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Allegations of Torture During Arrest

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(Tunis) [Tunisian](#) authorities should conduct a thorough and impartial investigation into the death of a man on October 3, 2014 who was allegedly tortured and abused during his arrest. Relatives of Mohamed Ali Snoussi who viewed his body told Human Rights Watch that he had injuries on the back of his head and bruising on his back, arms, and legs. Human Rights Watch viewed photographs showing the injuries.

Police arrested Snoussi, 32, on September 24 in Mallasine, a working class neighborhood of Tunis. Three witnesses Human Rights Watch interviewed said police officers stripped him naked, beat and sexually humiliated him, and threatened him in full public view, then took him away. Snoussi spent six days in police cells, before authorities took him to a hospital, where he died two days later.

There are serious allegations that police officers tortured and abused a suspect in broad daylight, in front of his neighbors and other bystanders; this could show that they consider themselves above the law, said [Eric Goldstein](#), deputy Middle East and North Africa director. The police actions in Snoussi's arrest, if confirmed, mock the governments claims that it is seriously tackling the problem of torture.

In separate interviews with Human Rights Watch, three neighbors who witnessed the arrest gave consistent accounts. They said that police officers arrived in several cars at about 10:30 a.m. on September 24, broke open the door to Snoussi's house, and brought him out bare-chested.

The officers, who identified themselves loudly as judicial police from Brigade 17 after they brought him out, hit Snoussi with batons, pushed him, and tore off his trousers and underwear, exposing him naked to onlookers, and threatened to rape him, the witnesses said. The officers beat Snoussi for several minutes, bragging about their abuse and threatening onlookers, then forced him into one of their cars and drove away.

Mehdi Kalboussi, a neighbor, said he witnessed the police arrival and heard Snoussi screaming from inside the house. When the police brought him out, Kalboussi said:

The whole neighborhood was watching. The officer with three-star insignia said: You think you can curse on us you asshole! We are Firka [Brigade] 17. You will see what we will do to you. We will put the baton in your anus and put it back and make you a woman.

Kalboussi said the three-stars officer, indicating he is a high ranking commander, then beat Snoussi on his genitals.

Another witness, who spoke to Human Rights Watch on the condition that his identity would be protected, said he was in his shop when the officers arrived. He said that when the officers were beating Snoussi and onlookers were watching and protesting, one officer said: Do you see, people, what Firka 17 can do? If one of you would like to be treated like this, we will do to you what we did to this one!

Moez Snoussi, Snoussi's brother, told Human Rights Watch that he saw his brother at the Charles Nicole Hospital on October 1: I found him in a coma and barely breathing. He was surrounded by machines all over him. He had chains around his legs. I asked the doctors several times what is wrong with him. They gave me various conflicting answers.

After Snoussi's death on October 3, the hospital conducted an autopsy and then released his body to his family. Moez Snoussi said that when he saw the body:

I could barely recognize him. If doctors did not cut off hair from his head during the autopsy, I would not have been able to see the big blue bruise in the back of his head. I checked his body in detail. His back and legs were bruised.

Halim Meddeb, who works at the World Organization Against Torture, told Human Rights Watch:

Saturday October 4, I went to the house of Mouhamed Snoussi and saw the body of the victim. He had extensive bruises everywhere, on his back, his arms and his ribs.

Photographs of the body viewed by Human Rights Watch show extensive bruising to Snoussis back, legs, and head.

On October 7, the Interior Ministry published a statement on its Facebook page saying that police had arrested Snoussi for offenses that included assaulting police officers and consumption and trafficking of drugs. The statement said a forensic report from the Charles Nicole Hospital attributed Snoussis death to septic shock and lung damage, and had concluded that, the cause of death is not from traumatic origin. Snoussis brother told Human Rights Watch on October 13 that the family has yet to receive the forensic report cited in the ministrys statement.

Radhia Nasraoui, the lawyer representing the Snoussi family, told Human Rights Watch that an investigative judge of the 27th bureau of the First Instance Tribunal of Tunis who opened a preliminary inquiry into Snoussis death allowed her to briefly read the official forensic report but not to copy it. The judge told Nasraoui that the victims and their representatives do not have any right of access to the official file or to make requests at this point in the investigation but Nasraoui disputes this and argues that it violates due process rights set out in the Code of Criminal Procedures, which guarantee parties civiles access to the official file at all stages of the case. Partie civile is a feature of civil law systems where victims become formal parties in criminal cases and to be able to inspect official documents related to the proceedings.

The UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary, and Summary Executions call for the thorough, prompt and impartial investigation of all suspicious deaths in custody to determine the cause, manner and time of death, the person responsible, and any pattern or practice which may have brought about that death. The Principles state that families of the deceased and their legal representatives shall be informed of, and have access to, any hearing as well as to all information relevant to the investigation, and shall be entitled to present other evidence.

Following a [visit](#) to Tunisia in June, the United Nations special rapporteur on torture said that while the government had made some progress in fighting torture, and victims now are less afraid to file complaints, there is unfortunately very little action by prosecutors and by judges in pursuing the cases. He urged the authorities to conduct prompt in-depth investigations into allegations of torture, prosecute the perpetrators, and afford victims effective remedies and reparation.

Tunisia needs to do much more to hold police who commit abuses accountable if its claims that it is committed to stamping out torture are to remain credible, Goldstein said.

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