

EXTERNAL (for general distribution)

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Deaths in Custody

12 June 1991

TUNISIA:

Abdelaziz Ben Hamuda Mahuashi, civil servant
Abdel Raouf Laaribi, aged 38

Amnesty International is gravely concerned at the recent deaths in custody of Abdelaziz Ben Hamuda Mahuashi, a civil servant working in the Ministry of the Interior, and Abdel Raouf Laaribi, a 38-year-old member of the consultative council of the unauthorized Islamic movement Hizb al-Nahda, Party of the Renaissance.

BACKGROUND INFORMATION

Abdelaziz Ben Hamuda Mahuashi is believed to have been arrested on 21 April 1991, when he failed to come home from work. Although his family repeatedly sought information on his whereabouts they were apparently told that he was working and could not go home. On 30 April 1991, officials from the Ministry of Defence notified the family that Abdelaziz Ben Hamuda Mahuashi had died of a heart attack the previous day, and his body was returned to the family a few hours later. The family was permitted to see to see his face only and were told that the body should be buried within two hours; during this time several people believed to be Defence Ministry officials remained in close attendance until the burial took place. Sources at Habib Thameur Military Hospital confirmed that Abdelaziz Ben Hamuda Mahuashi had been brought to the hospital but said he was already dead on arrival. The certificate from the military court dated 30 April 1991 allowing the family to bury the body does not state the cause of the death. The family was not provided with a death certificate, an autopsy report or other medical certification indicating the cause of death.

Abdel Raouf Laaribi was arrested on 3 May 1991 and held incommunicado in garde à vue detention reportedly in the Ministry of the Interior until his death on 26 or 27 May 1991. His family and lawyers were not informed of his whereabouts or allowed access although the maximum period of pre-trial garde à vue detention expired on 13 May. On 27 May 1991, the Tunisian authorities notified his family that he had died of a heart attack. His body was delivered to the family early in the morning of 28 May 1991 but the family were not permitted to examine it and were required to bury it immediately. No autopsy report or other medical certification indicating the cause of death was apparently made available to the family. Amnesty International has received allegations that Abdel Raouf Laaribi died as a result of torture during garde à vue detention.

Over the last nine months Amnesty International has received numerous reports of torture in garde à vue detention, often prolonged beyond the maximum 10-day period allowed by Tunisian law. The organization has urged the Tunisian Government to set up a full inquiry into these deaths.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in French or Arabic if possible:

- urging that a public inquiry be set up into the deaths of Abdelaziz Ben Hamuda Mahuashi and Abdel Raouf Laaribi, and that the findings be made public;
- urging that if the allegations of torture are found to be true that those

responsible be brought to justice and that the families be compensated.

APPEALS TO:

Son Excellence
 Président Zine El Abidine Ben Ali
 Président de la République
 Palais Présidentiel
 Carthage
 Tunis, Tunisia
Telegrams: President Ben Ali, Tunis, Tunisia
Telexes: 14900 prpsa tn; 12163 ppsd tn
Faxes: + 216 1 74 4721

M. Abdallah Kallel
 Ministre de l'Interieur
 Ministère de l'Interieur
 Place du Gouvernement
 Tunis, Tunisia
Telegrams: Ministre Interieur, Tunis, Tunisia
Telexes: 13662 sdap tn
Faxes: +216 1 34 0888

M. Abderrahim Zouari
 Ministre de la Justice
 Ministère de la Justice
 Boulevard Bab Benat
 Tunis, Tunisia
Telegrams: Ministre Justice, Tunis, Tunisia

M. Hamed Karoui
 Premier Ministre
 Bureau du Premier Ministre
 Place du Gouvernement
 Tunis, Tunisia
Telegrams: Premier Ministre, Tunis, Tunisia
Telexes: 14530 pmcab tn
Faxes: + 216 1 56 2378

M. Habib Ben Yahia
 Ministre des Affaires Etrangères
 Ministère des Affaires Etrangères
 Place du Gouvernement
 La Kasbah
 Tunis, Tunisia
Telegrams: Ministre Affaires Etrangeres, Tunis, Tunisia
Telexes: 14470/1/2 mafta tn

COPIES TO: diplomatic representatives of Tunisia in your country

PLEASE ALSO SEND COPIES OF SOME OF YOUR APPEALS, FOR INFORMATION, TO:

Ligue Tunisienne pour la Défense des Droits de l'Homme
 1, rue Canada
 Tunis, Tunisia

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section Office, if sending appeals after 24 July 1991.