nahda* member detained there was brought in the room and I was told that they would make him rape me. They stubbed cigarettes on my genitals whilst two policemen held my hands and a policewoman held my face. They suspended me by the hands, beat me all over, and broke my right arm. When they released

me late that evening I went to the hospital. When I went back to report three days later as usual I told them that I had contacted a lawyer and initiated a legal complaint, but I was told to withdraw it or else I would be raped and then accused of adultery.

She then went to live with her family, some of whom also suffered harassment and ill-treatment for sheltering her and her children. Her brother was repeatedly detained and ill-treated, and after she left Tunisia her sister was also detained on several occasions and allegedly subjected to torture and sexual abuse.

The wife of another prominent member of *al-Nahda* who left Tunisia in 1991 told Amnesty International:

I was arrested on 4 September 1991, they took me to the Ministry of the Interior. There they told me to take off my headscarf and asked me where my husband was. I took off my headscarf. Then they said "Take off your dress" and I refused. Then they tore it off and tore off my underwear except my underpants; they threw me on a mattress, took a stick, and beat and insulted me. I was kept for four days. The following day they also brought my brother and I was only wearing my underpants and I screamed and shouted - they threw a bucket of water over me. At night a man came in, he brought a bottle of milk; I refused to drink it, but he made me drink it by force and I vomited. Then he left me. Then a lot of people came in

and began to question me, I was interrogated by seven people at the same time. They said, "If you had been honest we wouldn't have undressed you and left you in underpants". They brought a bottle and a stick and told me to take off my clothes, I said "No" and then they began to pull my pants down and I began to shout. Then they said "Dress, and we'll come back in 15 minutes". Then they came, and I told them everything I knew and said, "If I knew where he is I'd tell you". They undressed me by force and tried to take off my underpants and the seven were insulting me. I fainted and they left me during the night. I thought of committing suicide. On 9 September they released me.

She later left Tunisia.

A mother of two children was arrested in Beja in December 1992 and held incommunicado for over eight weeks in Beja police station. She reported that she was tied and beaten all over her body and had her head repeatedly plunged in dirty water. She was then tried and given a suspended sentence of five months' imprisonment for unauthorized collection of funds. She stated that other women who were held in the same police station were also tortured and ill-treated.

On 6 November 1992, a five-month-pregnant woman suspected of political activities on behalf of the PCOT was arrested from her home in Gabes by members of the security forces who searched the house without showing a search warrant. She was told that they

would take her to the police station for a few minutes only to check some details about her husband who had been arrested a few hours earlier, and she was forced to leave her little daughter alone. She stated that during *garde à vue* detention in Gabes police station she was partially undressed, beaten with sticks, and threatened with rape and with further violence if she did not talk about her political activities. One of the policemen reportedly told her "on va te faire descendre ce que tu as dans ton ventre" (we'll bring down what you have in your stomach). She was forced to sign a *procès verbal* (police statement) without knowing its content. As her physical condition had worsened and she seemed in danger of miscarrying, she was released the following day; there is no police record of this arrest.

She went to hospital where she received treatment for two days, and was given a certificate ordering her to stay in bed for two weeks.

She also consulted other specialists and tried to lodge a formal complaint about the treatment received whilst in police custody. She was rearrested on 13 November and interrogated whilst lying on the floor of the police station because she was unable to stand up. She was released after several hours, but was rearrested the following day.

Another six-month-pregnant woman, arrested on 13 November in Gabes and accused of activities in the PCOT, was pushed, slapped and threatened in the police station; she saw the other woman lying on the floor in the police station after having been ill-treated and signed the *procès verbal* out of fear.

The two women were tried on 18 November 1992 with nine men also accused of political activities for PCOT. They were sentenced to four months' imprisonment on charges of belonging to an unauthorized organization (PCOT) and collecting money without permission. The defence lawyers requested a medical examination and an investigation into allegations of ill-treatment, but their requests were ignored by the court. Despite the fact that bail was granted to the two pregnant women pending appeal, they continued to be detained until 11 January 1993, when the appeal took place. Their sentences were upheld on appeal, but they were released the following day by presidential pardon. Both women have lost their jobs because they were sentenced to more than three months' imprisonment. Since their release they have been questioned by the police concerning their activities, their relations with others and their sources of income.

