

**EXTERNAL (for general distribution)**

**AI Index: MDE 30/12/93**

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**Further information on UA 277/93 (MDE 30/08/93, 18 August 1993) and follow-up:  
MDE 30/10/93, 27 August 1993 - Fear of Torture**

**TUNISIA: Samir MOUSSA  
and new name: Salaheddine ZIKIKOUT**

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Samir Moussa, arrested on 25 July, continues to be held in illegally prolonged incommunicado detention. His family has repeatedly sought information on his whereabouts from the Tunisian authorities, but to no avail.

Salaheddine Zikikout, a 30-year-old student at the Conservatoire national des arts et metiers (National Conservatory for Arts and Crafts) in Paris, was arrested on 8 August 1993 upon arrival at the port in Tunis, and continues to be held in illegally prolonged incommunicado detention. He has been living in France for over four years, and he had last returned to Tunisia in March 1993. He had never been arrested before. Since his arrest his family have contacted the Tunisian authorities on several occasions to inquire about his place of detention, but have been unable to obtain any information.

Amnesty International has sought information on the whereabouts of Samir Moussa and Salaheddine Zikikout from the Tunisian Ministry of Justice and Interior, the Ombudsman and the Higher Committee for Human Rights and Fundamental Liberties. However to date we have received no satisfactory response.

According to Tunisian law, detainees may be held incommunicado for a maximum period of four days, renewable once only by written order of the public prosecutor and in exceptional cases further extended by two days, thus making a maximum of 10 days. However, this law is continually breached and detainees held incommunicado for up to several weeks. The practice of torture is widespread in Tunisia, and it is during incommunicado detention, when detainees are completely cut off from the outside world without access to their families and lawyers, that they are most at risk of torture and ill-treatment.

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

- expressing your concern that Samir Moussa and Salaheddine Zikikout continue to be held in prolonged incommunicado detention, contravening both international standards and Tunisian law. 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...";

- seeking information on their whereabouts and details of any charge brought against them;

- urging the Tunisian authorities to allow Samir Moussa and Salaheddine Zikikout immediate access to their families, lawyers and medical care if necessary. Also point out that Article 13bis of the Tunisian Code of Criminal Procedure limits incommunicado detention to a maximum of 10 days and allows detainees access during that time to medical care;

- urging that no one be detained in prolonged incommunicado detention as it is during this time that detainees are most at risk of torture and ill-treatment, and urging that the families of detainees be immediately informed of the detainees's whereabouts;

#### **APPEALS TO**

1) Minister of Justice:

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

**Telegrams: Ministre de la Justice Chaâbane, Tunis, Tunisie**  
**Telexes: 13000 maet tn (via Ministère de l'Interieur)**  
**Faxes: + 216 1 568106, + 216 1 567070**  
**Salutation: Monsieur le Ministre / Dear Minister**

2) Minister of the Interior:

M. Abdallah Kallel  
Ministre de l'Interieur  
Ministère de l'Interieur  
Av.Habib Bourguiba  
Tunis, Tunisie

**Telegrams: Ministre de l'Interieur Kallel, Tunis, Tunisia**  
**Telexes: 13662 sdap tn**  
**Faxes: + 216 1 340888**  
**Salutation: Monsieur le Ministre / Dear Minister**

3) Minister of Foreign Affairs:

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

**Telegrams: Ministre des Affaires Etrangeres Ben Yahia, Tunis, Tunisie**  
**Telexes: 14470 mafta tn, 14471 mafta tn, 14472 mafta tn**  
**Faxes: + 216 1 791005**  
**Salutation: Monsieur le Ministre / Dear Minister**

#### **COPIES OF YOUR APPEALS TO:**

Human Rights Organization:

M. Rachid Driss  
Président  
Commission Supérieure des Droits

de l'Homme et des Libertées Fondamentales  
85 Avenue de la Liberté  
Tunis, Tunisie  
**Faxes: + 216 1 784037, + 216 1 796593**

Ligue Tunisienne des droits de l'homme  
c/o Institut arabe des droits de l'homme  
23 avenue Mohieddine El-Klibi  
1004 El Manor II  
Tunis, Tunisie

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 18 October 1993.