

EXTERNAL (for general distribution)

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Fear of torture/ill-treatment

14 December 1994

TUNISIA

Jalel MAALEJ, researcher

Jalel Maalej is being held incommunicado in *garde à vue* detention without access to his lawyer or family and is at risk of torture and ill-treatment. He was arrested on 4 December 1994 upon his arrival in Tunisia from France.

Jalel Maalej is a Tunisian academic living in Paris, where he is conducting research at the *Centre Scientifique et Technique des Bâtiments*. He returned to Tunisia for a holiday and was arrested at Tunis airport. His family's attempts to obtain information concerning his whereabouts and the reason for his arrest have been unsuccessful. Amnesty International fears that he may have been arrested on suspicion of political activities and may be detained as a prisoner of conscience.

BACKGROUND INFORMATION

The human rights situation in Tunisia has continued to deteriorate over the past year. Several other academics living abroad, on returning to Tunisia on holiday, were arrested on charges of having participated in unauthorized political activities, such as attending meetings, and imprisoned as prisoners of conscience. They were accused under a November 1993 law amendment which allows for the prosecution of Tunisian citizens for acts committed outside Tunisia, even if these acts are not punishable under the law of the country where they were committed.

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

- expressing concern that Jalel Maalej is being held incommunicado, in contravention of international standards. Stress that Article 9(3) of the International Covenant on Civil and Political Rights (ICCPR), to which Tunisia is a state party, states that: "*Anyone arrested or detained on a criminal charge shall be brought promptly before a judge...*";
- expressing concern that Jalel Maalej is at risk of torture and ill-treatment as long as he is held incommunicado;
- calling for Jalel Maalej to be given prompt access to his family, lawyer and medical care if necessary;
- urging that families of detainees be promptly informed of their relative's whereabouts and that no one be detained in prolonged *garde à vue* detention as it is during this time that detainees are most at risk of torture and ill-treatment.

APPEALS TO: (All salutations: Excellence/Your Excellency)

1) Minister of the Interior

M. Abdallah Kallel
Ministre de l'Intérieur
Ministère de l'Intérieur
Avenue Habib Bourguiba
Tunis, Tunisie

Faxes: +216 1 340 888

Telexes: 13662 sdap tn

Telegrams: Ministre de l'Intérieur Kallel, Tunis, Tunisie

2) Minister of Justice

M. Sadok Chaâbane
Ministre de la Justice
Ministère de la Justice
Boulevard Bab Benat
Tunis, Tunisie

Faxes: +216 1 568 106 or +216 1 567 070

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

Telegrams: Ministre de la Justice Chaâbane, Tunis, Tunisie

3) Minister of Foreign Affairs

M. Habib Ben Yahia
Ministre des Affaires Etrangères
Place du Gouvernement
La Kasbah
Tunis
Tunisie

Faxes : +216 1 791005

Telexes: 14470 mafta tn 14471 mafta tn 14472 mafta tn

Telegrams: Ministre des Affaires étrangères Ben Yahia, Tunis, Tunisia

COPIES OF YOUR APPEALS TO:

M. Salem Makki

Conseiller Présidentiel chargé des droits de l'homme

Palais Présidentiel

Carthage/Tunis

Tunisia

Faxes: +216 1 731 009 or +216 1 742 513

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 28 January 1995.