A 21-year-old student from El Kef was arrested on 12 February 1993 and held incommunicado in the police station for seven days, during which time she alleged that she was undressed and beaten. A request by her lawyer for medical examination was refused by the court, even though at the time of her court appearance she still had marks on her hands and wrists. She was sentenced to seven months' imprisonment for belonging to an unauthorized organization (PCOT) and for illegal collection of funds.

The Tunisian Government has repeatedly declared that torture is unacceptable. It set up a Higher Committee for the Defence of

Human Rights and Fundamental Liberties in April 1991 and a Commission of Enquiry into allegations of torture was established in June 1991. It appointed a Presidential Counsellor for Human Rights in June 1991 and created human rights units in the Ministries of the Interior, Justice and Foreign Affairs in 1992. In December 1992 the position of Ombudsman attached to the President was also created, and in April 1993 Tunisia signed Article 41 of the ICCPR, which allows one State Party to the Covenant to submit communications for consideration by the Committee that another State Party is not fulfilling its obligations under the present Covenant.

A report of the government-appointed Committee of Enquiry into the implementation of reforms in pre-trial procedures, which was made public in July 1991, stated that 116 members of the security forces had been disciplined. However, the Tunisian Government has consistently refused to give details of offences and sanctions and no public investigation has been carried out in any of the cases of torture allegations and deaths in custody.

The Tunisian authorities have denied most of the allegations of torture of women and men detainees raised by Amnesty International in the past. However, despite its requests, the organization has never received the findings of any investigation into any of the cases raised in detail with the Tunisian authorities.

#### **UNFAIR TRIALS**

Dozens of women have been brought to trial and sentenced to up to two years' imprisonment on charges of belonging to an illegal organization, participating in meetings, collecting donations without a permit and advocating deeds which might disturb public order. The vast majority of men and women sentenced to terms of imprisonment for political offences in Tunisia have been convicted in trials which have fallen short of international standards. Detainees' allegations of prolonged incommunicado detention and torture, and defence lawyers' requests for medical examinations and investigations into the allegations are systematically ignored or rejected at all stages of pre-trial and trial procedures.

In the vast majority of cases no evidence is produced by the prosecution to substantiate charges of membership of an unauthorized organization and dates and venues of unauthorized meetings are rarely if ever given. This fails to satisfy the prosecution's burden to prove the defendants guilty beyond reasonable doubt as set out in Article 14(2) of the ICCPR. Confessions allegedly extracted under duress are often the sole evidence brought against the defendants, in violation of Article 15 of the CAT which provides that Tunisia "shall ensure that any statement ... made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made". In some cases defendants are convicted on the basis of confessions of others whom they have had no opportunity to cross-examine, in violation of Article 14(3)(e) of the ICCPR.

As the circle of repression has widened women, including students and schoolgirls, have also been tried under the same inequitable system, and imprisoned. Most of the women have been charged with unauthorized collection of funds, a charge less often brought against male defendants, for providing financial help to wives of other political detainees. Many of them are prisoners of conscience and possible prisoners of conscience.

In Tunisian law (Law 69-4 of 24 January 1969 on public meetings) there are provisions for regulating public meetings, but there are no provisions for regulating or banning private meetings. However, this law is constantly used to convict men and women accused of having met with others (sometimes only one other individual) in private homes. Moreover, in many cases the courts use the wording "secret meetings", for which there are no provisions in Tunisian law.

Imprisonment on charges of membership of an unauthorized association and holding unauthorized meetings clearly violates Article 22 (1) of the ICCPR, which states that:

"Everyone shall have the right to freedom of association with others..."

In a trial in November 1992 in Gabes of two women and nine men accused of belonging to PCOT, the defendants were convicted of



membership of an illegal organization (PCOT), illegal collection of funds, illegal meetings, and distribution of leaflets. The leaflet for which some of the defendants were imprisoned contained criticisms of the Tunisian government, but it did not in any way advocate violence or rebellion. The two women denied their confessions in court saying that these had been extracted under duress. No other evidence of their membership to PCOT, the dates and venues of the meetings or the collection of funds was brought by the prosecution.

