

EXTERNAL (for general distribution)

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Further information on 374/91 (MDE 30/26/91, 4 November 1991) - Death in custody

TUNISIA: Rachid CHAMMAKHI

Amnesty International has received testimony that Rachid Chammakhi, said by the Tunisian authorities to have died from natural causes while in custody in Nabeul, was severely tortured just before his death.

Amnesty International has received reports that Rachid Chammakhi was seen on the evening after his arrest on 24 October in the street in Sliman. He was guarded by about 30 policemen who were apparently using him to point out houses of suspected members of the illegal Islamic party al-Nahda. He was reported to be "in a lamentable condition", his hands handcuffed behind his back and with bloodstains on his body. Amnesty International has also received testimonies from eyewitnesses stating that they saw Rachid Chammakhi on the night of 27 October 1991 in Nabeul Police Station. He was only wearing his underclothes and his body bore clear marks of torture and bruises; he was handcuffed and kept standing in the corridor for over three hours, and then was taken to a room for interrogation. The sounds of the beatings and of his screams were heard for several hours. Afterwards Rachid Chammakhi collapsed in the bathroom and was taken to hospital.

Eyewitnesses who saw Rachid Chammakhi in hospital stated that his body was covered in wounds and bruises; he talked with difficulty and complained of physical pain. He died during the night. His family was told the next day that he had died of liver failure. On 29 October his body was brought to the house under a heavy police escort which also accompanied the body to the place of burial. The family were not allowed to examine his body but they noticed a scar at the top of his chest and bruises on his head.

The Tunisian Government, in its public statements, has consistently denied that Rachid Chammakhi was tortured but has not set up a public inquiry into his death. However, the investigating judge (juge d'instruction) at Grombalia, at the urging of the Chammakhi family, opened an investigation into the causes of Rachid Chammakhi's death and has called the police and medical experts for questioning but this investigation has apparently now been closed.

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

- expressing concern at the latest information regarding the death of Rachid Chammakhi and urging that an immediate public inquiry be set up into the circumstances of his death;
- expressing concern that this is the ninth death of a detainee in circumstances which strongly support that torture was the cause of death and reinstate Amnesty International's appeal for a public inquiry to be established to look into these cases

APPEALS TO: (in French or Arabic, if possible)

1. President:

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

Salutation: Excellence / Your Excellency

2. Minister of Interior:

M. Abdallah Kallel

Ministre de l'Interieur

Ministère de l'Interieur

Avenue Habib Bourguiba

Tunis, Tunisie

Telegrams: Ministre Interieur, Tunis, Tunisia

Telexes: 13662 sdap tn

Salutation: Excellence / Your Excellency

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3. First Presidential Counsellor for Human Rights:

M. Sadoq Chaâbane

Conseiller Présidentiel chargé des Droits de l'Homme

Palais Présidentiel

Carthage/Tunis, Tunisie

Telegrams: Conseiller Presidentiel Chaabane,

Palais Presidentiel, Carthage, Tunisie

Faxes: + 216 1 744721 or 742513

Salutation: Excellence / Your Excellency

4. Minister of Justice:

M. Abderrahim Zouari

Ministre de la Justice

Ministère de la Justice

Boulevard Bab Benat

Tunis, Tunisie

Telegrams: Ministre Justice, Tunis, Tunisia

Faxes: + 216 1 568 106

Salutation: Excellence / Your Excellency

5. Foreign Affairs Minister:

M. Habib Ben Yahia

Ministre des Affaires Etrangères

Ministère des Affaires Etrangères

Place du Gouvernement

La Kasbah, Tunis, Tunisie

Telegrams: Ministre Affaires Etrangeres, Tunis, Tunisia

Telexes: 14470/1/2 mafta tn

Salutation: Excellence / Your Excellency

COPIES TO: Diplomatic representatives of Tunisia in your country.

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

Human Rights Organizations:

Ligue Tunisienne pour la Défense des Droits de l'Homme

23 rue du Yemen

Tunis, Tunisia

Faxes: + 216 1 795 466

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

Ambassador Rachid Driss

President 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 / + 216 1 796593

Salutation: Excellence / Dear President

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat or your section Office if sending appeals after 23 February 1992.