A 21-year-old female student from El Kef was tried *in absentia* in October 1992, whilst she was studying at Tunis University. She was sentenced to three years and two months' imprisonment for belonging to an unauthorized organization (*al-Nahda*), holding secret meetings and distributing leaflets. She was subsequently arrested in November 1992 and retried and her sentence was reduced to six months, but the prosecution appealed and her sentence was increased to 18 months. Copies of the leaflets she was accused of having distributed were not brought to court, nor was any evidence of her membership of *al-Nahda*, and of her participation in secret meetings.

She stated in court that she had been beaten and ill-treated during incommunicado detention in El Kef police station. Her lawyer requested a medical examination and an investigation into allegations of ill-treatment, but no action was taken by the court. She has also been sentenced *in absentia* in another trial to 18 months' imprisonment for the same charges.

Scores of individuals, both men and women, have been sentenced *in absentia* without having been summoned to court for their trial, or having been notified of their conviction. Some were subsequently arrested and are serving their sentences, some have gone into hiding to avoid being arrested, and others are awaiting arrest in the near future.

A woman who was tried *in absentia* in Tunis in the summer of 1992, was sentenced to six months' imprisonment for distributing PCOT leaflets and writing slogans on walls. No copies of the leaflets she allegedly distributed were brought to court to substantiate the accusation. She was not summoned to court for the trial even though she was living at her home address. She has not yet been arrested.

#### CONCLUSIONS AND RECOMMENDATIONS

Amnesty International has made many recommendations to the Tunisian Government to halt the grave human rights violations repeatedly recorded since 1990. A number of measures have been taken by the Tunisian Government in response to these demands. However the measures taken by the authorities - such as the posting up in all police stations of the Universal Declaration of Human Rights and the setting up of human rights committees and commissions of enquiry - have not stopped the systematic ill-treatment or torture of political detainees in Tunisia.

The Tunisian authorities have pointed to these reforms as evidence of their commitment to human rights, but these have not resulted in positive changes in the situation. So far there have been no public inquiries into any of the deaths in custody during 1991 and 1992. The results of other inquiries into specific allegations of torture and ill-treatment of detainees in incommunicado detention remain outstanding despite repeated requests. Investigating judges and courts continue to fail to investigate adequately allegations of torture and ill-treatment, and those responsible for such violations are able to repeat their actions with impunity.

Amnesty International fears that as long as the Tunisian Government refuses to recognize the widespread nature of these violations, including the fact that torture and ill-treatment are systematic, then these violations will continue and the circle of repression will widen further.

Amnesty International therefore once more calls on the Tunisian Government to recognize that torture and ill-treatment continue to be a serious problem in Tunisia and to state that torture, ill-treatment and other forms of harassment amounting to cruel, inhuman or degrading treatment or punishment will no longer be tolerated under any circumstances.

In addition the Tunisian Government should:

- 1) Institute prompt, thorough and independent investigations whenever procedural irregularities and torture or ill-treatment are alleged to have taken place, and ensure that the results of such inquiries are made promptly available to the victims and their lawyers.
- 2) Ensure that those responsible for torture or ill-treatment of detainees are publicly brought to justice, and that torture victims are given medical treatment and compensation, and to that end establish special independent rehabilitation programs for the treatment of victims of torture or ill-treatment.
- 3) Ensure that the period of *garde à vue* detention be respected in all cases, and that extension of *garde à vue* detention beyond the initial four-day period only be permitted in exceptional cases and upon written request of the public prosecutor.
- 4) Ensure that:
  - a) families of detainees be immediately informed of their place of detention and legal status;
  - b) detainees be given an immediate medical examination upon detention;

- c) detainees only be interrogated in the presence of a lawyer, and that women officers be present whenever women are detained.
- 5) Instruct investigating judges and courts not to accept confessions denied in court as sole evidence for conviction.
- 6) Take the necessary steps to ensure that harassment amounting to cruel, inhuman or degrading treatment or punishment of wives and families of detainees is stopped.

